

Issue: Preserving the socio-cultural practices of religious and ethnic minorities

Forum: Third Committee of the General Assembly

“No democracy can long survive which does not accept as fundamental to its very existence the recognition of the rights of minorities.” – Franklin D. Roosevelt

Description of the problem and background information:

Every member state of the United Nations is a country with religious and ethnic minorities living within their borders. But even though the situation of different religious and ethnic groups being part of one society is nothing new and has existed ever since, a peaceful coexistence and the respect of general rights that of course also apply for persons belonging to religious and ethnic minorities is in many cases not guaranteed. In at least the past 3 decades the United Nations has undertaken many steps to protect the rights of minorities which is essential for the preservation of their socio-cultural practices and their overall culture. But still minorities living all over the world, become the victims of discrimination and human rights violations permanently. Minorities in all regions of the world experience direct and indirect discrimination in their daily lives. Non-discrimination and equality before the law are essential for the preservation of their socio-cultural practices and thereby protect a minority's identity. Because of their different ethnicity, culture, religion or language, minorities and because of being the non-dominant social, economic and political group of a society minorities often experience violence by the majority in ways of crimes against humanity and genocide.

In their engagement to maintain their socio-cultural practices, minorities are frequently inadequately equipped to defend themselves and their rights and are poorly protected against violence by government actors, which often don't include members of minorities. The institutional and legislative environments, both at national and international level, do not provide the necessary legal and practical protection, in order to first of all guarantee the existence and the living conditions of the minorities and thereby prevent possible suppression and discrimination and furthermore establish appropriate penalties for perpetrators in such cases. Therefore, the existence of multiple minorities in every country of the world and the necessity for the promotion and protection of their rights draws the attention to major issues regarding the minority issue. The most important issues that need to be tackled to expedite the preservation of socio-cultural practices of religious and ethnic minorities are the recognition of minorities' existence, actions against their discrimination, the promotion of multicultural and intercultural education on a national and local level and furthermore the promotion of their participation in all aspects of public life.

Another intense problem for religious and ethnic minorities is the struggle to preserve their socio-cultural practices in times of violence against them and times of armed conflicts that lead to their displacement and causes them to either be displaced internally within their own country or externally as refugees. The displacement of religious and ethnic minorities may in the worst case lead to the extinction of such communities and consequently leads to the extermination of their complete socio-cultural practices and heritage. The displacement of persons belonging to religious and ethnic minorities can therefore serve as an indicator for measuring to which extent minority rights are respected, protected and fulfilled by the government of their country of origin. In situations of displacement humanitarian assistance programs are often inadequately launched which complicates the preservation of minority's socio-cultural practices. However another problem for the protection of a minority's identity is for example the protection of cultural or religious monuments which are important expressions of a minority's culture and existence. Furthermore displaced members of

religious and ethnic minorities are often victims of forced assimilation which causes the loss of their identity and thereby the loss of inter alia their culture, religion and language which is the basis of every minority's heritage. Therefore diversity and plural-identities need to be protected and respected and not only tolerated to preserve the socio-cultural practices of religious and ethnic minorities to the greatest possible extent.

What makes the preservation of the socio-cultural practices of religious and ethnic minorities difficult is the wide range of problems concerning religious and ethnic minorities and issues that contribute to the destruction of their socio-cultural practices. Thus the promotion and protection of the rights of minorities and thereby the preservation of their socio-cultural practices require particular attention to be paid to issues such as the recognition of minorities' existence, efforts to guarantee their rights to non-discrimination and equality, the national and local promotion of multicultural and intercultural education and last but not least the empowerment in social, economic and political life.

Recapitulatory there are three main issues that complicate the preservation of the socio-cultural practices of religious and ethnic minorities and thus need to be tackled. Firstly violations of human rights and crimes against humanity in regard to religious and ethnic minorities have to come to an end to enable an equal treatment for members of minorities which is the basis for a sustainable preservation of their socio-cultural practices. Secondly which persons belonging to religious and ethnic minorities are frequently excluded from the economic, social and political life of a society which draws the attention to their unequal treatment compared to the rest of a country's population. And last but not least the preservation of socio-cultural practices of ethnic and religious minorities is currently still not possible not due to inadequate political actions taken by governments but because of a lack of respect for persons belonging to ethnic and religious minorities and the non-appreciation for their culture and the diversity they bring for a society which is why their socio-cultural practices are endangered to be destructed and the acceptance of religious and ethnic minorities within a society strongly needs to be fostered.

Historical background

Ever since in history there have been conflicts between minorities and majorities living within the borders of a country. There are countless examples for the suppression of ethnic and religious minorities throughout the world. Even though the international community has taken countless measures to protect minorities from discrimination and suppression and thereby preserve their socio-cultural practices, yet it has failed to fully achieve this goal. Two not very recent but instead meaningful examples of minorities being suppressed and being the victim of extensive violence acted out by another group of society is the Apartheid in South Africa that lasted from 1948 to 1994 and the Rwanda genocide that took place in 1994. These both are definite examples that religious and ethnic minorities constantly have been in danger of becoming the victim of social, political and economic exclusion, the efforts that have been taken to eliminate a certain minority and thereby destroy their entire socio-cultural practices and heritage and the threat to ethnic and religious minorities of becoming the victim of violence and in the worst case as in the Rwanda, victim of a genocide. But due to the fact that every country has national or ethnic, religious and linguistic minorities within its borders, governments and the international community in form of the United Nations is still making efforts to eradicate the overall discrimination against religious and ethnic minorities to preserve their socio-cultural practices and thereby create a multicultural world community and to help members belonging to religious and ethnic minorities to become a respected and accepted part of the society they live in.

What needs to be done to solve the problem?

To preserve the socio-cultural practices of ethnic and religious minorities a wide range of different and drastic measures need to be taken. To preserve these social-cultural practices of minorities and thereby accomplish a culturally diverse world, the measures that need to be taken must reach all levels of a country's and the international society. The root causes of human rights violations are due to inequalities between groups with respect to the fulfillment of economic, social and cultural rights. Special measures to protect the existence and identity of minorities, to encourage conditions for the promotion of that identity and for achieving equality for all, may need to be different in nature and longer lasting than those legislative and policy measures required simply to address discrimination.

As promoted by UNESCO understanding between different cultures needs to be established and fostered. Only if people from different cultures understand and thereby tolerate, accept and finally respect each other, a peaceful coexistence and cohabitation can be guaranteed, which is of utmost importance to preserve the by inter alia discrimination and displacement of minority groups endangered socio-cultural practices of ethnic and religious minorities. To achieve this education in school and programs by international organizations such as UNESCO and national or regional organizations that foster the understanding of different ethnic and religious groups, and thereby extending pluralism and multiculturalism throughout the world, need to be launched. But by far more important are changes on a political level that secure ethnic and religious minorities from hostilities and discrimination that might hinder them from openly acting out their socio-cultural practices that sooner or later leads to the destruction of practices and traditions of ethnic and religious minorities. Mechanisms are required to ensure that the diversity of society in regard to minority groups is reflected in public institutions and bodies including national parliaments, the civil service, police and judiciary, and that persons belonging to minorities are adequately represented, consulted and have a voice in decisions which affect them, or the territories and regions in which they live. Governments need to make appropriate adjustments in their legislations that protect minorities living with their state's borders from discrimination, hostilities and possible oppression from the majority. A state's government therefore is responsible for protecting a majority's survival and the existence of their practices through preventing and combating violence against them, forced expulsion and genocide. Furthermore the protection and promotion of a minority's cultural and social identity, including the right of an individual belonging to a minority to choose which ethnic or religious group they wish to belong to and the right of those groups to affirm and protect their collective identity and to reject forced assimilation needs to be assured. Moreover both effective non-discrimination and equality, including the end of structural and systemic discrimination and if needed the promotion of affirmative action, and active and equal participation of members of minority groups in public life and decision making, especially in regard to decisions that affect them, need to be assured.

Who are minorities under international law?

As adopted by the United Nations in 1992 with the Minorities Declaration, minorities are distinguished from other parts of a population by their ethnic, cultural, religious and linguistic identity and the state's governments are obliged to protect their existence. Nevertheless there is no internationally accepted definition as to which groups constitute minorities. Furthermore to define whether a certain group counts as a minority both objective (such as the existence of shared ethnicity, language, or religion) and subjective factors (including that individuals must identify themselves as members of a minority) must be taken into account, which complicates to define a certain group as a minority. However it is nowadays commonly accepted that recognition of minority status should be based on both objective and subjective criteria and is not to be solely decided by the State. The special Rapporteur of the United Nations Sub-Commission on Prevention of Discrimination and Protection of minorities offered the

definition of a minority in 1977 as “A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.”

Definition of important key terms and involved countries/ groups/ people

-Minority

“**Minority**, a culturally, ethnically, or racially distinct group that coexists with but is subordinate to a more dominant group. As the term is used in the social sciences, this subordinancy is the chief defining characteristic of a minority group. As such, minority status does not necessarily correlate to population. In some cases one or more so-called minority groups may have a population many times the size of the dominating group, as was the case in South Africa under apartheid.”¹

-Pluralism

“**Pluralism** occurs when one or more minority groups are accepted within the context of a larger society. The dominant forces in such societies typically opt for amity or tolerance for one of two reasons. On the one hand, the dominant majority may see no reason to rid themselves of the minority. On the other hand, there may be political, ideological, or moral impediments to the elimination of a minority, even if it is disliked.

-Multiculturalism

“**Multiculturalism**, the principle of not only tolerating but also respecting different religions and cultures and encouraging them to coexist harmoniously—tends to undermine the traditional culture of any country that tries to put it into practice. It also encourages the excesses of “political correctness”—that is, an overly acute sensitivity to offending people of other backgrounds, outlooks, and cultures.”²

United Nations Educational Scientific and Cultural Organization (UNESCO)

In 1945 the UNESCO was found to establish end ensure peace on the basis of humanity`s moral and intellectual solidarity. Therefore it forms networks by mobilizing for education, protecting freedom and expression and furthermore, which is most important for the issue of preserving the practices of religious and ethnic minorities, building intercultural understanding and supporting cultural diversity. The UNESCO works to help people in understanding each other no matter which nation, culture or religion they belong to. They believe that the understanding and peaceful coexistence of different people belonging to different ethnic and religious groups is the only way to preserve world peace. Thus the work of UNESCO is of utmost importance for the enduring preservation of socio-cultural practices of religious and ethnic minorities. To protect the rights and the socio-cultural practices of ethnic and religious minorities UNESCO inter alia the Convention on the Safeguarding of the Intangible Cultural Heritages (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expression.

Office of the United Nations High Commissioner for Human Rights (OHCHR)

OHCHR was established with the intention protect and promote all human rights that are anchored in the Universal Declaration of Human Rights that was passed by the United Nations General Assembly in 1948. Thus the OHCHR is also concerned with the preservation of socio-cultural practices of ethnic and religious minorities. To fulfill this duty the OHCHR for example published the report “Minority Rights: International Standards and Implementation Guidance” in 2010.

¹ <http://www.britannica.com/topic/minority>, 08.07.15, 15:30

² <http://www.britannica.com/topic/neoconservatism#ref1009774>, 08.07.15, 15:52

Affirmative Action

Affirmative Action which is also commonly known as positive discrimination refers to a country's policy that privileges members of disadvantaged groups that suffer from discrimination within a culture and therefore might also apply for members from ethnic and religious minorities. Affirmative action programs are meant to remove both visible and invisible disturbances to make sure that everyone is given an equal chance to achieve certain goals. These programs are not meant to guarantee equal results for everyone but provide equality amongst a society by guaranteeing equal opportunities for everyone.

Important documents

- A/RES/50/180

International Covenant on Civil and Political Rights (legally binding)

Organization: United Nations

Art. 27 – *“In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.”*

Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities (not legally binding)

Organization: United Nations

Art. 1(1) – *“States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.”*

Framework Convention for the Protection of National Minorities (legally binding)

Organization: Council of Europe

Art. 4(1) – *“The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.”*

Art. 4(2) – *“The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political, and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.”*

Copenhagen Document (not legally binding)

Organization: Organization for Security and Co-operation in Europe (OSCE)

The document states that belonging to a national minority is a *“matter of a person's individual choice.”* The Copenhagen Document went much further than existing documents in providing an entire catalogue of minority rights and committing participating States to protect the right of ethnic, cultural, linguistic and religious minorities living on their territory.

Helpful links and sources:

<http://bismun.com/wp-content/uploads/2015/03/Study-Guide-BISMUN-2015-SOCHUM.pdf>

http://www.ohchr.org/Documents/Publications/MinorityRights_en.pdf

<http://www.unesco.org/most/pp4.htm>

<http://www.ohchr.org/EN/Issues/Minorities/Pages/internationallaw.aspx>

http://www.ohchr.org/Documents/Publications/HR-PUB-12-07_en.pdf

http://www.ohchr.org/Documents/Publications/Strategies_on_minoritiesEN.pdf

<http://www.oecd.org/migration/mig/15516956.pdf>

http://ec.europa.eu/research/social-sciences/pdf/accept-pluralism-addressing-cultural-ethnic-religious-diversity-challenges-in-eu_en.pdf

Questions delegates should consider during research:

- What does my country`s policy concerning religious and ethnic minorities look like?
- Were there any severe conflicts between different religious and ethnic groups within my country?
- Are there currently any religious and ethnic minorities that are systematically disadvantaged or suppressed?
- Which actions does my country`s government do to preserve the practices of religious and ethnic minorities?
- Are there currently any changes in my country`s policies regarding ethnic and religious minorities?
- Did my country sign and ratify important documents concerning this issue and is it willing to take further measures to ensure the preservation of practices of ethnic and religious minorities?
- Which measures can be taken to create a favorable environment for members belonging to religious and ethnic minorities to promote the expression of their socio-cultural practices and to develop their culture, language, religion and traditions?