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| Forum: | Human Rights Committee 2 |
| Issue: | Ensuring the rights of persons belonging to national or ethnic, religious and linguistic minorities |
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Introduction

The issue of ensuring the rights of persons belonging to national, ethnic, religious, or linguistic minorities involves the rights of minorities which includes a list of rights to which they are entitled to: to enjoy their own culture, to profess and practice their own religion, and to use their own language. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the General Assembly in 1992 also contained measures which States could implement or create an environment favorable to the enjoyment of such rights. For example, public displays that showcase to the public knowledge of the history, traditions, languages and cultures of these minorities. States were also asked to implement national policies and programmes regarding the interests of minorities. This offered guidance to member states to ensure that no discriminatory acts occur and to maintain the diversity in society.

Moreover, the most common culture known and said to this day is American Culture, White Culture or Western Culture. However, this does not acknowledge others in the United States as they have many different cultures such as Latin Americans, African Americans, Middle Eastern Americans, Asian Americans, Native Hawaiians and Americans and Alaska Native. To continue, ethnicity and nationality does play a huge role in society and cultural diversity. This is because each country's traditions and values differ due to their history and languages, which is essential towards the rights of minorities as when they enter other cultures they are seen differently and not accepted into the society which further adds onto the issue of ensuring the rights of ethnic, national, religious, and linguistic minorities.

As for linguistic minorities, deaf people are able to communicate with one another through communication via sign language. Furthermore, deaf culture has its own values and norms. As said in on the World Federation of Deaf website "Deaf culture, Deaf Community, Deaf World, Deaf History, Deaf Art, Deaf Identity, Sign Language, and strong sense of belonging are core elements that make the Deaf group as the linguistic and cultural group." Being linguistic minorities, they also face discrimination in many areas such as in workplaces towards what they can and can't do, as people believe the disability

will cause them to not be able to do certain things, such as becoming a dancer, an actor, and many other jobs.

Definition of Key Terms

Linguistics

Relates to language and communication which is the study and development of an individual's ability to speak and write.

Minorities

A small group of people, who in many cases have been discriminated against by their society, due to their nationality, belief, colour of skin, accent, or clothing.

Indigenous People

Indigenous people are ethnic groups who are inhabitants of a land or territory before it was taken hold of by other societies or colonized.

Prejudice

The formation of an opinion that is not based on reason and is discriminatory. Prejudice is used to refer to biased judgments towards someone due to either of their gender, age, ethnicity, language, nationality, race, and religious beliefs.

Cultural Diversity

The existence of different cultures and ethnic groups within a society. This includes language, race, ethnicity, norms, values, religious beliefs, and political views.

Background Information

Historical context

Minority rights were introduced as a significant problem during the congress of Vienna in 1814. This issue was brought up because of the inhumane treatment of the Jews at the time as well as Poland being divided into two separate countries. During this congress it was agreed upon that Germany (Prussia), Russia, and Austria would implement policies to allow for greater freedom for the minority groups living in their countries. However, as the years passed by it became increasingly clear that they completely overlooked this agreement. In 1856 the Congress of Paris was made to deal with another

pressing minority rights situation: the situation of Jews and Christians in the Ottoman Empire. Yet no significant changes were made in the 18th century, and the 19th century wouldn't see much progress as no countries made noticeable reforms to their policies. The media commonly reported on issues regarding minority persecution, however, there was little international cooperation to solve issues such as the African American segregation in the United States. The only way to show outrage was by minorities outside of their homeland protesting. For example, the Jews protested the pogroms (persecution and massacre of Jews) in Russia. However, Austria and Hungary are both exceptions as they made significant changes to their policies to allow for more just treatment regarding their minorities. The parliament of Hungary introduced the first minority rights in July 1849 and Austrian law included minority rights in 1867. Yet these were obviously not sufficient, as evident by the breakout of World War 1 and its relation to the treatment of Serbian minorities within the Austro Hungarian empire.

Treatment of Minorities

Minorities all around the world face discrimination and this is becoming a more pressing issue as countries all around the world are found to treat their minorities unequally to the rest of the citizens. Such examples are the cases of the Rohingya and Aboriginal Australians.

Rohingya

The treatment of the Rohingya People in Myanmar (muslim minority) may be the clearest violation to international laws. The Rohingya people are the most persecuted minority group in the world and are being denied any benefits by the country due to disputes over their homeland. This is because the government refuses to recognise they originated in Myanmar but would rather insist on them being from Bangladesh and India. This minority group has no proper identification and are stateless. In addition to being stateless, the military is conducting mass executions, burning down villages, and raping innocent civilians. This has all been acknowledged to be violation of human rights, yet there has been no signs of the situation improving.

Aboriginal Australians

Despite Australia being at the forefront of human rights issues around the world, there are problems with the Australian treatment of its minority, the Aboriginals. During the 1950s policies were implemented to change the Aboriginals' style of living and make it similar to that of a non indigenous person. However, the aboriginals did not accept this policy as they did not want their culture to be taken away from them, and this led to a much tension. Additionally, the Australian government has been found to intervene forcefully numerous times and even revoke many of their basic rights such as voting. Voting rights were given to the aboriginals 100 years after it was given to Australian men, showing how unequal they were within the law. In addition to that, in South Australia, non-aboriginals weren't allowed to socialize with the aboriginals. This treatment leads to a clear difference in the quality of life as aboriginals aren't supported as much by the

government. This has led to the aboriginals having a suicide rate that is 6 times the national average and an unemployment rate that is 4 times the national average.

International Law

Minority rights applies to ethnic, religious, national, and linguistic minorities and they have been of utmost importance in international law. This is because many minority groups are extremely vulnerable in their nations, and without proper laws in place, situations could escalate to lead to internal conflicts. There have been a few internationally accepted treaties established to protect the minorities. For example, the “Convention on the Prevention and Punishment of the Crime of Genocide” looks at how minorities must be treated in regards to genocide, as minorities rights are at the core of human rights. A reason to as why minorities rights have been included in international law is because enhancing minorities rights will result in “political and social stability of States in which they live”. After numerous treaties, the end goal which has been agreed upon is to protect minorities against violence and discrimination. On November 14, 2014 the OHCHR conducted a forum, “Dialogue on the role of the United Nations in preventing and addressing violence and atrocity crimes against minorities” which looked at possible solutions to the issue as well as the minority laws in the EU. Previously, most countries simply adopted the international laws regarding minorities rights in addition to the laws set up by the European Council. However, as the issue of the rights of minorities becomes more important, most countries are implementing policies specific to their own situations.

Major Countries and Organizations Involved

United States of America

The United States has a diverse culture towards many different minorities which includes a variety of minority groups such as Latinos, Arabs and Middle Eastern Americans, African Americans, Asian Americans, Native Hawaiians and Americans, and Alaska Natives. Many of these minority groups face discrimination due to the colour of their skin, which has affected the rights of multiple minority groups, especially the Latinos and African Americans. Because of their colour, African Americans are labeled by many police officers as dangerous and harmful to the society as they are considered to be violent. Additionally, many immigrants, mostly from Europe, faced discrimination during the Second World War. However, this has no longer become an issue as they would now be classified as “whites”, which, in most cases, mean that they fit in the society with no negative perception. To continue it is predicted that in the year 2060 the population will be made up of around 43.6% of Non-Hispanic Whites (which is a decrease for in 2014 there was around 62.2%), 28.6% of Hispanics (Increase for in 2014 there were 17.4%), 13% African Americans (12.4% in 2014), and various other ethnicities. However in the year of 2016 around 8.4% of the Latino population and 8.5% of African Americans in the United States

were left to be unemployed. These statistics shows how even though minorities make up a significant portion of the population, they are treated unequally.

United Kingdom

There are vast majorities of different minority groups in the UK, being formed up of around 8.7% Scottish minorities, 4.9% Welsh, 1.8% Indians, 1.3% Pakistanis, 1% Afro-Caribbeans and more. Moreover, there are many different groups of religious minorities such as how around 2.7% of the population are Muslim and 1% are Hindus; furthermore there are around 267,373 Jews and 149,157 Buddhists. Taking the data into account, the development of different minority groups and social diversity in the UK is shown. In comparison to “white” people, ethnic minorities have a lower unemployment rate than them as statistics from 2013 show around 74.7% of people considered “white” are unemployed and 59.3% of people considered “black” are unemployed. However, ethnic minorities are more likely to live in poverty compared to white people as results from 2013 show that around 35.7% of ethnic minorities are likely to live in poverty compared to how 17.2% of white people are likely to live in poverty. This shows that “white” people, even if unemployed, enjoy a higher standard of living compared to ethnic minorities.

France

Just like the U.S. after the Second World War, France has also become a society with many different ethnic minorities leading to a vast cultural diversity. Around more than five percent of the population is non-European. In comparison to other states, France has no policies that distinguish those of different minorities to have benefits or recognition due to their ethnicity or race. With this, it is known that France does not collect data on the ethnicity of its citizens as their policy rejects any references to national, ethnic, religious and linguistic minorities. However, despite the fact that they do not collect this data, some minorities feel as if they are discriminated; most of which whom believe this are Muslims, “black” French and more. Additionally, this policy led to the lack of knowledge of the terrorist attacks that occurred in 2015 as no proper documentation or data were shown, which has vaguely led for most to believe that the terrorist's attacks were Muslims, leading to further discrimination and generalization against the entire religion as a whole.

The United Nations Educational, Scientific, and Cultural Organization (UNESCO)

The main objective that UNESCO wishes to achieve is to contribute to peace and security in the world by promoting education, cultures, and communications in all nations. This will help greatly towards having an accepting society for different cultures in any sources of education, workplace and more. In the year of 2005 UNESCO adopted the Convention on the Protection and Promotion of the Diversity of Cultural Expressions. This was so that nations and people will be able to understand diversities in cultures and instead of discriminating their cultures they are more understanding and accepting. The ongoing progress of this organization is its involvement in UNESCO's World Heritage where it aims to encourage countries to sign the “World Heritage Convention”. The World Heritage

Convention aims to aid national governments by providing professional training and assistance when it comes to technical difficulties, to provide emergency assistance for World Heritage sites when in danger, to carry out awareness to the public involving activities for the World Heritage Convention. It supports the participation of local population in maintaining their cultural identity and heritage. With this support in sustaining cultural identities and heritages, UNESCO aims to further enhance the acceptance towards minorities as they are regarding their background, culture, ethnicity or race, religion, and linguistic abilities. In addition to this, it will help minorities feel accepted and comfortable in different societies and feel open in expressing their culture to others. This will ensure the protection and promotion of the rights of minorities by spreading awareness on the issue, and by locals participating in representing their cultural identities and heritages. Finally, it encourages international corporations in the conservation of “our world’s cultural and natural heritage”.

Timeline of Events

| Date | Description of event |
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| 1982 | This was the first meeting of the United Nations Working Group on Indigenous Populations (WGIP) of the Sub Commission which was on the Promotion and Protection of Human Rights. |
| December 18th, 1992 | United Nations Minorities Declaration. The Declaration was on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities |
| February, 1995 | The Council of Europe adopts the Framework Convention for the Protection of National Minorities, the most detailed legal instrument and effective implementation system for the protection of minorities |
| December 21st, 1965 | The General Assembly adopts and ratifies the International Convention on the Elimination of All Forms of Racial Discrimination |
| March 23rd, 1976 | The United Nations General Assembly adopted The International Covenant on Civil and Political Rights which is a multilateral treaty. |
| October 20th, 2005 | The United Nations Educational, Scientific, and Cultural Organization (UNESCO) adopts the Convention on the Protection and Promotion of the |

Diversity of Cultural Expressions.

Relevant UN Treaties and Events

- Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 20 December 1993 (A/RES/48/138)
- UN Commission on Human Rights, Rights of persons belonging to national or ethnic, religious and linguistic minorities., 3 March 1995, E/CN.4/RES/1995/24
- Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities Adopted in New York 18 December 1992 (GA resolution 47/135)
- 39 Human Rights Committee, General Comment 23, Article 27 (Fiftieth session, 1994), Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI\GEN\1\Rev.1 at 38 (1994).

Previous Attempts to solve the Issue

One of the previous solutions entailed that the minorities must be protected within their countries or territories. By preserving their identities and creating a peaceful and accepting environment, the minority group will surely be integrated into society harmoniously. This was done by “adopting appropriate legislative”. They must be able to enjoy their culture and express their identity without any interference and those who discriminate must face consequences. Another way in which the minority groups were encouraged to preserve their identity was by allowing them to create religious associations through the same process as someone that is from a majority group.

The OHCHR has been actively involved with the UN and the governments. It works on assisting governments technically in order to solve any issues regarding minority groups. It also works with NGOs to help with capacity building or even raising awareness. By doing so, it hopes to simultaneously encourage countries worldwide of the importance of minorities rights whilst encouraging other NGOs to take charge and advocate for their rights. It also works with all “relevant stakeholders” to “exchange information” that might be relevant to solving the issue or even slightly improve the rights of minority groups.

Possible Solutions

Most of the problems occur from the lack of a concrete definition to what a “minority” is. Minority is a term that has not been agreed upon all the member states and therefore many countries have

agreed on laws to help these minorities without knowing whom it will apply to. The Minorities Declaration was made possible after they agreed to proceed without knowing what a minority is. This lack of clarity is the root of all problems surrounding this issue as it essentially does not allow the laws to benefit them. A definition which has already been cited by numerous member states of the UN is “[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”. This was defined by Special Rapporteur Francesco Capotorti in a 1979 report. Therefore a potential solution to the issue could be to enact a standardized, official definition of a ‘minority’ that is applicable to all member states. This would be a vital step in protecting the rights of minorities, as they would be clearly recognized and defined.

By successfully incorporating minority groups into societies and providing legal protection to them, there will also be significantly less discrimination. This possible solution was hinted at by the former United Nations Secretary General Kofi Annan. He said at the Stockholm International Forum in January 2004: “We must protect especially the rights of minorities, since they are genocide’s most frequent targets.” To solve the issue of minority groups being targeted, the younger age groups can be educated as they wouldn’t have developed any discriminatory beliefs within their schools at such a young age. By designating an hour every week to showing kids how diverse the world is and how every culture is unique in a good way, societies will witness positive change in the future. Also on tv and radio stations, minority groups can be given important roles which would have primarily be given to people of the majority ethnic group. This could help people in the future not develop a sense of hatred to those who aren’t affiliated to the same religious or political group.

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