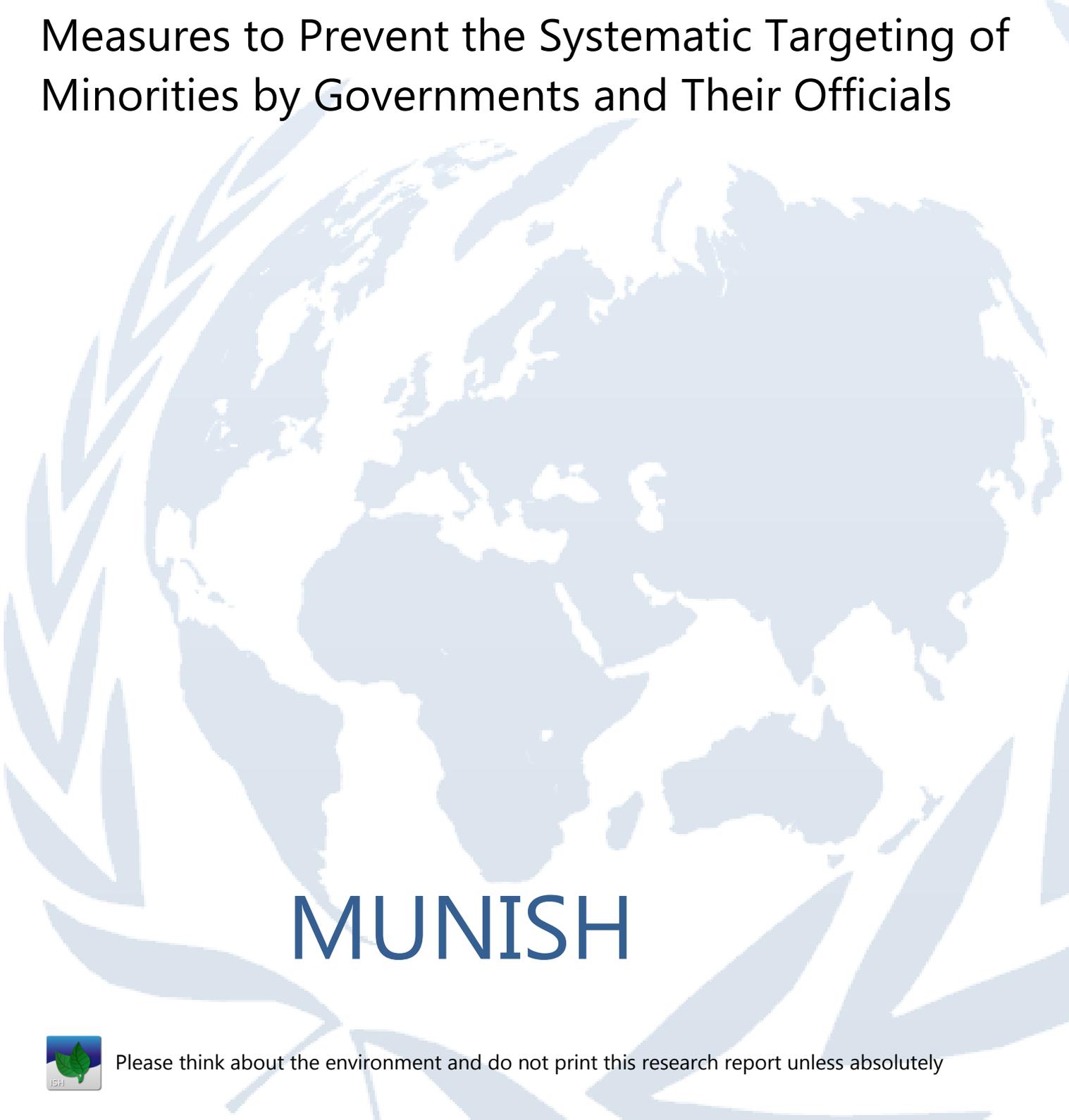


Research Report

Special Conference on Peace and Justice 2 Peace and Justice towards minorities

Measures to Prevent the Systematic Targeting of Minorities by Governments and Their Officials



MUNISH



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Forum	Special Conference 2: Peace and Justice For Minorities
Issue:	Measures to Prevent the Systematic Targeting of Minorities by Governments and Their Officials
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Introduction

Minorities are universally known for being part of the most vulnerable sectors of society. Being numerically a smaller group means they have less of a voice in society. For example, when voting, parties that appeal to one single minority have a lesser chance of winning against the majority population. This vulnerability makes them open targets for governments neglect, police brutality, and other harms against them. These harms are escalated when governments willfully seek to systematically target a specific group.

History will never forget Saddam Hussein's vicious gas-attack on the Kurdish villages, later known as the Al-Anfal campaign also known as the Kurdish Genocide of 1988. Neither will the 200,000 ethnically Mayan people kill by the Guatemalan government in the 1980s be forgotten. Nonetheless, the United Nations must take steps to ensure that events such as these, where governments use their strength to abuse, kill or otherwise harass minority groups no longer becomes as issue. Also, in many western countries, police brutality and legal bias have become increasingly large problems for minority populations who no find themselves the scapegoat for the crimes in their society.

Definition of Key Terms

Minority

A minority group is a population section with racial, religious, political, cultural or otherwise specialized persons existing as a smaller section within the larger population. Examples include African Americans in the United States of America (USA), or Non-Han Chinese in the People's Republic of China (PRC)

Genocide

Genocide, according to the UN General Assembly Resolution 260A (III) Article 2: “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- a) Killing members of the group;
- b) Causing serious bodily or mental harm to members of the group;
- c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d) Imposing measures intended to prevent births within the group;
- e) Forcibly transferring children of the group to another group”

Minority Rights

Minority rights include the normal human rights applied to all individuals including but not limited to rights to life, rights to practice their religion, the right to security etc. but it also includes rights for the collective group; such collective rights include the right to political representation.

Human Rights

Human rights are the universal, inalienable rights a person receives simply for the act of being human, as outlined by the UN Declaration of Human Rights.

Civil Conflict

Civil conflict includes tensions, fighting, unrest or violence between two civilian groups/individuals within a population. An example of this is fights that break out between Latina-American and African Americans in the United States, or tension between Moroccan-Dutch and Dutch in The Netherlands. However, most large civil conflicts entail civil war.

Civil War

Civil War occurs when two groups within a single state fight for total control of the country, independence of a region (then it is the region vs. the rest often), greater power, or political change. Civil wars are often waged between minorities versus a majority group. Examples of Civil wars include the Nigerian-Biafra War (1969-1970), and the Syrian Conflict (2011-present).

Disenfranchisement

Disenfranchisement is when the vote of a people or person is made ineffectual by law or by implicit societal coercion.

Segregation

Segregation is the separation of people based on race, religion, wealth or other dividing social factors. This can be done by Law, for example via the Jim Crow Laws in segregated America in the 1950s, or implicitly such as the ethnically “pure” villages and towns in Kosovo.

Ethnicity

A categorization of a social group based on their common ancestry, homeland and language, with other similarities such as their foods, physical appearance and dress.

Universal Declaration of Human Rights (UNHR)

A document written and signed by the United Nations in 1948, outlining the basic human rights all countries must provide. The document passed with 48 in favor, 0 against and 8 abstentions. There are 30 articles in this document, each pertaining to a right or freedom. Many articles pertain to freedom of religion. In the most general sense, religion like race, and nationality, is not considered something by which a person can be judged (anti-discrimination).

Freedom of religion

According to the UNHR’s Article 18, freedom of religion means: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.” This means that people are free to have a religion, practice it, change religion and gather to practice their religion.

Defamation

To defame is to insult, slander or otherwise offend a group/individual, often publically. To defame a religion means, for example, that you make a statement (verbally or otherwise) that gives a religion a bad connotation. A famous example of defamation was the *Jyllands-Posten Muhammad cartoons controversy*, where a Danish newspaper published images that showed the prophet Mohamed with a bomb in his head.

Persecution

Persecution refers to a state when a person or group is systematically harassed, hunted, killed or otherwise disturbed by a force (e.g. a government, another religious group). Many religious groups often feel persecuted. A novel example of a group that was persecuted would be the Jews in World War II. Persecution due to religion is often used as a valid reason for a person to become an asylum seeker.

Self Determination

Self determination is the idea that any separate group or nation has the right to choose its own government without external pressure. This means that a group has a right to create its own government if so willing. This often implies that the group of people feel separate from the sovereign under which they reside.

September 11 bombings (911)

911 refer to the attempted bombing of the twin towers, the pentagon and the white house on September 11, 2001. The suicide bombings are said to be the work of Al Qaeda, an extremist Muslim group. The bombing were a catalyst for islamophobia in the west.

Protestants

Protestants are a group of Christians that, though in belief are similar to the Catholics, have slightly different fundamentals. The protestant religious groups are historically known to have been wildly persecuted in Western Europe (16th century Calvinists). Christians in general, all over the world have been highly persecuted, most often in Muslim countries where they are not readily accepted. Also in Nigeria there is proof of frequent clashes between the Muslim north and the protestant south; this has lead to large amounts of bloodshed and anger. Protestantism is based on the idea of enjoying a fruitful life in which you worship God and honor man before dying and entering everlasting peace in heaven.

Buddhists

Buddhists are persecuted in many areas of the world. The most current examples include: persecution in South Korea by Christians where the Buddhists felt that they were treated less favorably than Christians as the president clearly showed support for Christians and attacks were made on Buddhist statues and temples that went unindicted. The Bamiyan Buddha's were destroyed by the Taliban in 2001; these statues were considered national heritage sites. In Bangladesh persecution of Buddhist is wide spread as the government encourages "islamification"; Buddhists are often harassed and treated unfairly by the state. In India's Kargil region, there has been pressure put on Kargil Buddhists to convert into Islam.

In South Thailand insurgent groups have attacked the Buddhist population- killing, bombing and beheading locals in the largely Buddhist population. Buddhism is a religion based on coexistence with nature.

Hindus

Hindu's have in the past been persecuted against by Islamic peoples for example the conflict between Muslims and Hindus in Southern India is a civil conflict, but also by Christians during the period in which they were imperialized. Hinduism is the world's oldest religion, and the 3rd most predominant in the world. It is based on ideas of correct, conscientious living with nature according to the dictates of the gods.

Islam

Islam is a religion predominant in the Middle East. Muslims have faced heavy persecution in the past from Christians, the most historically notable being The Crusades. Islam is a relatively strict religion based on following certain rules and ideals for good living and reaping the benefits eternally in heaven.

General Overview

Over history there have been various examples of minorities being targeted and harmed by their governments. This has been an issue the UN has notoriously failed in the past (most notable with the Rwandan Genocide). Some cases of this involve planned genocides and government involving an entire government such as the Khmer Rouge of Cambodia killing off 20% of the Cambodian population, while others involve government members or officials abusing their power to act on personal prejudices, such as policy brutality in the United States and elsewhere. In both situations, the ensuing harm is both unjustifiable and socially destructive.

Government

In some situations, government leaders, from the very top of the institutional hierarchy are aware, condoning and/or enforcing the violation of minority groups. This could be for various reasons. For example, a dictator may wish to consolidate power by killing those from a different ethnicity from his own or a government may wish to consolidate power over rural or autonomous peoples and use brutality as a means to that end. In any case, when it is at such a large scale, it is often calculated and systematic in its core, and it is, in fact, part of the government's policy. A controversial example of government's having policies that may harm

a specific group remains the Tibetan sovereignty dispute. The Chinese government has been cracking down on the Tibetan minority for many years in an effort to keep Tibet under its control. Despite condemnation by various charity organizations, the Chinese government denies any allegations. Situations such as this, when a government is truly to blame, should, ideally enter some sort of International court, namely the ICC, however, many countries, including most of the P5, are not members, and thus their ICC is restricted in its Jurisdiction. The only way to bring such cases forward would then be a UN Security Council (UNSC) resolution forcing the matter to court. This is still very difficult because of the alliances of the world, making a rejection of any such motion likely.

Officials

In some situations, government officials or factions of a government, abuse their power to harm a minority group. This could happen in countries with fairly autonomous regions or states in self control, or for example, within a governmental institution that systematically abuses a specific race. This can range from police brutality to financial institutions that discredit a specific race. This type of discrimination from a government branch is often formed by discrediting stereotypes, corruption and having few minority representatives within the governmental framework. Social stereotypes often reflect government styles, and if people vote for a government with views that favor their own over those of a minority, then the minority suffer and many of the elected officials will also reflect these stereotypes. Corruption allows these officials, who are breaking constitutional law in many cases, to go unchecked and unpunished. Having few minorities represented put in power a network of people with the same views and ethnicity, this increases the likelihood that the officials shun minorities. Multiculturalism must permeate through all sectors of government.

Immigrants

Immigrants, refugees, asylum seekers etc are the minority that is most likely to feel the burn of government and government's official brutality. Being non-citizens puts them in a vulnerable position that gives them less political power, no political voice and difficulty in participating economically. They are also often on the lower-end of the income spectrum and live in low-income housing. This makes them more likely to be involved with crime and criminal activity such as drug abuse. In cases where, for example, policemen begin racial profiling as a form of crime solving, immigrants (and other minorities) often find themselves the target. Immigrants are often also seen as viable scapegoats for social issues since they are seen as interlopers in their country of residence.

Major Parties Involved and Their Views

Rwanda

The Rwandan genocide of 1994 is universally known for being one of the UN's greatest failures. 500,000-1 million members of the Tutsi minority group were killed by the Hutu majority after they took power in 1962 after centuries of being under Tutsi leadership. The massacre went unstopped by the UN, and left millions dead. Rwanda is often the prime example of long term, racial tensions brewing to a devastating end. Similar situations have been seen in Kosovo, Bosnia and more.

Sri Lanka

Civil War Fighting (1983-2009) between the Tamil Tigers a separatist movement aiming to split the Tamil people from the dominant Sinhala ended May 2009 with a Sinhala victory after the 25 year war. Unfortunately, in the aftermath life remains extremely difficult for the Tamil population who continue to flee Sri Lanka as they are still subject to militaristic rule, have little or no right to political and economic participation and still, in many cases, feel persecuted.

Syria

The Syrian government is currently in battle with a rebel paramilitary aiming to overthrow the autocratic government. The Syrian government is currently run by Bashar al-Assad, who is a member of the minority Alawite population of Syria. Since the rule of Bashar al-Assad's father, Hafez al-Assad, Syria has been run by alawite elite that have greatly benefited under the Syrian leadership. Around 74% of the Syrian population is Sunni.

European Union

The EU has a large population of Gypsy/Roma people who are maltreated in many European states, for example, France has recently been expelling gypsies while Hungary has a strong anti-Roma front. Roma representation is miniscule in the EU parliament. In many European countries, the Roma people makeup the poorer parts of population that are greatly disenfranchised and ignored. Many have no legitimate citizenship. While the EU has taken some steps to remedy this, many feel it is not enough.

Turkey

Turkey has been at the center of various civil conflicts. The Armenian genocide is to this day, denied by the Turkish government. Also the Kurdish minority of Turkey was largely persecuted, and it remains punishable to speak Kurdish in the parliament. While Turkey largely presents itself as progressive, situations like this are often kept quiet and remain a depressing status quo.

China

The Chinese government has had control of Tibet for many years. Since 1951, a question of Tibetan autonomy has led to what the 14th Dalai Lama has termed a “a calculated and systematic strategy aimed at the destruction of their national and cultural identities”. China has denied any form of brutality against Tibetans and their identity.

Israel

The Palestinian minority in Israel is subject to harsh treatment and often unequal treatments such as forced relocation, and some restrictions on their civil liberties. There is currently a heated conflict between Palestinians and the Israeli government. Israel denies that any unlawful actions have been taken against Palestinians in Israel.

Timeline of Events

Date	Description of event
1915-1928	Armeian Genocide
1927-1937	Chineese Civil War
1939-1945	Holocaust
1948	Isreal becomes a State
1967-1970	Nigerian Civil War
1975-1979	Cambodian Genocide
1978-1986	Guatemalan Genocide against ethic Mayan population
12/18/1992	Declaration of Rights of Minorities signed
2003-2010	Darfur Conflict
1950s-present	Tibetan question of Sovereignty begins with Tibetan uprising
1999-present	Chinese government suppression of those practicing Fulon Gong

UN involvement, Relevant Resolutions, Treaties and Events

The United Nations has a very firm stance in favor of aiding minorities. However, when a government turns against its people, it is hard to intervene without invading national sovereignty. The UN is built upon the fundament that a Nation must be allowed to operate itself without fear of violation from outside countries. Therefore, while standards are set by the UN there is no clear *modus operandi*.

- Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, 18 December 1992 (**A/RES/47/135**)
- International Covenant on Civil and Political Rights, 23 March 1979 (**2200A (XXI) article 27**)
- International Covenant on Economic, Social and Cultural Rights, 3 January 1979, (**2200A (XXI), article 2**)
- SUBSTANTIVE ISSUES ARISING IN THE IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS: The right to the highest attainable standard of health, 11 August 2000 (**E/C.12/2000/4, article no.14**)
- International Convention on the Elimination of All Forms of Racial Discrimination, 4 January 1969, (**2106 (XX), article 1**)
- Convention on the Rights of the Child, 2 September 1990 (**A/RES/44/25, article 30**)
- Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, 16 December 2005 (**A/RES/60/147**)

Evaluation of Previous Attempts to Resolve the Issue

The UN has failed to curtail many attacks on minorities because if a country is suspected, these allegations must be checked, and the Country, if unwilling, can expel any inspectors. Furthermore, such systems cannot be circumvented because national sovereignty must be preserved. This places the UN in an uncertain position. Any clear violation or proven violations can be condemned, and perhaps in severe cases, such as in Apartheid South Africa, sanctions can be placed, but putting a direct end to the government's actions is nearly impossible.

Possible Solutions

The possible solutions for the problem include:

- Increasing or augmenting the power of the ICC
- Instilling checking systems for governments
- Encouraging governments to increase monitoring of officials
- Increasing global attention on minority rights
- Increasing investigation on violations of minority rights ongoing and in the past
- Consolidating the power of and co-aligning relevant NGOs and UNOs in the fight for minority rights

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Appendices

- I. See Research Report on Ensuring Equal Treatment of Minority Groups During and After Civil Conflict

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

