

Forum: General Assembly 3

Issue: Safeguarding the cultural identity of ethnic and religious minorities

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Introduction

With the rise of globalization and global interconnectedness, ethnic and religious minority groups have never than ever been more under attack. Whether or not if it was by choice to assimilate with the majority culture, these groups have slowly been diminishing. Many aspects contribute to one's cultural identity, including one's race, religion, language, and societal class, and in order to protect minority groups from extinction, solutions need to be able to address multiple aspects.

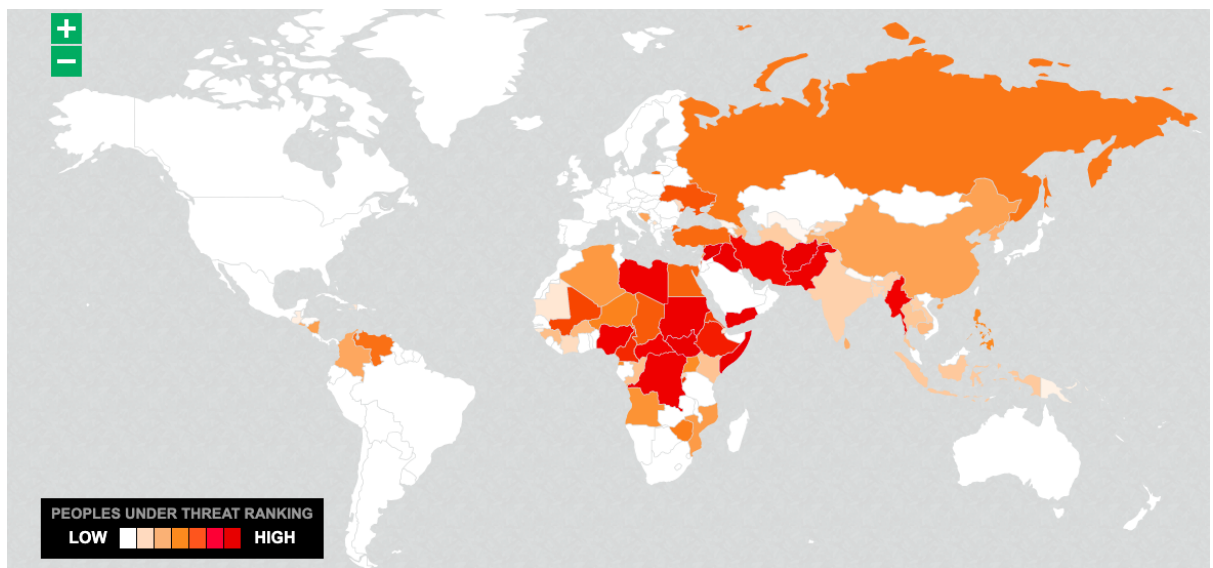
Many factors play a part to determine whether an ethnic group can continue for generations, some of which can be restricted while others are uncontrollable. These factors include government regulations to protect these ethnicities as well as the spread of pop culture which replaces folk culture. With the rise of globalization, it has been harder and harder for groups of people to preserve and continue practicing their traditions and language. Though globalization has its drawbacks, there are also many benefits to the process; with the rise of social media, violence towards minority groups or advancements to the right to freely practice religion can be properly recorded and spread around the world.

Many international organizations such as the United Nations (UN) and the Human Rights Council (HRC) have tried to solve the issue regarding minority groups around the world. As the United Nations General Assembly, it is vital to protect the cultural identity of these groups.

Definition of Key Terms

Ethnic Minority

According to the Oxford Dictionary, an ethnic minority is a group within a community that has different national or cultural traditions from the main population. Minority groups are often the scapegoats for society's issues and often face discrimination. These groups often also face income inequality, lack of social programs, and lack of government protection, which cause a substantial gap between them and the majority ethnicity.



Caption 1: A map of people under threat around the world from the Minority Rights Group

Cultural Heritage

According to the World Heritage Convention, cultural heritage is a monument, group of buildings, or site of historical, aesthetic, archaeological, scientific, ethnological, or anthropological value. Each country that ratified the Convention must agree to preserve the sites in its territory for future generations.

Non-state Actors

According to the Oxford Dictionary, a non-state actor is an individual or organization that has significant political influence but is not affiliated with any particular country or state. In this case, it often means terrorist groups or extremist organizations that essentially run the

government. These organizations often destroy heritage sites or wreak havoc on the people that they rule. For example, in 2001, the Taliban destroyed the Buddhas of Bamiyan, which was an order by the spiritual leader for the destruction of “idolatrous statues.”

Ethnic Cleansing

Ethnic cleansing is the deliberate act of getting rid of a certain ethnic, religious, or linguistic group in order to establish a homogenous society. Throughout history, there have been many examples of ethnic cleansing, however, the most well-known is the Holocaust, when Nazi Germany tried to rid Germany of any “unwanted people.” Since then, there have been many conventions that established regulations regarding genocide as well as the prevention of a certain group from violence.

Conservation Areas

Conservation areas, also known as cultural reserves as well as heritage conservation areas, are areas that have notable historical interest or value for a distinct identity that is protected by law and cannot be used for certain purposes, according to Merriam Webster.

History

The Rise of Ethnic and Religious Minorities

Ethnic and religious minority groups were first formed when new patterns of social interactions resulted in the transfer of ideas and individuals from one society to another, while others either did not wish to have any interactions with others or had physical barriers which prevented interactions. This caused some communities to be extremely connected and reliant on each other while others became more self-sufficient. The communities that were heavily intertwined with each other eventually merged and became the dominant society. With the increase in trade, people were forced to interact with each other, which often included societies that were previously unwilling to trade. With a substantial amount of the population coming from one ethnicity or believing in one religion, minority ethnicities and religious groups were formed. Minorities can be formed in different ways. Ethnic minorities can be formed when descendants of migrants or a group of people are brought to a country by force and have a sense of

unity and belonging with each other. Migration, whether voluntary or involuntary, can also lead to the establishment of minority groups. For religions, often the majority religion would be universalizing, or open to all people, while ethnic religions, only appealed to a certain demographic. Ethnic minorities became more and more prevalent following the rise of segregation and discrimination, in which white superiority was used to

Cultural Identity

Culture identity is the sense of belonging to a certain group of people, whether it be religious or ethnic. Cultural identity provides people with a feeling of belonging to a certain group of people and it also allows similar people to be connected by their traditions, practices, and beliefs. Many things can contribute to one's culture, including both tangible and intangible culture as well as places that are meaningful to one's culture. Some places like a place of worship may be extremely important to a certain religion. Similarly, some pieces of art or artifacts may be extremely important to one's ethnicity. All these different factors contribute to one's cultural identity and need to be protected in order to protect these often minority ethnicities and religions.

Countries have been protecting cultural heritage for numerous reasons including for educational purposes to allow one to connect more with their heritage. However, it is due to this reason that during times of conflict, these sites often are targets of violence and destruction as many may see it as aggression against their own religion, as seen in Afghanistan. These attacks on ethnically and religiously important areas not only represent the destruction of the monuments and artifacts but also people's culture and identity.

Key Issues

The Decrease in Minority Group's Land

One of the main issues that many minority groups face is the loss of land and native territory. Without their native territory, these ethnic groups are forced to move to new lands and often have to assimilate to the new territory's traditions and practices, which leads to the decrease in population that practices the folk culture of the minority groups. Due to international food insecurity, many More Economically Developed Nations (MEDCs) outsource their food

sources to Lesser Economically Developed Nations (LEDs) in order to meet their country's food requirements. A lot of land that originally belonged to indigenous people is sold to foreign nations, often without consent or consideration of the people that use or live in the land by their government and used to produce crops for other nations. Even though there are some economic benefits to the developing nation, the people are often forced to move away from the property or forced to work for the new owners. The transfer of ownership of these lands can cause the destruction of heritage sites and sacred sites for religious groups.

This forces people to move away from their native land and assimilate to a different community, which can lead to loss of culture and tradition. Furthermore, large communities of the same ethnic or religious group that once lived in the territory are forced to split up, which also weakens the ability of the religious or ethnic group to expand and continue on.

Lack of Education and Access to Opportunities

Minority groups are placed at a disadvantage as they often lack basic education and access to opportunities. Those of the majority culture receive benefits and opportunities that minority groups do not receive, which creates an uneven playing field for them. Minority groups generally live in rural areas and away from where the majority population lives; with the lack of development in rural areas, people from minority groups don't have the immediate need for basic education, as farming or other labor-intensive work is economically better for these people. Even if a portion of the minority group receives an education, those that are educated move to cities to utilize their education and earn more. With the internal movement of people moving to cities, folk traditions and practices are often abandoned and pop culture may take over the folk culture.

Destruction of Cultural Heritage Sites

One of the major threats to ethnic and religious minorities is the destruction of heritage sites and sacred sites. Whether for political reasons or cultural reasons, including making a political statement or motivated by ethno-religious hate, places of worship and historical sites often are the targets of governments or organizations. For example, the Afghan-based extremist group, Taliban, once called for the purge of all "idolatrous statues," which included the Buddhas of Bamiyan as well as other historical sites in the country. In mid-2016, footage of ISIL fighters bombing 3,000-year-old statues as well as destroying the ancient city of Nimrud in Iraq.

One of the only benefits to the destruction of heritage cities is that it may bring more attention to the issue and garner international aid to prevent devastating acts like these from happening again.

Ethnic Cleansing/ Ethnic Conflict

Throughout there are numerous examples of when the people ruling dislike or favor a certain ethnicity, while completely disregarding other ethnicities. In some extreme cases, rulers blatantly targeted a certain ethnicity and used propaganda and misinformation to spread misleading information around, which can be seen during World War II with Nazi Germany, as well as the Bosnian Genocide. The idea that one race is superior to other races is not only biologically incorrect but also extremely harmful to people, as it can lead to ethnic cleansing in that country. This is a pressing issue for ethnic and religious minority groups as they are already under-represented and often have small numbers of a population remaining, meaning that if a country's government wanted to, they could completely wipe out minority groups. This type of violence and aggression is already being seen with the Sengwar people in Kenya as the police have slowly been more and more violent when trying to evict the Sengwars from their native land.

Major Parties Involved and Their Views

Afghanistan

Since the early nineteen nineties, the Taliban, an Islamic extremist group, has been a major player in the politics of Afghanistan and has restricted the rights of many under its rule. Following its rise to power in 1996, the group implemented an extremist version of Sharia law, which included the call for the destruction of non-Islamic statues and heritage sites. The country systematically erased the pre-Islamic past, with world-renowned sites such as the Buddhas of Bamiyan being destroyed. Another problem that Afghanistan faces is looting. Often for-profit, cultural property, and artifacts are stolen and smuggled out of the country, eventually being sold illegally on the black market. Looting in Afghanistan is a major problem, however, the government has yet to establish a long-term solution that protects its people's heritage.

Following the fall of the Taliban regime, the government has taken a more active role in protecting its citizens' heritage. In response to the looting and destruction of artifacts, in recent years, the Afghani government has accepted the help of international organizations who hope to restore the lost art. One of the ways that Afghanistan has protected its artifacts by reclaiming once stolen artifacts from museums as well as illegal excavations of heritage sites.

Kenya

Like many other countries around the world, Kenya is an ethnically diverse country with numerous tribes, many of who have lived in the land for over a century. The Sengwar is a hunter-gatherer community that lives in Eastern Kenya, however, in recent years, the government has sold the land that once belonged to them to the Water Tower Protection and Climate Change Migration and Adaptation Project. In December of 2016, the Sengwar received a notice from the Kenyan government informing them that they will have to move out of the territory. Since then, the tribe has been pushing back against the project and has tried to re-establish their settlements with no prevail. People who refused to leave the territory were attacked and left homeless as the police would burn their shelters, causing them to have to move to other towns in order to survive. The Sengwar has also been promoting the representation of their people on the national level, however, the Kenyan government has blatantly ignored these requests and to this day, still does not recognize the tribe as an official tribe in Kenya.

The Office of the High Commissioner for Human Rights (OHCHR)

The OHCHR is the main UN organ in charge of implementing human rights programs as well as protecting the rights of all, especially minority groups. It cooperates with governments to protect people from national, ethnic, religious, and linguistic minorities and indigenous people. The organization works with these groups under attack in order to support their efforts in protecting and maintaining their cultural heritage and identity. It also provides these people with accurate information and often services like housing in order to allow these communities to flourish. The OHCHR also advocates for the rights of these groups on both the local and international levels. Other than directly helping ethnic and religious minorities, the organization also raises awareness for the importance of respecting and protecting the rights of all. Over and over again, the OHCHR has been emphasizing the importance of protecting the rights of ethnic

and religious minorities as in the Universal Declaration of Human Rights Article (27)(1) that “everyone has the right to freely participate in the cultural life of the community.”

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

UNESCO has worked to promote education for ethnic minority groups as well as protect the cultural heritage of these ethnic and religious minorities. The organization has also established a mechanism that allows members of minority groups to anonymously submit complaints regarding the violation of UNESCO's mandate of education, science, culture, and communication. The organization has concluded that minority communities are among the world's most disadvantaged when it comes to receiving an education and has put forth multiple programs to help the current situation. As an organization that is in charge of protecting heritage sites and both tangible and intangible culture, UNESCO has published numerous resolutions related to the issue of ethnic and religious minorities and also has been working in tandem with many different countries to protect its people's heritage.

Timeline of Relevant Resolutions, Treaties, and Events

Date	Description of Event
January 12, 1969	The International Convention of the Elimination of All Forms of Racial Discrimination was a commitment in which signatories needed to eliminate racial discrimination and promote understanding among all races.
December 18, 1992	The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities was passed by the UN General Assembly.
July 11, 1995	The official start of the Bosnian Genocide with over 100,000 people dying with eighty percent of the killed being Bosniak, Bosnian Muslim.
February 26, 2001	The leader of the Taliban at that time, Mullah Muhammad Omar, issued an order to eliminate all non-Islamic statues and sanctuaries in Afghanistan. This order prompted the destruction of many world-renown artifacts and sites.
March 14, 2001	The Taliban issued a public statement announcing the destruction of the Buddhas in Bamiyan.

Relevant UN Treaties and Events

- United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 18 December 1992 (A/RES/47/135)
- United Nations Universal Declaration of Human Rights, 10 December 1948
- The 1948 Convention on the Prevention and Punishment of the Crime of Genocide, 12 January 1951
- The International Convention on the Elimination of All Forms of Racial Discrimination, 4 January 1969
- The 1981 Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, 25 November 1981
- Declaration of the Rights of Indigenous Peoples, 13 September 2007

Evaluation of Previous Attempts to Resolve the Issue

The first major international effort to protect the rights of minority groups was when the League of Nations passed a number of minority treaties, which were not the most effective and barely protected the rights of minority groups as the organization lacked the power to implement international regulations. In the treaties, equality and non-discrimination were rights promised in the articles of the treaty, and the Permanent Court of International Justice — the predecessor of the International Court of Justice — outlined advisory opinions on minority issues. One of the main aspects that made the League of Nations unsuccessful with its efforts to protect the rights of the minority groups was the limited scope of the treaty; only small amounts of people were protected as only defeated states or newly formed states had to follow the treaty.

After the fall of the League of Nations, the UN was created and mainly focused on the pressing issues during that period of time — decolonization and prevention of more conflict. The main focus of the UN in its inaugural years was to establish provisions on international human rights and ever since then, the UN has pushed for “fundamental rights and freedom for all without distinction as to race, language, or religion.”

It was not until the 1990s did the UN gradually start proposing procedures and mechanisms that specifically target the protection of minority groups. In 1992, the UN passed

the United Nations Declaration on the Rights of Persons belonging to National or Ethnic, Religious, and Linguistic Minorities, which outlined the rights of people belonging to minority groups, including how people have the “right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private or public, freely and without interference or any form of discrimination.”

More recently, the Council of Europe passed the Framework Convention for the Protection of National Minorities, which is a multilateral treaty aimed to protect the rights of minorities. However, although these treaties were created with good intentions, many have criticized these treaties for being not the most effective as many of the important nations do not sign or ratify the treaties, essentially rendering the treaty useless.

UNESCO

One of the major organizations trying to resolve the issue of minority groups around the world losing fundamental rights is UNESCO. One example is the Management of Social Transformation (MOST), or a research program that promoted international comparative social science research managed by the Sector of Social Science of UNESCO. The purpose of the research program is to find relevant data and share the information with the international community, with one of its main research topics being ethnic and cultural diversity. The information that the program collects can provide governments with useful information for the purpose of establishing a peaceful and democratic multicultural and multiethnic society. With these societies, there would be equality among all citizens and fewer ethnic conflicts, meaningless loss of religious and ethnic minorities.

MOST has been effective in numerous cases and many projects have been in place that deal with the rise of cultural diversity and the rise of hate against minority groups. For example in Africa, the research program has contributed to conflict resolution and prevention between the many different ethnic and linguistic groups co-existing with each other. Research groups have collected and studied information regarding ethnic conflicts which can help governments establish warning systems and prevention systems.

Another solution that UNESCO has implemented is the establishment of cultural heritage sites. Under the World Heritage Convention of 1972, countries that ratify the convention must protect sites situated in their territory. The convention defines what constitutes cultural heritage

as well as the importance of preserving sites for future generations. These cultural heritage sites can be used to protect the history and sacred areas for a certain religious or ethnic group.

The UNESCO Recommendation on the Safeguarding of Traditional Culture and Folklore as well as the International Round Table on Intangible Cultural Heritage both establish the definition of intangible cultural heritage, which includes oral cultural heritage, languages, performing arts and festive events, religious rituals and practices, and knowledge and belief systems. The Safeguarding and Promotion of Intangible Heritage program have been helping with all aspects of intangible heritage including the establishment of new standards for protecting intangible heritage. With these programs in place, intangible culture can be protected and linguistic traditions and dialects can continue.

One final way that UNESCO has been protecting cultural heritage is by establishing a direct way of communication between these minority groups as well as non-governmental organizations and UNESCO. UNESCO in 1978 created a procedure that allows people to anonymously submit complaints of alleged violations of human rights against these groups. The complaints are examined by a Committee on Conventions and Recommendations of the Executive Board which assess the severity of the accusation and if necessary, will follow the mechanisms set in the convention to punish member states.

Possible Solutions

1. Establishing Legal Protection of Ethnic and Religious Minority Groups. With the rise of ethnic and religious diversity, countries need to establish legislation and regulations that protect the rights of minority groups. The lack of legal protection hinders these ethnic and religious groups and prevents people from continuing their traditions; these people are shunned in the society and force minority groups to try to assimilate to the majority culture. Often due to the lack of local legal protection from foreign investment and multinational corporations, minority group's land, and resources are sold to new owners which capitalize on the indigenous land and not protect cultural sites. The UN General Assembly Sixth Committee or the Legal Committee as well as other organizations that need to establish an international legal framework for the protection of minority groups.

- **Pros:** One of the major reasons why ethnic and religious minorities are underprivileged is due to the lack of legal recognition and lack of legislation to protect the rights of the marginalized.
 - **Cons:** This solution is not extremely feasible as it is impossible to force all member states to implement legislation due to sovereignty issues.
2. Minority Protection Programs. There are many ways to protect minority groups and their culture and traditions. One of the ways to protect minority groups is by establishing a program for minority groups to contact and communicate with international organizations. Like the program that allows individuals to submit complaints against governments created by UNESCO, a possible program can be similar but modified so that NGOs can be more involved in the process.
- **Pros:** Communication between minority groups and programs set up by international organizations are relatively feasible and is one of the many current ways that organizations have tried to help the situation.
 - **Cons:** Programs like these often face literacy issues as many of the people that are more vulnerable to these threats to their culture may not have the ability to read and understand how to fill out the complaint forms. Natural and geographic barriers prevent or hinder transportation to the areas in need of protection.
3. Promoting Education for Minority Groups. According to UNESCO, one of the most impactful factors that contribute to minority groups being disadvantaged when it comes to opportunities is the lack of education. Often the most underprivileged do not have the opportunity or financial capability to receive any sort of education which continues the cycle of poverty. One way to protect cultural heritage would be by allowing minority groups an even playing field when it comes to job opportunities. For this to happen, minority groups need funding for creating a stable education system often in rural areas as well as creating transportation systems that allow all to attend and receive a basic education.
- **Pros:** Numerous studies have proven that education is the key to breaking the poverty cycle and help transform people's lives.
 - **Cons:** It simply is impossible to be able to reach all rural communities and in order to provide the underprivileged with a decent standard of education, more people may not be able to receive a proper education.

4. Increased Dialogue and Data Sharing Between Countries. MOST, a research program created by UNESCO, has proven to be effective and with a more interconnected world, the increase of data sharing and dialogue between countries and organizations is necessary in order to create a peaceful and safe multiethnic society. The establishment of in-depth research in ethnic groups and ethnic conflicts could lead to a more informed society and create systems that prevent the possible rise in ethnic tensions.
 - **Pros:** This solution is extremely valuable as research programs have proven to be effective in the past. These research programs give insightful data to governments regarding ethnicity and ethnic conflicts, which allows for governments to establish better systems in preventing ethnic tensions.
 - **Cons:** Research programs have the drawback of taking up a substantial amount of time as well as effort for data that possibly is not usable or applicable to certain situations.

Bibliography

“General History of Africa.” *UNESCO*, 14 Apr. 2020, en.unesco.org/general-history-africa.

Herz, Richard. “Legal Protection for Indigenous Cultures: Sacred Sites and Communal Rights.” *Virginia Law Review*, vol. 79, no. 3, 1993, pp. 691–716. JSTOR, www.jstor.org/stable/1073451.

Little, Becky. “7 Cultural Sites Damaged or Destroyed by War.” *History.com*, A&E Television Networks, 9 Jan. 2020, www.history.com/news/cultural-sites-heritage-wars.

“Living Heritage and Indigenous Peoples.” *UNESCO*, ich.unesco.org/en/indigenous-peoples.

“Management of Social Transformations (MOST) Programme.” *UNESCO*, 15 Jan. 2021, en.unesco.org/themes/social-transformations/most.

“Minorities under International Law.” *OHCHR*, www.ohchr.org/EN/Issues/Minorities/Pages/internationallaw.aspx.

“Safeguarding without Freezing.” *UNESCO*, ich.unesco.org/en/safeguarding-00012.

Truscott, Marilyn. "Indigenous Cultural Heritage Protection Program." *Australian Archaeology*, no. 39, 1994, pp. 127–129. *JSTOR*, www.jstor.org/stable/40287701.

United Nations High Commissioner for Refugees. "Minorities and Indigenous Peoples." *UNHCR*, UNHCR The UN Refugee Agency, www.unhcr.org/minorities-and-indigenous-peoples.

White, Rob. "INDIGENOUS COMMUNITIES, ENVIRONMENTAL PROTECTION AND RESTORATIVE JUSTICE." *Australian Indigenous Law Review*, vol. 18, no. 2, 2014, pp. 43–54. *JSTOR*, www.jstor.org/stable/26423289.