Fourteenth Session of the Forum on Minority Issues, UN Human Rights Council

<u>Agenda Item 2. Root Causes of Contemporary Conflicts Involving Minorities</u>

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Thank you Madam Chairperson, Special Rapporteur, Distinguished Delegates and Senior Officials, Ladies and Gentlemen.

It is my honour and privilege to address you today, with the only regret that we could not be meeting in-person and exchanging conversations with so many representatives and advocates of groups for whom this subject is vital to their well-being and sometimes critical for their very existence.

The root causes of contemporary conflicts involving minorities owe historical origin to phenomena and concepts long pre-dating the United Nations, pre-dating "human rights" and even pre-dating the idea of "minorities". Indeed, the contemporary international rules-based order in large part derives from the Peace of Westphalia which in 1648 ended a century of war by establishing the principle of sovereign equality of States and the principle of religious tolerance. Those European wars were of course hardly philosophical. Rather, they were clashes of power amongst self-declared sovereigns dictating according to their presumed divine right. As for religion, the then prevailing norm was *Cuius regio, eius religio* – meaning "Whose realm, their religion". Thus the ruler dictated, intolerant of any competing beliefs. The compelling logic of adopting religious tolerance was, simply, for the purpose of peace.

The idea of a "minority" arose a century later in the context of parliamentary democracy and competition for power derived not from God, but from the majority of seats. Thus, the "majority rule" and its corresponding "minorities" who had to conform.

In the 19th Century, notably in Europe, national or ethnic communities coalesced around political movements and formations generating the phenomenon of the "nation-State" for which nationalism was a dominant political project and source of power for so-called State-forming nations and the corresponding phenomenon of "national minorities". In the late 19th Century and first half of the 20th Century, this mixture of politics and competition for power spawned world wars and the Holocaust as well as its antecedents. In the Global South, decolonization followed sometimes with wars of national independence rife with inter-community – often inter-ethnic – conflicts.

Only in these contexts did, first, the protection of minorities develop and, thereafter, the revolutionary regime of universal human rights, including minority rights. This new post Second World War paradigm is the one we have today, with some modest evolution – much more so in some regional contexts.

The character of these contemporary conflicts remains substantially similar to the past with competitions for power, clashes of wills in relation to needs, interests and aspirations, a range of grievances and other recurrent issues – like non-discrimination and equality of treatment and opportunity, maintenance and development of identity, forms and degrees of self-governance, and ultimately the power to live freely with a measure of control over one's life. These and other matters

were summarised in a report by the UN Special Rapporteur on Minority Issues published just over a decade ago. To that should be added the increased risks and opportunities of the digital world and, sadly, an increasing trend of dominant groups targeting and scapegoating minorities giving them little choice but to defend themselves, seek refuge or endure existential threats. I wish here to recall the then Special Rapporteur's recommendations which remain still valid and hardly implemented.

Madam Chairperson, over the course of generations, the world has catalogued the terrible injuries and losses of minorities, some of which we heard mentioned this morning. Positively, our knowledge, know-how, institutions and mechanisms have modestly improved as have applicable norms and standards in number and detail. It would be disingenuous to claim we do not yet understand the problem, or even that we have no norms or tools through which to address the challenges. We know that systematic or systemic oppression or exclusion of minorities – of creation of grievances or of failure to respond to legitimate needs, interests or aspirations – generates conflict as does unrestrained abuse by dominant communities or the State. We even know fairly well what to do and how to do it with a view to reducing tensions, resolving disputes or preventing them in the first place.

The problem is a failure of political will to do the right thing – to apply the norms and standards and to mobilise the required resources. And, to this I must add, a failure of mandated institutions to act always in fulfilment of their mandates with sufficient drive or urgency to say or do what is needed. At the international level, this Forum is itself woefully inadequate for the magnitude of the evident challenge. Even today we witnessed what might be seen by some as performative statements delivered by high officials who remain silent and passive in the face of major cases. For what is the meaning of the right of minorities, first of all, to exist – and not be subject to genocide or its risk – when the Special Adviser of the Secretary General on the Prevention of Genocide chooses, for example, never to address the situation of the Uyghurs … preferring instead to focus on weak States and largely African ones.

We are living in an era of mounting cases featuring the evils of systemic racism, extreme intolerance and nationalism and increasingly shameless violations of fundamental human rights not to mention minority rights. There are too many to name and in all parts of the world. But these must be named and we must do a better job to maximise the normative instruments and modest institutional tools that have been so painstakingly developed. And these must be deployed against the root causes of conflicts involving minorities when and wherever they appear.

Madam Chairperson, I conclude by offering three suggestions:

First: Minority rights should be widely promoted and, to this end, a Decade on the Issues and Rights of Minorities should be adopted by the UN coinciding with the 30th anniversary of the UN Declaration on the Rights of Minorities.

Second: Knowledge and know-how regarding minority issues and rights should be pro-actively mainstreamed within and throughout the UN system, and promoted similarly amongst and within regional and other intergovernmental organisations.

And, third: Minority experts should be employed as analysts and advisers and deployed within every UN peace operation and special political mission.

I believe these and other steps may help stem the tide of conflicts involving minorities and create at least the prospect of greater peace, stability and sustainable development for minorities and majorities alike throughout the world.

Thank You.