

ETHNIC MINORITIES AND THEIR PROTECTION: LEGAL AND ANCILLARY MEASURES*

Abstract

Ethnic minorities exist in all parts of the world right from the inception of the world. These minorities are often abused and discriminated against which clearly goes against all known legislations. In seeking to find a solution to the conflict usually generated by this, the United Nations and other regional agencies work towards designating certain measures to quell these disputes. These measures adopted in the protection of ethnic minorities are worth elucidating. This is because most of the war crimes recorded in the history of mankind stem from ethnic disaffection. This work therefore seeks to explore these measures with a view to finding a lasting solution to incidents of ethnic minorities' disaffection which in turn works to end internecine warfare and waste of resources and lives within the community.

Keywords: Ethnic Minorities, Protection, Legal and Ancillary Measures

1. Introduction

As stated in the abstract, ethnic minorities' disaffection can lead to a world war whose consequences may be difficult to erase. Every act of war worldwide has somehow been traced to the agitations of the ethnic minorities. This was the case in Nigeria, Bosnia, Sudan, amongst other nations. It is also imperative to state that despite these wars, the undercurrent of ethnic minorities' marginalization continue to reverberate in such countries. This work therefore seeks to explore some of the remedies that may be adopted to change the narrative as relates to ethnic minorities and the consequences of their agitation.

2. Relevant Measures

The measures used to quell these agitations come in varied forms and this work seeks to take them one after the other. They include:

Integration

Integration may be described as the process of making persons from a minority group to mix with, interact and blend with members of the larger society. The type of integration meant here would depend on the types of minorities envisaged. The ethnic minorities covered under this head could be put into four broad types.¹ The first type refers to immigrants and their children who moved from developing to developed countries.² This is the archetypical immigrant group on whom most attention in ethnic studies has been paid. The second type refers to ethnic minorities who are indigenous without immigration histories but who occupy a minority status in the national populations. A typical example is in China where such ethnic minorities are largely exempted from the family-planning policy and have thus increased their numbers at a much faster rate than the majority population, though their economic situation remains disadvantageous due to poverty and harsh local conditions. The third type refers to people having a minority status but being not necessarily visible. In the last decade, many individuals had moved between EU (European Union) countries and they often face issues of 'in-betweenness', being fully integrated in neither their home nor their destination countries and encountering obstacles of social acceptance, as they are often perceived or treated as a 'quasi-ethnic other'.³ Lastly, the fourth type is not necessarily minority in terms of numbers but, being migrant workers, they are not part of what is called the 'charter population' and are treated as minorities.⁴ An important example is the situation of Arabs in Qatar, who face constant obstacles of social integration even though they share the same religion or language as the Qataris. These differences in minority types pose different challenges in research. This is because theories developed to explain the situation of one type of migrant worker may well not apply to other types or to indigenous minorities.

There is yet another aspect of integration which involves ex-combatants. This is called reintegration. Reintegration is a civilian process which involves different stages of getting an ex-combatant back into the society and thus the overall success depends on the proper execution of each phase. Reintegration involves the absorption of ex-combatants into the society through gainful training and empowerment. It is geared towards economic

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¹Y Li and a Heath, 'The Socio-Economic Integration of Ethnic Minorities' (2017) *Social Inclusion* 5 (1) 1-4. DOI:10.17645/si.v5i1.943 accessed on 7 March, 2019.

² *Ibid.*

³ L Ryan, R Sales, M Tilki, and B Siara, 'Family Strategies and transnational migration: Recent Polish migrants in London' (2009) 35 (1) *Journal of Ethnic and Migration Studies*, 61-77.

⁴ A Heath, and S Cheung, 'The Comparative Study of Ethnic Minority Disadvantage' in A Heath & S Cheung (eds), *Unequal Chances: Ethnic Minorities in Western Labor Markets* (Oxford: Oxford University Press, 2007) p. 14.

independence, self-empowerment and giving peaceful and civil roles to ex-combatants in the society.⁵ It addressed the specific needs of ex-combatants by offering support in terms of skills development, education, professional training, micro credit and assistance to return to peaceful and sustainable livelihoods. It is broader than disarmament and demobilization cutting across economic and social life of the demobilized persons. Reintegration goes far beyond ex-combatants to include war veterans, families and communities of ex-combatants and veterans and disabled combatants. It usually takes a number of years to achieve reintegration.⁶

In Nigeria, the federal government has gone a long way in integration and integrating the young ethnic minority activists into the society by producing skill acquisition, vocational trainings for them, sending them overseas for technical education and encouraging multinational corporations located in the Niger-Delta region to hire them. More still needs to be done.

Amnesty

Amnesty is a vindication and pardon from punishment for certain criminal, rebel and insurgent actions committed usually against the state and society. An amnesty is always backed by law and has a specified period of time for the assumed offenders to admit the offence and accept pardon. Amnesty guarantees an interregnum of peace, cessation of hostility and a state of unsecured quiet which necessitates a post conflict scenario for peace building.⁷ Transition process after conflict helps to ensure comprehensive changes in terms of structures, institutions, orientations and attitudes. It is very sensitive and involves socio-political engineering, economic recovery and military and security interventions. Post conflict economic growth and economic recovery for example reduces substantially the risk of conflict reversion.⁸ Unresolved grievances, poverty, decay of trust, intention and confidence and unfocused leadership are among the factors which can cause relapse to conflict. Post conflict reversion is very costly and dreadful. The stages in the management of post conflict transition to peace are sequentially disarmament, demobilization and reintegration (DDR).⁹

The process of peace building is an all-inclusive process of facilitating and strengthening enduring peace. Peace building involves 'understanding programme designed to address the causes of conflict and the grievances of the past and to promote long term stability and justice'.¹⁰ It is an effort to ensure socio-political and economic stability of the society. Peace building is proffering durable solution to a conflict ridden society to achieve durable peace. This process of peace building does not only address conflict behaviours but more importantly the underlying context behaviours that gave rise to violence. Disarmament is a form of weapons control strategy both at production and circulation. In a post conflict society, the surrender of arms by ex-combatants at designated sites or camps is what indicates an end to the fighting. Disarmament is essentially a military operation, designed to manage the instruments of violence (arms and ammunition) such that a secure and stable environment is made possible for post conflict transition and implementation of peace agreements.¹¹ The success of disarmament is determined first by the quantity of arms surrendered in relation to the estimated stockpiles and available arms, secondly by ensuring inaccessibility of arms and arms flow which guarantees no possibility of rearmament. While disarmament controls the physical tools of violence, demobilization controls the human tools of violence.¹²

The first step of transition from combat and militarized life to civilian life is referred to as demobilization. Demobilization involves dismantling and disbandment of non-state fighting forces and paramilitary forces that are usually assembled in camps for a change of life orientation. The transition process is usually managed through pre-discharging and post-discharging orientations which include counseling on non-violent life and life career. Disarmament and demobilization are part of a military process but reintegration is a civilian process and the overall success depends on the proper execution of each phase.¹³ Reintegration is a civilian process which involves different states of getting an ex-combatant back into the society and thus the overall success depends on the proper execution of each phase. Reintegration involves the absorption of ex-combatants into the society through gainful training and empowerment. It is geared towards economic independence, self-empowerment and giving peaceful and civil roles to ex-combatants in the society.¹⁴

⁵ EC Egwu, 'The Amnesty Question in Post Conflict Niger Delta and Peace-Building' (2013) 2 (10) *Arabian Journal of Business and Management Review* (Oman Chapter, 1-12).

⁶ *Ibid.*

⁷ SU Ogu, 'Amnesty as a Tool in the Negotiation to end Insurgency in The Niger Delta' (2017) 5 (2) *Global Journal of Political Science and Administration*, 1-22. www.eajournals.org accessed on 8 March, 2019.

⁸ P Collier, A Hoeffler, and M Soderbam, *Post-Conflict Risks* (Oxford: Centre for the Study of African Economics CSAE WPS, 2006).

⁹ Ogbu, *Art. cit.*, p. 18.

¹⁰ Fusger *et al*, *Working with Conflict, Skills and Strategies for Action* (London: Zed Books Ltd, 2006).

¹¹ A Gwinyayi, 'Post Conflict disarmament, Demobilization and Reintegration of Former Combatants in Southern Africa' (2007) 8 *International Studies Perspective* 1.

¹² Egwu, *Art. cit.*, p. 10.

¹³ *Ibid.*

¹⁴ *Ibid.*

A typical illustration of amnesty programme is the amnesty granted to militants of the conflict in the Niger Delta region of Nigeria. The Niger Delta conflict started with protests over the environmental impact of the exploration activities of some oil companies and the perceived marginalization of the region by the government in terms of infrastructural development and equitable allocation of resources. This conflict was mismanaged and thus deteriorated to the extent that it became dysfunctional and was eventually hijacked by self serving militants and some criminal elements, who organized themselves into different armed gangs to prosecute insurgency that almost brought the nation to its knees.¹⁵ More so, the Niger Deltans had expressed discontentment at their conditions through several peaceful means including appeals, petitions and litigation. However, the federal government had not adequately shown any sympathy for this affliction. This neglect fuelled their disappointment about their future and consequent upon the state's inadequate response to their plight, the Niger Delta youths resorted to violent actions to register their anger. This is what is today referred to as militancy in the region. The federal government of Nigeria and the host communities of Niger Delta have different positional views about the crises actors.

The Alhaji Umaru Musa Yar'Adua led government initiated an 'Amnesty' programme for the Niger Delta region in 2007. This policy though it had its fair share of controversies provided a negotiated solution to the problem of armed insurrection in the Niger Delta and also created a conducive climate for further negotiations and agreements concerning the core issues in the crisis. The Amnesty programme, is seen as a negotiation strategy that can be effectively used in the resolution of similar conflicts in Nigeria and even across the continent. Thus, the amnesty programme is evaluated as a conflict management tool, and a headway in the negotiation process to address the issues of ethnic minorities. Notwithstanding the shortcomings or controversies surrounding the policy, the policy adopted a successful negotiation approach to the resolution of the conflict, at least for now, which has provided both time and an enabling environment for the government and all the parties involved to effectively resolve the major issues at the root of the conflict.¹⁶

Thus, 'Amnesty' is a peace building and reconciliatory instrument which is a cost effective and proactive communication-based approach to conflict management in Africa, especially at a time like this, when the continent can hardly afford the cost of violent confrontations.

Participation in Politics and Governance

Minorities and indigenous peoples in the country remain some of the groups that have suffered most from exclusion in politics and governance. Political participation alone may not guarantee inclusion of minorities in the governance of the State; however, it is the necessary first step in the long process towards bringing in the voices of communities and improving their capabilities. 'Encouraging minorities' political participation in elections is crucial to addressing the issue of political participation and governance. These elections are of great significance since the political institutions that will emerge, namely, the National Assembly to wit; the Senate and the House of Representatives in Nigeria are charged with the important roles of making laws for the country and the welfare of its citizens and other inhabitants. The general position usually in many countries is that the majority ethnic groups dominate the political arena while the minorities are relegated to the background. For instance, in Kenya where majoritarian democracy is practiced, larger groups in Kenya have historically enjoyed a distinct advantage in electoral politics as the main basis for establishing political units is population sizes. Consequently, minorities' political representation in Kenya varies widely, with some groups not having a single representative at any level of governance, while others have several.¹⁷ This divergence is based largely on skewed electoral boundary demarcations and the extent to which ethnic groups are concentrated within political units. Institutions with authority to create boundaries have often done so with the intention of ensuring that some communities become dispersed across various political units, thereby reducing the chances of such minorities of garnering the numbers of votes needed to secure victory in any of their constituencies or wards. Record has it that areas inhabited by minorities, notably pastoralists, have experienced a high incidence of violent conflict.¹⁸ Elections provide an opportunity for political actors to reframe any unresolved questions in identity terms, in order to mobilize or consolidate their communities' or clans' votes. It is also known that conflicts erupt during the electoral processes in some countries mostly in the economically emerging countries, these conflicts and acts of violence can have a negative impact on the willingness of citizens to participate in the electoral process.¹⁹ While the impact of these

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ J Cottrel-Ghai, Y Ghai, K Sing' Oei and W Wanyoike, 'taking diversity seriously: Minorities and political participation in Kenya' (2012) *Minority Rights Groups International Briefing*.

¹⁸ J Schilling *et al* 'Raiding Pastoral Livelihoods: Motives and Effects of Violent Conflict in Northwestern Kenya' (2012) 2 *Postoralism: Research, Policy and Practice*, 1.

¹⁹ For example, the violence experienced by voters, in the just concluded Presidential elections in Nigeria had an adverse effect on the Gubernatorial and State Houses of Assembly Elections, there was reduction in the number of voters who came out to cast their votes.

conflicts on electoral participation is not yet fully apparent, voter turn-out will no doubt be depressed, and women contestants, in particular, will be discouraged from participating.

Thus, the government respond to the agitations of the ethnic minorities by promoting participation in politics and governance by the minorities. In Nigeria for instance three Senators are elected from each of the 36 States to represent the masses at the National Assembly while 360 members are elected to the House of Representatives. This way all ethnic and minority groups would have been truly represented, or nearly represented.

Protection and Security of Territories

One may ask the question; why should international human rights law vest members of minority community with right that secure a measure of autonomy from the state in which they are settled? This question can be answered by considering the various commitment to the protection of certain universal attributes of human identity from the exercise of sovereign power. Minority protection thus operates on the assumption that religious, cultural, and linguistic affiliations are essential features of what it means to be human. States have a responsibility to protect all people residing in their territory, be they members of majorities or minorities, indigenous people, citizens or non-citizens. This principle lies at the heart of the commitment on the responsibility to protect (R2P) made by all UN member states at the 2005 World Summit.²⁰ R2P emerged in order to avert atrocity crimes such as genocide and ethnic cleansing which in the past have all-too-clearly demonstrated the dangers of failing to protect people targeted by their fellow citizens or by the state. Identity-based tensions have been present in many of the conflicts that have required action by the UN Security Council (UNSC) since the end of the cold war, and more often than not, minorities have been the principal victims. An inherent factor in this form of conflict is the natural mismatch between states, as artificial constructs with arbitrary borders, and nation's broad groupings with social, cultural and linguistic ties. The inter-ethnic relations of the nation transcend the hard borders of the sovereign state and can challenge its territorial integrity when independence movements pursue self-determination through secession. Failing to adequately protect the rights of minority ethnic, religious, cultural and linguistic groups leaves them vulnerable to discriminatory laws and policies, rising grievances can be exploited by violent extremists or instrumentalised by neighbouring states.²¹

Minority protection is clearly of prime concern for the maintenance of international peace and security. National minorities have a right to protect and promote their identity, and it is the obligation of the state in which they live to defend that right. However, neighbouring or nearby states may have strong ethnic, cultural, religious or linguistic links to the minority population, and a legitimate interest in its protection. Such 'kin-states' may be well placed to offer advice or assistance to improve the protection of related minorities abroad. Kin-state may also be directly affected if a state is failing to protect minorities-for example through strong public opinion advocating intervention to protect the kin. The potential constructive role for kin-states in resolving sensitive and volatile minority issues was evident in the successful resolution of a long-running disagreement between Italy and Austria over the status of the German-speaking minority in the South Tyrol region of Northern Italy. Following World War II, Austria pursued its kin interest through bilateral negotiations with UN oversight, leading to the eventual implementation of a treaty giving great autonomy to the region.²²

International norms affirm the rights of persons belonging to minority groups to establish peaceful contacts across borders with those of a common identity or heritage. But the strengthening of bonds between a kin-state and a neighbouring minority risk creating or exacerbating tensions with their state of residence, resulting in a deterioration of bilateral relations. When the interest of the kin-state extends to cross-border interference and even attempts to take unilateral action on the basis of kinship to protect national minorities living abroad, the prospect of violent conflict can arise. Ultimately there are two specific, related fears over-shadowing such tensions: irredentist claims by the kin-state, advocating annexation of another state's territories; and secessionist claims from the minority itself.

The Responsibility to protect minorities and their territories is a cardinal one such that where a State is unwilling or unable to fulfill this responsibility, it falls to the international community to take appropriate action to protect threatened populations; with the possibility of coercive measure including intervention. The R2P can be seen as the culmination of an evolution towards sovereignty as responsibility, away from the historical conception of sovereignty as a function of power or control over territory.

Co-operation with Minorities

The State can respond to minorities' agitations by keeping positive relations with the minority groups. There should be co-operation between the government and the ethnic minorities in virtually all matters relating to

²⁰ N Turner and N Otsuki, 'The Responsibility to Protect Minorities and the problem of the Kin state' United Nations University Policy Briefing number 2, 2010, <<https://www.unu.edu>> accessed on 12 March, 2019.

²¹ *Ibid.*

²² *Ibid.*

governance of the people. Many states are home to ethnic, religious and linguistic minorities whose fundamental freedoms and human rights are abused. People from minority groups tend to be poorer and to have less power, less influence and less access to remedies to tackle their problems than those from the majority population. Minorities struggle to realize all types of human rights, whether civil and political, economic, social or cultural, whether as individuals or as groups. Entrenched discrimination on ethnic or religious grounds is also a common precursor to conflict. Where disaggregated data exists, minorities almost always score lower for every indicator; they have lower incomes, poorer health, are less likely to complete school. Poverty is closely linked to political exclusion, and minorities are much less likely to be elected as representatives or to be consulted in decision making.²³ States and governments should as part of their policies ensure adequate and effective co-operation and positive relations with minorities and indigenous peoples. This is a means of enabling the minorities to raise the problems they face in peaceful ways and persuade States to address these issues, which help to prevent conflict in the long run. Where States ignore the rights of certain groups within their borders, a possible effective strategy for those groups is to speak out at international forum. Where governments are sensitive to their international reputation, this can lead to changes in policy and practice as an attempt to preserve their reputation and influence in diplomatic circles. There should be positive relations among the minorities and the majority groups and the government. This can go a long way to assure the minorities of their inclusion in the affairs of the State and thus reduce their agitations.

Development of Areas

Indigenous communities are among the most disadvantaged and vulnerable groups notwithstanding their cultural and ecological richness. They often live in hard-to-reach areas, struggle for legal recognition of customary land tenure, and face exclusion, negative stereotyping and discrimination.²⁴ As a result, they do not equally benefit from their country's development. Disproportionately affected by poverty, Indigenous Peoples and ethnic minorities represent approximately 5% of the global population, but account for about 15% of the world's extreme poor; in some regions and countries, the proportion of Indigenous Peoples among the poor soars to 60-70%.²⁵ The State is expected to embark on community development projects especially in areas where the neglected minorities inhabit. This will serve as a positive response to the agitations of minorities. Though, the government should not be left alone to carry this responsibility, assistance can also come from civil society groups, companies, international organizations and even individuals. The World Bank partners with Indigenous Peoples to fight poverty through community-driven development, which is an approach to local development that empowers community groups with control over planning and investment decisions. Community-driven development's strengths such as facilitating basic service delivery in remote areas and working with diverse, heterogeneous communities and vulnerable groups-respond well to many of the unique challenges that programs face in working with Indigenous Peoples. Indigenous communities, while diverse, all face similar challenges. Recognizing that the global community and learning from these ongoing programmes, the World Bank's global Peoples and Ethnic Minorities team and Community-Driven Development cluster are collaborating to bring together global knowledge and customize it for local solutions. This is just one of many ways that the World Bank is working to end extreme poverty and boost shared prosperity for these often-excluded communities.²⁶

Continued Dialogue

The State is encouraged to continue having dialogue with members of the ethnic minorities groups as a way of responding to their agitations. The representatives of such minorities should be free to sit at a round table with the state to discuss the way forward in tackling the issues associated with their agitations. In the Nigerian for instance, the first effort in solving the Niger Delta problem was to convene a dialogue which included all the stakeholders involved. However, this dialogue had to be convened by an independent third party with no alliance to the government or the ethnic minorities. This dialogue provided the opportunity for the people to air their grievances and the advantageous ways they want their problems to be solved. More so, the Office of the High Commissioner on Human Rights advise the use of continued dialogue in solving minorities' issues. Based on the universality of human rights and the fundamental principle of equality and non discrimination, the High Commissioner strives to promote and protect the human rights of all, everywhere. The promotion and protection of the rights of persons belonging to minorities is therefore an integral responsibility and significant priority of the High Commissioner and OHCHR, including field presences.²⁷ More specifically, the High Commissioner is called upon to promote implementation of the principles contained in the Minorities Declaration, and to engage in a dialogue with Governments concerned for that purpose. During such ongoing dialogue and country visits, the High Commissioner regularly discusses problems and possible solutions concerning situations involving minorities

²³ Chapter two of this work explained the ugly situation in greater details.

²⁴ World Bank Group, 'Indigenous Peoples and the World Bank' *Symposium on Indigenous Peoples Sustainable Development* (May 11, 2016). <<https://www.worldbank.org>> accessed on 12 March, 2019.

²⁵ *Ibid.*

²⁶ The World Banks, 'Partnering with Indigenous Peoples and Ethnic Minorities Through Community-Driven Development' May 11, 2016 www.worldbank.org/en/news accessed on 12 March 2019.

²⁷ OHCHR, 'Minorities and the United Nations' <<https://www.ohchr.org>> accessed 13 March, 2019.

with both Government and civil society representatives. The High Commissioner and OHCHR also actively provide guidance and support to other bodies and organs of the United Nations. This includes follow up on minority –related resolutions of bodies such as the General Assembly and the Human Rights Council and on the recommendations of treaty bodies, the universal periodic review, the forum on Minority Issues and special procedures, including the Independent Expert on minority issues.²⁸ OHCHR also leads inter-agency work on minorities. It coordinates the United Nations Network on Racial Discrimination and Protection of Minorities established by the United Nations.

Global Peace and Security

Global peace and security is key among the various goals of the international community. To achieve this, many international or regional organizations have become involved in peacekeeping, peacemaking, and other peace-enforcement activities. Peacekeeping is the process of bringing about lasting peace and harmony in otherwise conflict ridden place or society. At the forefront of ensuring global/international peace and security is the United Nations at the international level. Regional organizations such as North Atlantic Treaty Organization, Organization for Security and Cooperation in Europe, African Union, European Union, among others operate equally to see to the maintenance of peace and security around the globe. Though the expression ‘collective security’ is not provided for in the United Nations Charter, it is often used to refer to the system for the maintenance of international peace and security under the UN Charter and the corresponding provisions of regional organizations.

Under the Charter the United Nations, the UN has the primary responsibility ‘[t]o maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace...’.²⁹ Where the UN finds in accordance with Article 39 UN Charter, the existence of a threat to the peace, breach of the peace, or act of aggression, the UN Security Council may make recommendations, or decide what measures shall be taken by members of the UN to maintain or restore international peace and security. To this end, the UN and the other regional bodies send multinational forces to various areas where there are conflicts.

When the agitations of ethnic minorities groups are considered and given adequate positive response by the State and other relevant institutions, the result will be a consequential reduction in agitation, violence, crimes, animosity and disharmony. As such, there will be a noticeable growth in peace and security among the various groups making up a State. More so, where there is global peace and security, members of ethnic minorities groups being satisfied with their inclusiveness in running of the State and their assured share in the dividends of the economy, will join hands with the government to maintain the peace.

Funding

Adequate funding or fair distribution of the national bounties across all ethnic groups; majority and minority in a state can only lead to the desired peace and order which every society strives for. Thus, the impact of funding on minorities agitation is that there will be a consequential reduction in agitations if the demands of the minorities groups are considered and met by the government of the State.

Equality of all Persons under the Law

Equality of all persons under the law is also referred to as equality before the law, or in the eyes of the law. This is also known as the principle of egalitarianism. It simply means that each person must be treated equally by the law and that all persons are subject to the same laws of justice. The law must therefore guarantee that no individual nor group of individuals be privileged or discriminated against by the government or by other individuals and/group. Equality before the law is one of the basic principles of liberalism.³⁰ This principle arises from various important concepts such as equality, fairness and justice. Thus, the principle of equality before the law is incompatible with discrimination against any person based on either ethnicity, race, gender, colour, religion or social status. Every person is equal before the law and must be seen and treated as such. No person can state or act above the law, no matter the person’s social or political standing. Article 7 of the Universal Declaration of Human Rights (UDHR) states: ‘All are equal before the law and are entitled without any discrimination to equal protection of the law’.³¹ Thus, everyone must be treated equally under the law regardless of race, gender, national origin, colour, ethnicity religion, disability, or other characteristics, without privilege, discrimination or bias. The general guarantee of equality is provided by most of the world’s national constitutions;³² however, the extent of

²⁸ Independent Expert on minority issues (chaps. III-V) <<https://www2.ohchr.org>> accessed on 13 March 2019.

²⁹ Article 1 (I) UN Charter.

³⁰ M Evans, (ed), *Edinburgh Companion to Contemporary Liberalism: Evidence and Experience* (London: Routledge, 2001), p.55.

³¹ Universal Declaration of Human Rights, 10 December 1948, 217A (III), <<https://www.un.org>> accessed 10 April, 2019.

³² For instance, Chapter IV of the Constitution of the Federal Republic of Nigeria 1999 (as amended) guarantees the protection of the fundamental rights of persons in the country.

enforcement of these rights may differ in countries. The Constitutions of States should guarantee right to equality regardless of race and/or nationality, paying attention to international instruments already discussed in this paper.

Human Rights Education

Human rights education is defined as the process of learning which builds up the required knowledge, values, and proficiency of human rights with the objective to develop an acceptable human rights culture. This type of learning teaches students to examine their experiences from the human rights point of view, enabling them to integrate these concepts into their values and decision-making.³³ According to Amnesty International, human rights education is a way to empower people so that they can create skills and behavior that would promote dignity and equality within the community, society, and all over the world.³⁴ For human rights education to be effective, there must be no discrimination in the dissemination of Human Rights Education. Governments must see to it that such education is imparted without bias to race, gender, colour, religion, language, national or social origin, political or personal opinion, birth, or any status taking into consideration the International Covenants, Conventions and Treaties etc on human rights and minority rights. All students, parents, and communities possess the right to take part in decisions affecting their respective schools and the right to education.³⁵ More so, the United General Assembly has proclaimed human rights education as central to the achievement of the rights enshrined in the Universal Declaration of Human Rights (UDHR) thus:

Now, therefore the General Assembly proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms...³⁶

In addition, Article 26.2 of the UDHR states the role of educators in achieving the social order called for by the declaration thus:

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious group, and shall further the activities of the United Nations for the maintenance of peace.

Furthermore, ‘States should strive to eradicate illiteracy and should direct education toward the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. The World Conference on Human Rights calls on all States and institution to include human rights, humanitarian law, democracy and rule of law as subjects in the curricula of the learning institutions in formal and non-formal settings. Human rights education should include peace, democracy, development and social justice, as set forth in international and regional human rights instruments, in order to achieve common understanding and awareness with a view to strengthening universal commitment to human rights.’³⁷

3. Conclusion

Protecting ethnic minorities is much more than theory. It is a matter of a complete and effective international system and real life education, a matter of positive actions by governments and not works. The United Nations treaty monitoring system can only work if it is actively supported by minority groups and organizations; it is they who have the greatest interest in its being effective. It is suggested that where these measures are legally applied, there are chances that the root cause of disaffection among ethnic minorities may come to an end and there will be a chance of peaceful living among different ethnic groups in the same entity.

³³ The Advocates for Human Rights, *What is Human Rights Education?* <<https://www.theadvocatesforhumanrights.org>> accessed 10 April, 2019.

³⁴ Amnesty International, *Human Rights Education* <<https://www.amnesty.org>> accessed 5 April, 2019.

³⁵ The National Economic and Social Rights Initiative, ‘Join NESRI in supporting people’s movements for human rights.’ <<https://www.nesri.org>> accessed 10 April, 2019.

³⁶ United Nations General Assembly, ‘The Preamble to the Universal Declaration of Human Rights 1948 10 December, 1948.

³⁷The *Vienna Declaration and Programme of Action*, 12 July 1993, A/COND.157/23. Section 2, paragraphs 79 and 80.