Committee: Social, Cultural & Humanitarian Committee (GA3)

Issue: Towards the recognition of the right to cultural identity

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INTRODUCTION

Acceptance of diversity has been a challenge for humanity throughout the centuries. People all around the world have been excluded from societies because of their ethnicity, gender, sexual orientation, religious beliefs, language and nationality. Belonging is a human primal psychological need and the time has come for the issue to be addressed. With ongoing conflicts, people are forced to migrate from their country of birth to other parts of the world with the uncertainty of an acceptive environment. For example, people migrating from Syria find it difficult to live a normal life as they are constantly put in the spotlight due to the terrorist stereotype. The Black Lives Matter Movement shows that white privilege does exist and black people are still spurned.

DEFINITION OF KEY TERMS

Cultural Identity

Cultural identity is a sense of belonging to a culture. This belonging can be justified with the shared set of companionship, principles or beliefs of living. Basically, it can be understood as owning the culture and its various boundaries of ethnicity, nationality, language, religion, and gender, meaning that the person can embrace all traditions that have been passed down throughout history. Cultural identity reveals a person's heritage, and thus differentiates the members of various cultures from one another.[1]

Cultural Diversity

Cultural diversity supports the idea that every person can make a unique and positive contribution to the larger society because of their differences. [2]

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[1] "Cultural Identity." *Cleverism*, 20 Dec. 2017, www.cleverism.com/lexicon/cultural-identity/.
[2] Belfield, Dr. Lisa D. "Cultural Diversity in the United States." *Purdue Global*, Purdue University Global, 18 Dec. 2012, www.purdueglobal.edu/blog/social-behavioral-sciences/what-is-cultural-diversity/.

Cultural Pluralism

Cultural pluralism is a form of cultural diversity in certain countries where cultures can still maintain their unique qualities and combine to form a larger, richer whole. In many countries, the term multiculturalism is used synonymously or in place of cultural pluralism.[3]

Cultural Patrimony

Objects possessing continuing cultural, traditional, or historical importance to the heritage of a group, particularly those considered inalienable by the group as of the time the objects had been separated from the group or the historical setting of the objects.[4]

Right to cultural identity

The right to cultural identity consists of the right to belong to a certain culture and encourages differentiation while acknowledging and embracing individuation.[5]

Apartheid

Apartheid was a system of legislation that both politically and economically discriminated against non-European groups in the Republic of South Africa[6]

Segregation

Segregation is the policy of discriminating between two groups and treating one differently from the other because of their race, sex or religious beliefs. [7]

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[3] "Cultural Pluralism (CULTURAL PSYCHOLOGY) IResearchNet." *Psychology*, 1 Feb. 2016, psychology.iresearchnet.com/social-psychology/cultural-psychology/cultural-pluralism/.

[4] "Cultural-Patrimony." *Cultural-Patrimony Dictionary Definition | Cultural-Patrimony Defined*, www.yourdictionary.com/cultural-patrimony#:~:text=Noun,historical%20setting%20of%20the%20objects.

[5] Chiriboga, Oswaldo Ruiz. "O Direito à Identidade Cultural Dos Povos Indígenas e Das Minorias Nacionais: Um Olhar a Partir Do Sistema Interamericano." *Sur. Revista Internacional De Direitos Humanos*, Sur - Rede Universitária De Direitos Humanos, www.scielo.br/scielo.php?script=sci_arttext&pid=S1806-64452006000200004.

[6] "Apartheid." *Merriam-Webster*, Merriam-Webster, www.merriam-webster.com/dictionary/apartheid.

[7] "SEGREGATION: Meaning in the Cambridge English Dictionary." *Cambridge Dictionary*, dictionary.cambridge.org/dictionary/english/segregation.

BACKGROUND INFORMATION

The cultural identity of a group is not static, meaning that identity is fluid and has dynamic reconstruction and revaluation processes. This is the result of continuous internal discussions or influences of other cultures, thus culture can change over time. In each ethnic-cultural group, there are subgroups (the elderly, women, youth, people with disabilities) that challenge, change or even reject certain traditional cultural traits of their group, which "is an integral part of the processes of ethnic reorganization that allow their persistence". Similarly, when coming into contact with other cultures, cultural groups adapt parts of a foreign culture into their own.

Accordingly, the right of cultural identity also consists of changing, adapting and incorporating cultural elements from other cultures and peoples. Forbidding people to develop and express their cultures, using the aforementioned methods, could eventually bring the group to a state of depression and even endanger its cultural survival. Discrimination and favoritism between human beings based on race, or ethnic origin have made the formation of friendly and peaceful relations among nations difficult. Racial bias can heavily affect their safety and relationships among citizens. This perceived "inferiority" is still evident in areas of the world and throughout the years has led to the formation of governmental policies like apartheid, segregation or separation that still remain until this day.

Clash of Civilizations

Although the recognition of the right to cultural identity would be self-explanatory, the procedure is far more complex. The main setback would be the concept of clashing civilizations in a society that has the means to be international. Due to migration and social media influences, the easy access people have to a culture and how it can be absorbed and adapted have made people fear that their national identity will be undermined and they will have to forcibly become part of an international identity that deems them "normal" and "worthy". For example, some non-westerns fear being taken over by western cultures while some Europeans' identities are influenced by migrations from North Africa and the Middle East, meaning that due to the fluidity of identity it is hard to stabilize a culture to the fullest extent without any outside influences. The process of globalization will lead to a so-called class validation, with every culture being recognized and respected equally, as groups seek to maintain and fight for their culture. The clash of civilizations has not been determined by

political, ideological or economic conflicts but rather by conflicts between people of different cultural identities. Therefore, the clash of civilisations is the concept that the traditions and ideologies accepted in one culture, might not be acceptable in another.[8]

One example of clashing civilizations would be the divided Ukrainian-Russian population during the Crimean crisis. This all began as an internal Ukrainian crisis in November 2013, when President Viktor Yanukovych rejected a deal for further integration with the European Union, generating mass protests, which he attempted to put down violently. Russia helped the Ukrainian president in the crisis, while the United States and Europe supported those protesting. This also relates to Ukraine's centuries-long history of Russian domination. The country is divided between Ukrainians who view the country as part of Europe and those who perceive it to be linked to Russia. An internal crisis over that disagreement may not have been avoidable. This highlights how the clash of civilizations blocks the recognition of the right to cultural identity as the disagreements between the countries did not lead to Ukrainian cultural recognition. [9]

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

United States of America(USA)

With the Declaration of Independence in 1776, the United States started to become a multicultural nation. There were colonizers from England, France, Germany, Holland, Poland, Scandinavia, Scotland and Spain. African slaves numbered 700,000 by the recording of the first demographic in 1790. In the nineteenth century, the United States expanded towards the west including parts of Mexico. The Spanish-American War of 1898 added Puerto Rico and the Philippines as United States territories, providing more cultural diversity to the multicultural nation.[10]

Multiculturalism in the United States has generated two main philosophies. The first, argues that America is a country in which people of numerous cultures, co-exist and find common ground as Americans. The second thought strand states that people gain their primary identities pending on their racial or ethnic groups. In this point of view the government is obligated not only to accept the difference of each culture but to embrace it.

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[8] Gordon, John. "Human Rights and Cultural Identity." *Http://Www.degruyter.com/View/j/Bjlp*, 2015.
[9] Fisher, Max. "Everything You Need to Know about the Ukraine Crisis." *Vox*, Vox, 3 Sept. 2014, www.vox.com/2014/9/3/18088560/ukraine-everything-you-need-to-know.

[10] "Multicultural Society Essay: Examples in United States of America." *Diversity Resources*, 12 Sept. 2019, www.diversityresources.com/multicultural-societies/.

Advocates of such views fight for both the right to recognition, and the creation of government policies to ensure it.[11] In the 1850's the American on "Know-Nothing" party was formed in order to stop the intolerance against German and Irish Catholic immigrants and protect their cultural identity[12]

Australia

As a nation, Australia has adopted measures to embrace multiculturalism following an approach of integration between various ethnicities and cultural groups where the dominant and minority groups are expected to respect each other's cultures.

For the majority of Australia's early history, its immigration policy had a discriminatory view of the world that forbade immigration to anyone that did not fall under the White Australia Policy. "The White Australia Policy is a legislation that was designed in order to limit non-British migration to Australia"[13]. It was not until the 1970s that Australia started to embrace a multicultural immigration policy – a largely bi-partisan policy that enabled Australia's society to become one of the world's most peaceful highlighting the benefit of embracing multiculturalism. Although throughout history, policies and incidents have not always fostered an open-minded approach to multiculturalism, Australia has made significant steps in the creation of an environment where immigrants from countries all around the world have the ability to reach satisfying living standards in the Australian culture, free of judgement.[14]

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[11] Stanley Renshon and Stanley Renshonon February 8. "Multiculturalism in the U.S.: Cultural Narcissism and the Politics of Recognition." *CIS.org*, cis.org/Renshon/Multiculturalism-US-Cultural-Narcissism-and-Politics-Recognition.

[12] O'Brien, Sharon. "Cultural Rights in the United States: A Conflict of Values." *Https://Scholarship.law.umn.edu/Cgi/Viewcontent.cgi?Article=1423&Context=Lawineq&Fbclid=IwAR2-CbOR12iYjnRFvulCzLl5Wq5B1Z2EoDhaOLDcEu5vVKm7ropMd17oi0I*, 1987, scholarship.law.umn.edu/cgi/viewcontent.cgi?article=1423&context=lawineq&fbclid=IwAR2-CbOR12iYjnRFvulCzLl5Wq5B1Z2EoDhaOLDcEu5vVKm7ropMd17oi0I.

[13] corporateName=National Museum of Australia; address=Lawson Crescent, Acton Peninsula. "White Australia Policy." *National Museum of Australia*, National Museum of Australia; c=AU; o=Commonwealth of Australia; Ou=National Museum of Australia, 21 July 2020, www.nma.gov.au/defining-moments/resources/white-australia-policy.

[14] Authors , and Esther Rajadurai Economist. "Why Australia Is the World's Most Successful Multicultural Society." *McKell Institute*, 1 Dec. 2018, mckellinstitute.org.au/research/articles/why-australia-is-the-worlds-most-successful-multicultural-society/?fbclid=IwAR2n2klT4_-wWJxjDhtH3KuXs2rK9SoPRseNZyfrZLDGHr-vFG5qsWc8qtc.

Colombia

Amerindians, especially the Chibcha family, were the settlers of what is known as Colombia today and the bequest of the country falls in their roots. Nowadays, out of the Amerindian tribes that occupied the territory, roughly 87 indigenous populations still remain, distributed in 27 departments based on common characteristics like color of skin. They still manage to keep the traditions that have lingered for generations alive. The white ethnic groups that reached Colombia were predominantly Spanish, who brought the Hispanic cultural tradition to the Colombian territory. Afro-descendants in Colombia also incorporated their cultural tradition. Brought over by Europeans from Africa to do mining works, this population gained its freedom through Palenque settlements. They were not unified with the natives due to the subservience that both ethnic groups were subjected to. The combination of the aforementioned ethnic groups sets multiculturalism in Colombia leading to a great variety of rich cultural traditions that combine indigenous and African ancestral pasts with Spanish customs. Colombia is a country of contrasts, filled with different cultures where each one has distinct traditions that remain intact. All customs, traditions and celebrations are alive filling Colombians with pride as they truly embrace all existing cultural identities.[15]

TIMELINE OF EVENTS

Date	Description of Event
1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict	The Convention set out a minimum level of protection of cultural property, which all States Parties ought to respect in times of conflict and occupation. The Convention also required States Parties to impose criminal sanctions for violations of the Convention and encouraged States Parties to embrace the Convention. Finally, it created a form of protection, called "special protection", for all cultural assets. This incuded the right to cultural identity, so if a

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[15] Publicador. "Colombia, Multi-Ethnic and Cultural." *Colombia Country Brand*, 26 Mar. 2020, www.colombia.co/en/colombia-country/colombia-multi-ethnic-multicultural-country/.

	citizen was discriminated due to their cultural identity there would be punishment of the discriminator.
Recommendation concerning the Status of the Artist 1980	This bettered the professional, social and economic status of artists through by implementing measures related to training, social security, employment, income and tax conditions, mobility and freedom of expression
Universal Declaration on Cultural Diversity 2001	The UDCD helped preserve and promote cultural diversity worldwide. The UDCD opted to further the recognition of cultural diversity, the awareness regarding unification of humankind, and developing of intercultural exchanges.
Recommendation concerning the protection and promotion of museums and collections, their diversity and their role in society 2015	This extended the application of standards and principles set by existing international instruments regarding the place of museums, and their affiliated roles and responsibilities. This was an issue that was increasingly called for, which is evident from the fact that the last international instrument entirely in regards to museums dates to 1960.

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

United Nations Educational, Scientific and Cultural Organization (UNESCO)

With multiple attacks against monuments and sites of cultural or religious significance and growing displacement of populations in conflict areas, UNESCO made efforts to provide access to, participation in and contribution to the cultural life within humanitarian responses to situations of crisis, protecting their cultural identity. UNESCO's standardizing skeleton highlighted the need to fight for the protection, restoration, and preservation of cultural heritage which generates universal respect for cultural rights by all and revive the engagement of the United States to engage in the aforementioned actions.

This included the part of indigenous communities in the production and maintenance of their cultural heritage. [16]

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Inter-American System of Human Rights

The Inter-American System for the protection of human rights is a regional human rights system responsible for monitoring, promoting, and protecting human rights in the 35 independent countries of the Americas that are members of the Organization of American States (OAS). The Inter-American System is composed of two dominant bodies: the Inter-American Commission on Human Rights (IACHR) and Inter-American Court of Human Rights (IACtHR). Both have a right to individual complaints concerning human rights violations and can issue emergency protective measures in the case that an individual or the subject of a complaint is at risk of irreversible harm. The Commission also engages in a wide spectrum of human rights monitoring and promotion activities , while the Court can request advisory opinions on issues concerning Inter-American instruments at the request of an OAS organ or Member State.[17]

Universal Declaration of Human Rights (UDHR)

Article 27 of the United Declaration of Human Rights reads the following : *(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author[18].* All in all, it inspirits and shelters artistic differentiation from the crowds. It also allows people to openly present their customs and thus highlight their cultural identity

POSSIBLE SOLUTIONS

Cultural appreciation does not come naturally to everyone. Thus, addition of school courses, creation of websites and public speakers can enlighten all audiences about the plethora of cultures in this world and how to respect each one without having to know its

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[16] "Right to Participate in Cultural Life." *UNESCO*, 6 Dec. 2019, en.unesco.org/human-rights/cultural-life.

[17] "Inter-American Human Rights System." *International Justice Resource Center*, 17 July 2020, ijrcenter.org/regional/inter-american-system/.

[18] "Universal Declaration of Human Rights." *United Nations*, United Nations, www.un.org/en/universal-declaration-human-rights/.

customs and history in great depth. New platforms can be designed so that people can speak up about situations they have phased which undermined their right to cultural identity. Not only will that create a safe space that everyone is welcome to but it will give a sense of belonging that is much required.

Something that could lead to the recognition of the right to cultural identity would be the passing of legislation allowing people to have the time and place to pray in their workplace, deeming Halloween costumes such as "Indian" or "Geisha" inappropriate due to cultural appropriation and many other circumstances.

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