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**COMMENTS BY FORMER PRESIDENT FW DE KLERK
TO THE PANEL ON THE POWER OF LAW V/S THE LAW OF POWER
AT THE SUMMIT OF NOBEL PEACE LAUREATES
MÉRIDA, YUCATÁN, MEXICO
21 SEPTEMBER 2019**

Since the beginning of this century there have hardly been any wars between countries. Most conflict is now within countries between cultural, religious and language communities.

All three of the world's major ongoing wars - those in Afghanistan, Yemen and Syria - are being exacerbated by divisions between Islamist fundamentalists, and Shi'a and Sunni Muslims.

The world's seven minor wars - in Somalia, Nigeria, Iraq, Southern Sudan, Mali, the Sahel and Libya - likewise have their origins in the clashes between ethnic tribes, Islamist fundamentalists, moderate Muslims and Christians.

Unresolved ethnic and religious tensions also lie at the root of numerous national and international crises - including:

- the plight of Rohingya refugees fleeing from Burma;
- the predicament of the Uighurs in Sinkiang;
- the ongoing conflict in Kashmir - between Muslims backed by Pakistan and Hindus supported by India;
- deep concern among religious minorities in India - including the country's 190 million Muslims - over the growth of aggressive Hinduism.
- the clash between the Ukrainian-speaking majority and the Russian-speaking minority in Ukraine;
- the unresolved problem of the Kurds, a people without a state, straddling Turkey, Syria, Iraq and Iran; and
- Increasingly strident racialisation of the political debate in South Africa - including calls by prominent political leaders for mobilisation against minorities.

If we are concerned about promoting the power of law over the law of power, we should strengthen international conventions that were intended to protect the world's minorities.

The main international conventions and agreements dealing with minority rights include the *International Covenant on Civil and Political Rights* (1966); *The Draft Declaration on the Rights of Indigenous Peoples* (1994); the *Declaration on the Rights of Persons Belonging to National or Ethnic or Religious Minorities* (1993); and the *European Union's Framework Convention for the Protection of National Minorities* (1995).

We can draw the following broad conclusions from these international documents:



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- in most cases secession for minorities is not an option, because it would pose an unacceptable threat to the territorial integrity of existing states;
- forced assimilation is also unacceptable;
- it is generally accepted that states should not discriminate against their citizens because of their ethnic, cultural or religious affiliations.

However, there is less unanimity regarding:

- the right of cultural minorities to mother tongue education and the responsibility of states to provide such education;
- the right of communities to a voice in decisions affecting their own communities; and
- the degree to which special provision should be made for the inclusion of minorities in broader national decision-making processes and in the national identity.

Most countries are hesitant to allow international scrutiny of their relations with their own national minorities.

However, if we wish to promote a world without conflict, we need to address the primary cause of conflict in the world today: the inability of cultural, ethnic and religious communities to coexist within the same countries.

We need to reach binding agreements on the rights of minorities - just as we have done with regard to the rights of individuals.