

Submission to the Asia-Pacific Regional Forum: Review, Rethink, Reform

All Paths Lead to the Same Destination: the Shared Principles and Different Practices of Ethnic Minority Human Rights Protection

Chen Bateer, The Center for the Study of Human Rights at Nankai University,
Tianjin, China 30050

Laddies and Gentlemen:

Good Morning!

Please allow me to say hello in my mother tongue: “SAIN BAINUU?”

It's my pleasure to be here to talk about the minority human rights

I am Bateer Chen, an university professor from China. I am a Mongolian, a member of ethnic minorities in China. I am also a beneficiary of Chinese Minority Human Rights Protection. I was born in the family of herdsmen from a remote area of grassland. Thanks to the minority Preferential policies of language and education, I have had the opportunity to access higher education and finally got my master and doctoral degrees.

First let me explain the title of my talk: “All paths lead to the same destination.” This idiom came from the Taoist, it reminds me of the European idiom “All roads lead to Rome”, which means that there are different ways to achieve the same result in the end. When it comes to protecting minority human rights, there are also different practices to achieve the same goal, as long as they are guided by shared principles.

Shared principles are international declarations of minority human rights protection. For example, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities has been adopted by the United Nations General Assembly, by resolution No. 47/135, on 18 December 1992. This declaration is essentially a set of general principles that guides human rights practices of different regions or member states. This declaration, to some extent, like the destination or Rome I mentioned above, awaits all member states to build the roads or paths. Of course, Intermediary institutions (or regional agencies) such as the European Union(EN), Organization of African Unity(OAU), Inter-American Commission on Human Rights(IACHR), Association of Southeast Asian Nations (ASAN) are supposed to make bridges between UN or United Nations Human Rights Council and all member states. By reviewing the intermediary institutions' work on National or Ethnic, Religious and Linguistic Minorities, I found that the EN, OAU and IACHR have developed their own frameworks on minority human rights or racial discrimination. For instance, Framework Convention for the Protection of National

Minorities was passed by Committee of Ministers Council of Europe in 1993. This framework is regarded as the most comprehensive and first multilateral treaties. But Asia had no such framework. So it's necessary for our Asia and Pacific Region to develop such agreed-upon frameworks.

I noted that international declarations await member states to develop their own paths or roads. This means that all member states should take actions to implement the principles of the international declarations or frameworks on minority human rights protection. These actions or implementations may vary depending on each member state's unique history, political system, economic development, ethnic relations, and cultural tradition. However, states should seek common ground while putting aside their differences and respecting each other's sovereign equality, territorial integrity and political independence. States create conditions and develop their own plans to promote ethnic minorities' ethnic, cultural, religious and linguistic identities in their respective territories. For example, the Human Rights Actions Plans of China (HRAPC) has been implemented by China since 2009. By 2021, China has formulated and implemented four national Human Rights Action plans, in which the human rights of ethnic minorities and its protection is an indispensable part.

In sum, the principles or declarations of minority human rights protection at the international or regional level are very important. It belongs to the metaphysical level of philosophy and belief. However, it's a kind of unity but not uniformity. In other words, respective member states may take different paths to transform these principles into actions. This belongs to the physical level of practice or methodology. We should allow for such diversity but not restrict ourselves to the only one way. In terms of philosophy and belief, we need to reach cross-cultural understanding and consensus among member states. In terms of practice and methodology, we need to allow member states to form diversified paths. As long as the same philosophy and belief guides the different practices or methodologies, I deeply believe all paths will lead to the same destination.

Thank you for your attention

Bayarilaa (say thanks in mother tongue)