

Committee: United Nations Development Programme

Issue: Enhancing national judicial and security sector capacities to prevent and prosecute acts of ethnic discrimination and hate speech.

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INTRODUCTION

Ethnic discrimination and hate speech has existed throughout history and seems to be a persistent global challenge, creating a barrier to global peace and sustainable development. Hate speech contributes to polarization, exclusion and in extreme cases violence and conflict especially when directed toward ethnic or racial communities. This topic is not merely a legal obligation for the United Nations Development Programme (UNDP), but rather a necessity for development. Enhancing the capacity of judicial and security sectors ensures that national frameworks are able to move from reactive measure to proactive well thought out prevention, to protect all citizens.

DEFINITION OF KEY TERMS

- Ethnic Discrimination - any distinction, exclusion, restriction or preference based on race, color, descent or national or ethnic origin and had the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life
- Hate speech - speech that marginalizes and targets people on the basis of their religion, ethnicity, gender, sexual orientation or race.

BACKGROUND ON THE ISSUE

Dating back to World War II and the mass murder of the Jews in Germany and German territories, to the segregation during the Apartheid in South African racism and discrimination has been experienced through many generations all over the world. For example, education, churches, hospitals and even benches and parks were designated for each race. Citizens were ranked by their social class and those of which with the lower statuses would have limited job offers, restricted civil rights and faced daily insults, frequent verbal expressions of disrespect and slurs.

Races were originally formed to exaggerate the differences between people of European descent and those of African descent who had previously been enslaved into the United States. North American slavery was an epicenter of racism. As this spread around the globe races seen of a lower status were exploited for their labor.

CURRENT CONTEXT

In the modern day environment, hate speech has rapidly migrated to digital spaces, creating challenges for national governments and development institutions. A 2023 UNESCO report says that 67% of internet users have encountered some form of hate speech. Disinformation is also highly prevalent on these apps, during for example elections. Roughly 68% of internet users reported that social media is a place where disinformation is actually spread, posing problems for national judicial or law enforcement as narratives cross borders faster than they can adapt.

Discrimination is also a fuel for conflict as seen in Myanmar and the democratic republic of Congo and in the Sahel. The lack of a security sector to protect the minorities has resulted in mass displacements and turmoil within the states. There are major gaps within the prosecution systems and as a result very few cases have a successful outcome due to a lack of technical expertise in investigators.

MAJOR COUNTRIES AND ORGANIZATION INVOLVED

- **United Nations Development Programme** - operates in more than 170 countries and territories to strengthen the rule of law and address all forms of hate speech, whether online or offline
- **United Nations Educational, Scientific and Cultural Organisation** - spearheads the “Judges Initiative” which aims to train judicial actors globally on international standards of freedom of expression, freedom of press and access to information. It also protects journalists and any attacks that may be targeted towards them. Over 38 000 judicial actors including prosecutors, lawyers and judges have been trained on these issues notably through online courses
- **Rwanda** - provides an exemplary strategy post-pay conflict. After the 1994 Genocide, the government sought out international assistance including UNDP support to rebuild and restructure their judicial reforms in hopes to rebuild trust within the legal field. This demonstrated how strengthened judicial capacity can support long term peacebuilding.
- **Germany** - they have managed to implement a legislation which requires social media platforms to remove illegal hate content within specified timeframes exhibiting how domestic regulation can spark international debate. This approach reflects the European efforts to balance freedom of expression with protection against incitement to hatred

TIMELINE OF KEY EVENTS

1945 - The United Nations was established:

Following World War II the United Nations was established to promote international peace, cooperation among states and human rights

1948 - Establishment of Universal Declaration of Human Rights

Adopted by the General Assembly, this established equality and non-discrimination as a universal right applicable to all.

1954 - Brown vs Board of Education Decision in the United States

The United States Supreme Court ruled racial segregation in public schools unconstitutional, marking a major legal milestone globally, aiding in the deconstruction of systemised racial discrimination.

1965 - International Convention on the Elimination of all Forms of Racial Discrimination

First legally binding instrument which obligated states to criminalize and racial discrimination and promote equality

1990 - German rise of anti - extremism policies

After reunification, some regions in Germany experienced xenophobic violence which led to the expansion of criminal penalties for incitement to hatred allowing for strengthened national policies

1994 - Rwandan Genocide

A tragic turning point that demonstrated the consequences of ethnic propaganda through media outlets which led to mass violence. This was as a result of unchecked hate speech and weak justice and security systems

2001 - World Conference Against Racism

This was held in Durban, South Africa aimed to address and combat global racism, xenophobia and intolerance

2017 - Germany's Network Enforcement Act (NetzDG)

Aims to action against hate speech and fake news on social platforms. This ensures that the user has a seamless experience and the social network provider to take the necessary measures to assure that all unlawful content is prohibited.

June 18 2021 - Establishment of International Day for Countering Hate Speech Established

2020 - Global Anti-Racism Protests Following the Death of George Floyd

Multiple protests across various states within the United States and around the globe and many online protests against institutionalized racism and police accountability concerns. Due to this many countries had to renew discussions on their own law enforcements

2023-Present - Expansion of AI Regulation Discussions

Nations have realized the need to increase focus on regulating online platforms and Artificial Intelligence systems to prevent ethnic, cultural, racial and religious biases.

RELEVANT UN RESOLUTIONS, TREATIES, & EVENTS

1948 - Universal Declaration of Human rights

<https://www.un.org/en/about-us/universal-declaration-of-human-rights>

1966 - International Covenant on Civil and Political Rights

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

2015 - Adoption of the Sustainable Development Goals (SDGs)

<https://sdgs.un.org/goals>

2019 - Launch of the UN Strategy and Plan of Action on Hate Speech

<https://www.un.org/en/hate-speech/un-strategy-and-plan-of-action-on-hate-speech>

PREVIOUS ATTEMPT TO SOLVE THE ISSUE

International intervention has evolved from primarily focusing on legal precautions and responses in prohibiting discrimination to approaching institutional capacity and digging out the crux of the problem through development programming. UNESCO has successfully been able to integrate global programs to promote and educate on media literacy, intercultural dialogue and education for tolerance, being aware that hate speech usually occurs from misinformation. This takes a preventative and educational approach into the future. The UNDP has invested heavily in rule of law initiatives which are targeted to strengthen courts and legal aid systems. Reports show that 3 billion people worldwide lack true access to justice, in particular those in developing and conflict regions. Through the 2019 UN Strategy and Plan of Action on Hate Speech, the UNDP in alignment with the Sustainable Development Goal 16, this strategy highlights prevention by addressing inequality, institutional weakness and marginalization rather than merely relying on punitive measures.

POSSIBLE SOLUTIONS

The expansion of technical assistance programs could allow for legal independence, the efficiency and effectiveness of case management systems and provide special training for prosecutors handling hate-related offenses. Frequent programs for those within the law enforcement to treat each and every case equally and complaint with human rights.

WORKS CITED

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