

Post-doctoral activities of Salahaddin University-Erbil academic staff

Title of the research: Minorities, Ethnic Conflicts and Federalism / An Analytical Legal Study

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Summary:

The research attempts to explore the facts about Minority's problems and the historical background behind them. Moreover, we are interested to provide insight into the question of this social phenomenon and how it has become a source of internal and international conflicts. Furthermore, we strongly put emphasis on the idea of creating an institution of Safe Haven for minorities which have been subjected to atrocities. As a result of atrocities being committed against minorities, the International Community has made it a priority to intervene and has inevitably become an imperative option of intervention.

The research also reviews the reason behind escalations of humanitarian disasters as a result of ethnic conflicts in many parts of the world. In several cases, the applicability of International Law has become the only option, because Article 42, Charter VII of United Nations states: when there are serious violations of International Humanitarian Law and of International Conventions, the Security Council has an obligation to act accordingly and to intervene.

The implementation of this Article and other relevant Conventions were applied in the cases of Rwanda, Bosnia-Herzegovina, Kosovo, and others. These cases are examples and proof of the importance of the involvement of Security Council in ceasing these violations and eventually developing strategies and mechanisms for providing protection for minorities.

International instruments have occupied an essential part in this research and attempted to find a legal framework of resolution of the ethnic problems, as well as, its effectiveness in resolving these issues in the past and in the future. Additionally, the research has explored the creation of Safe-Haven for the Kurds in North Iraq, and is a fresh example of International involvement in protecting minorities in Iraq. Furthermore, the establishment of a Pluralistic Federal Constitution in Iraq in 2005 confirms this policy in resolving minority conflicts.

In addition, the research reviews federalism as a proper recipe for providing the best solution for minority issues, with all its complexities, in implementing its principles in practice. This form of government is being suggested by many scholars in the field of Political Science and Law and that Federalism, employed as a legal and political framework, can be a significant instrument in the recognition of minorities' political independence and cultural identity.

Finally, the quintessential part of this study is ethnic federalism, as a pragmatic instrument in defueling ethnic tension.

Although this study highlights strategies and mechanisms for providing protection for minorities, as well as contributing to the resolution in ethnic conflict, we need to explore further research in resolving minorities' conflicts in other countries, for instance, Syria, Sri Lanka, Yemen, Sudan, Somalia, in Africa as well etc., improve and promote the globalisation of the European Law within the framework of Human Rights.

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