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## The Rights of Minorities in the Kurdistan Regional Government (KRG) in light of Multicultural Citizenship Theory

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**Abstract:** Like the other communities in the world, Kurdistan has several different groups which have their own unique identity and cultures. At the same time, in the absence of external intervention, they largely are living peacefully together. The Kurdistan Regional Government (KRG) and the Kurdish sovereignty, within their means and authority, have tried to maintain and promote these peaceful circumstances. Thus, it has taken some practical steps and put some efforts to prove it's believes in such a peaceful coexistence. It has regarded all the different components and determined their legal and political positions. To promote peace and coexistence every legal effort should be driven by the Constitution of the Kurdistan Region Government (KRG). Kurds who have suffered marginalization, Anfal campaigns and genocides as a minority group within a larger framework, by a dominant culture and people, should take lesson from these experiences when establishing authorities and legal governance ensuring no KRG identify, culture or minority faces this history of suffering. The idea and theory of multicultural citizenship is one of the theories that can become a foundation to protect the ministries' in any given country which is culturally diverse. Therefore, by accepting Kurdistan as a community with diverse cultural and multi ethnical should consider these differences at time of drafting its Constitution. The Kurdistan Region Constitution, as a modern Constitution, should officially recognize and abide by the principle of multicultural citizenship and on the principle of respecting the differences, and provide the opportunity of meaningful legal and political participation for the majority and minority. Will Kymlicka and Iris Marion Young as two theorists in area of citizenship rights have thoroughly discussed and analyzed the topic of diverse and multicultural citizenship. They have reinforced their theory in relation to the theory of equal citizenship. Thus, they have offered a new legal framework to protect the rights of minorities, which by looking at the cultural form of the KRG using this theory as a principle in the Constitution be useful. Therefore, in this research, this idea would be analyzed in details and would be interpreted in the context of the KRG for drafting a modern Constitution.

**Keywords:** Citizenship Rights, Multiculturalism, Multicultural Citizenship, Distinct Citizen, Kurdistan, Minority Rights

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### INTRODUCTION

The constitution of any country is the criteria for the contract of coexistence of the people or the nations. Through taking a look at this contract one can understand the legal and political circumstances in the country and to what extent the authorities believe in coexistence. Kurdistan Region and the Kurdish people that have experience multiple catastrophes, through struggle and persistence, have reached a phase to write down a Constitution and to proof it believe in coexistence and respect to the culture and identity of its population. Kurdistan owns many different minorities and cultures. The differences appear to be based on languages, dialects, religions, sects, ethnicity, races, geography and environment. When drafting an agreement which would be named Constitution, these differences and diversity should be accommodated without excluding or marginalizing any groups. Kurdistan Region is dominated by Kurdish identity, but there are many other components which have their own identity and cultures. Their characteristics differ from the characteristics of the majority in the society. If the matter is looked at from a human rights perspective, or from a citizenship perspective, would bring different results and consequences. Human rights are based on equality without taking any characteristics into consideration. It is a text for everyone equally. However, based on the principle that humans are inherently equal and they have many differences in their daily lives, and have become owners of many differences and characteristics which can't be considered the same. Therefore, the term of citizenship rights came in to being to respond to the question relative to these differences. Equal township, diverse citizenship or diverse cultural citizenship are among the legal, political and philosophical ideas that could be

taken refuge to in order to face these circumstances. Thus, this research would focus on this topic and the cultural diversity citizenship, as a way to protect the minorities in Kurdistan Region, would be examined, and how they would be protected through this theory in the context of a modern constitution would be analyzed. This research is going to address all these in six chapters.

### **1. Minorities, types of minorities and how to protect them**

The twentieth century is known as the century of revival of minority rights. The first system of protecting the minority rights was born after the First World War in the framework of the League of Nations. However, due to its deficiencies it failed to become a universal one. Following the end of the Cold War and the Collapse of the Soviet Union, Yugoslavia and emerging the nations, minority rights became a headline again.

In general, there are five historical periods of minority rights protection. First, starts at middle of seventeenth century to 1812, the year of Congress of Vienna. The second extends from 1812 to the end of the First World War. The third extends from the First World War to 1945. The fourth lasted from 1945 to the Fall of the Berlin Wall. The fifth starts with the Fall of Berlin Wall and lasts up to today. After the establishment of the United Nations the protection of minority rights made to a more coordinated phase. The efforts have been much more significant. After the Second World War the issue of minority rights protection was affirmed in Article 27<sup>th</sup> of the Civil and Political Right Convention in 1966 for the first time. "In the countries with ethnic, religious or linguistic minority or groups, the rights of the people belonging to these minority groups in benefiting their cultures, expression and exercising their religious faith or using their own languages should not be neglected." The ratification of this article by itself was a significant step in affirming the rights of minorities in the international law.

Article one of the International Convention on the Elimination of All Forms of Racial Discrimination of 1965 defines "racial discrimination as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has 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. "

Article 2 of the Indigenous and Tribal Peoples Convention, which adopted on 27 June 1989 by the General Conference of the International Labour Organization provides that "1. Governments shall have the responsibility for developing, with the participation of the peoples concerned, coordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity. 2. Such action shall include measures for: (a) Ensuring that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population; (b) Promoting the full realization of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions; (c) Assisting the members of the peoples concerned to eliminate socio-economic gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life. "

Article 2 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities which Adopted by General Assembly resolution 47/135 of 18 December 1992 states that "1. Persons belonging to national or ethnic, religious and linguistic minorities have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination. 2. they have the right to participate effectively in cultural, religious, social, economic and public life. 3. They have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation. 4. they have the right to establish and maintain their own associations. 5. They have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties."

All these conventions talk about, and sometimes how to protect, the rights of minorities, but the question is who are the minorities? And which groups, categories and set of people could be called a minority? In most of sources minorities are defined by a group of people with smaller numbers compared with other groups. The meaning of minority in the Persian Dictionary is "a small number of a people or a group with a peculiar ethnic, religious or traditions who are living in a country whose majority of population don't share this peculiar ethnic, religious or traditions." Despite all these discussions about minorities and protection of their rights in the international law, there is no unified definition for minority. The Permanent Court of International Justice (PCIJ) in an advisory resolution on 31 January 1930 in response to the mixed committee of Greek-Bulgarians brought about a meaning which the systems of the minority treaties of the League of Nations benefited from. The Hague Court defines a minority as "a group of individuals who live in a country or homeland and have a common ethnicity, religion, language, tradition and thereby have a shared sentiment and coexistence. They preserve their

traditions and customs and educate their children about their culture and traditions. They promote their solidarity and help one another. (PCIJ, 1930: 21).

Franseco Caporti, Ad Hoc Reporter and Sub-Commission on Prevention of Discrimination and Protection of Minorities have developed a concept for minorities which is widely accepted by too many. "a group which are fewer in terms of number compared to the other population in the country, and are ruled by others. Despite been citizens, they have their own ethnic, religious or linguistic characteristics." (Papoutsi 2014: 308).

From the perspective of minority rights' protection, a comprehensive concept for minority could be suggested. "a group called minority whose number is smaller compared to the other groups in the country or the region and who are not ruling nor effectively in control, and the members of this group have their own ethnic, religious or linguistic characteristics. They have a common sentiment among themselves to preserve these differences and characteristics. Minority groups depending on populating dispersedly or in groups, being citizens or foreigners, being old or new residents in the given country, would benefit from the minority rights system." (Azizi 2006: 134). Based on this opinion, we can say there are many minorities in the KRG who have their own characteristics and differences that differentiate them from the majority of the population. They should be recognized as minorities. Their rights should be preserved in the Constitution. Kurdistan has tens of religious, sectarian, linguistic, ethnic and cultural minorities. In order to protect the rights of minorities in the KRG in the future KRG Constitution which would be a progressive and modern one, there should be a legal and philosophical understanding in the concept of citizenship, equality and unique rights. Thus, as we go, we would focus on these topics and would examine the rights of minorities in the KRG in light of diverse citizenship theory.

## **2. Concept of citizenship**

Human right and citizenship rights are two legal and philosophical concepts which are constantly been used by different groups and individuals who carry a shared identity. They have tried to ensure their rights through these two concepts. Human rights are based and developed on pure equality and humanity principles. It is the same for all. Contrary to that citizenship rights carry their own characteristics to accommodate the differences.

Citizenship or township is a topic to link the individuals and community. It discusses the relationship between the two, fundamental rights, the components of a right, an obligation, identity and involvement. The aisle of citizenship on the basis of social connections has gone through many changes; in a way at some point the relationships and forming aspects were different and changing. In political sociology, analyzing the concept of citizenship in the 1940s was developed through the writing on T. H. Marshal and the alike. In 1980s onwards, under the influences of aisles of modernism, globalization, emergence of new social movements, mass immigration to western world, the traditional citizenship which was a model of universal, global and liberal democracy; faced challenges and came under criticism. Each of the theorists of communal, socialists, post-moderns, feminists, proponents of ethnic, racial and national minority, each of whom criticized the concept of traditional, old citizenship in their own way. They found it infective. At the same time, these theorists brought about and discussed some new topics such as diverse or multiple, cultural and global citizenship as an alternative to liberalist citizenship. (Fasihi 2016: 2).

Township or citizenship is a concept rooted in the political imagination of the old Greek. But basically, is a concept interrelated to the modern political imagination. Township is driven from the Latin word "ciuitas". This word is equivalent to "Polis" word of the Greek language. Polis or city is not only a place for citizen to reside in; but it is an independent political unit. Towner or citizen is someone who belongs to this political unit and carries all the requirements to take part in running and public management of the city (Pelloux 1991: 1).

T. H. Marshal is among the theorists who have a strong influence and position in citizenship discourse. His articles and topics are considered as a traditional starting point for citizenship. Marshal considers the citizens as holders of three types of rights: civic, political and social. The civic rights are preservation of individual freedoms such as free speech and expression, freedom of belief and thought, the right of private ownership, right of valid contracting and the right to justice (Nesh 2013: 193). In the nineteenth century onwards, the civic rights were linked to the "positive political rights" through which active citizens, were given the power, ability and position to take part in forming public believe and public decision-making. Social rights advanced and promoted in the twentieth century. Through these rights, the citizens were supported with welfare based on a basic criterion. These social rights have their own significance and weight as they provide for a meaningful participation for the working class to participate in the processes as an equal citizen (Kastelz and Davidson citing Fasihi 2003: 213). What is important in relation to the individuals and states; is the relation between the two. Through which the rights and the citizenship laws are formed and the rules and laws are given a specific meaning.

## **3. The relationship between equal citizens, fundamental and basic human rights**

Every human is equal in their basic and natural rights, basically are born equal and hold equal dignity and rights. These rights can't be taken or violated by anybody. They are recognized and protected in national and

international laws. The set of freedom recognized as human rights can be equally exercised by all regardless of their race, color, gender, language, religion, political view, or any other belief. Based on that, the individual is holding rights and duties and their rights carry a meaning towards the others, in other words, the rights of individuals should be reflected within their communities. Therefore, humans enjoy some rights which are interrelated to the inherent and natural rights of human per se. human rights laws are means to humans through which they can, in their social life, reach dignity and protect it. Therefore, human rights are fundamental, irrefutable, irreversible, and undeniable and are essential for human survival. (Hakki 2000: 27-28) modern human rights are a modern and progressive framework for natural rights and meant to be a set of rights and privileges which shall be enjoyed by everybody regardless of their racial, religious, sectarian, ethnical, linguistic or gender characteristics and differences. In other words, and more clearly, "human rights are those rights which the human owns them only for being a human, not for any other characteristics or special status" (Rasekh 2006: 22).

Human rights are based on equality and fairness and every exclusion or inequality means the violation of human rights. However, the rights relative to citizenship are related to the concept of citizenship and vary from a community, area, country or under a certain authority to another. They are holding the characteristics and identify of each community; while they should not contradict with the core principles of human rights and fundamental freedoms. When drafting the laws, in cases of contradiction of the concept of surficial equality with the human rights and rights and duties, the rights are of course undermined. In other words, the citizenship rights are the changing and evolutionary aspects of human rights which have positive aspects in contrary to human rights which is a universal text, the citizenship rights are carrying the prominent aspects of each society which vary from a place to another and are not feasible to be applied in every society. Citizenship is driven from the relationship between the individuals and the state and should carry the characteristics of this relationship. It should abide by fundamental rights and freedoms, and at the same time, should take the different characteristics into consideration. Therefore, it is safe to say that citizenship rights are partially driven from human rights which is based on equality and lack of any exclusion, they also carry a set of characteristics and differences between the citizens which any denial of these differences would benefit the dominant majority and harm the marginalized minority, thereby resulting in the undermining of fundamental rights and freedoms.

Citizenship rights include this part of human rights that entail the relationship between the state and the political power of the authorities over the individuals in a national form and they are inclusive to the citizens of one state. But the human rights are related to humans only for being humans not as nationalities of a state. Citizenship has a common area with the concepts of nationhood and nationality but the human rights are covering fundamental and universal rights regardless of national and ethnical traditions and customs. Abiding by the concept of equality in citizenship rights is violating the core principle of international human rights especially in diverse and multi-cultural societies. Therefore, it can be said that human rights are fundamental, irrefutable and undeniable and are essential for human survival. They are based on human dignity. They are irrefutable, irreversible and irrevocable, in the human rights philosophy; these rights are natural and born before the human born; therefore, no state or authority shall see itself as the owner of these rights, and is not permitted to give them or take them. It is the duty of the state to protect them and to bring about an atmosphere to guarantee them. However, as for citizenship rights, the rights which humans enjoy on the basis of citizenship status in a given state or community, are in fact a holistic perspective over these rights and privileges of the nationals, they are related to the nationals and at the same time they are a set of rules governing the society. Therefore, humans per say are the basis for human rights; but the basis for citizenship rights is the relationship between the state and its citizens. Human rights are universal but the citizenship rights are linked to the characteristics of each society. Human rights are addressing every human, organization or community within the recommendations, resolutions and constitution; but citizenship rights are addressing a group of humans within a specified space of a state or a country.

Human rights are built on putting aside all types of exclusion and discrimination between the human. It has one perspective and dimension for all humans. It has one text, recommendation and order for all humans and authorities; thus, it is called universal. In reverse, there are as many as texts and laws of rights as the number of states and political resources in the world each of which carry the unique aspects of their countries. Therefore, the human rights and their laws are similar in every country. Human rights address a community living in a forest or a case as well as a most modern country alike. As for the citizenship rights and their laws it is impossible to ask for a unified and equal rules and laws; despite the two being taken from the same source (Rouhi 2018). Therefore, there are as many citizenship laws as many as the political systems and forms of state-nations that own political power, laws and international relations. The system of citizenship rights is based and grow on officially recognizing and respecting the differences in societies. Therefore, the declaration of citizenship rights and its rule in the constitution and ordinary laws are different from a state to another. All these laws are compliant with some shared principles, but in practice, are required to take the differences and the characteristics of each community or group into consideration. In such a circumstance, it is safe to say that it is not feasible to apply the citizenship laws of a country in another country. The citizenship laws should take the

historical, communal, shared historical and customs characteristics as well as religious, sectarian, racial, linguistic, ethnical, national differences and political, social and racial trend, environmental and objective aspects into consideration. Special laws to be considered to take care of their differences and characteristics of the weak and marginalized classes and minorities. Applying a sort of exclusion and reparative discrimination to favor these classes and groups is very essential and very suitable from a legal perspective.

#### **4. Distinct Citizenship**

One of the basic principles of citizenship from liberal democracy is equality. Indeed, equality is a result of individuals. Equality means that individuals are born equal at least in terms of value and ethical values. This belief appears in the commitment of liberalism to equal rights and privileges, more particularly in forms of legal equality and political equality (Hiud 1389: 68). From this perspective, equality becomes the foundation stone of citizenship and citizenship concept. This topic despite appearing to be very valuable, nice and acceptable but in essence and in the time of implementation would result in a lot of inequality, inequity and challenges.

In the liberal theory, the assumption is every citizen has a free and equal personality and they are the same in their citizenship status. So, segregating the rights and obligations of individuals as citizens and membership of individuals in a certain group based on ethnic, linguistic, sectarian, religious, social status and class, as well as local and cultural characteristics is essential. Thus, the political field is basically set on comprehensive and popularity principles. Therefore, equality and understanding the differences and cultural aspects best appear in this field and the difference are going down to the “nonpublic identity”. (Baratalipur 2005: 170). The policy model of Iris Marion Young (1949-2006) is based on the main liberal notion that all the members of the society are taking part in constituting a part of individual life. In addition to the distributive inequality in the sources of money, time and information in the liberal tradition are two other factors contributing to unequal citizenship. First, liberalism accepts an understanding to citizenship that denies all the cultural differences; because liberalism only supports equal participation to all. According to this view, for the sake for citizenship, the citizens need to put a side and ignore an understating that they have developed based on their personal life and experience. In other words, while exercising their right and obligations, the citizens should forget about their identity. Secondly, the laws and regulations approved by the citizens and their representatives without taking their differences into consideration and the differences and inequalities that exist in the society, would be applied on the society as a whole. So, liberalism doesn’t show the differences between in the society; but it shows the dominance of “The objective of equality” over the “differences” (Yong citing Baratalipur and Ziraki 1989: 274). In such perspective, the concept of equality is completely rejected. The objective of equality which is among the first principle of the first generation of human rights have always been advocated for alongside freedom; when determining the citizenship rights, it can’t be looked at as the way as determining human rights. Therefore, Yong thinks that for the citizenship to be inclusive, the policies should take the differences into consideration, and there should be a place for public identities in organizations and decision-making centers.

Multiculturalism is seeking to get rid of a false, surficial and wrongful globalization and inclusiveness. So that the groups and classes that are culturally marginalized or oppressed or are marginalized or forgotten in the public sphere, could be heard of and seen. From this perspective, not only an individual is considered as a voice, but also each individual as part of his/her group or set is heard of and regarded as a voice of his/her identity. This insight is built on tolerating the differences and it doesn’t set the criteria on majority; but it takes the differences as a matter of principle and accepts each and every identity or culture as worthwhile and holders of the right of participation, decision-making and possession.

Yong has made a lot of efforts to make a connection between the individual rights advocated for by the liberal ideals, and the rights of the individuals as members belonging to social groups. Hereby, Young believes that the rights of individuals in the form of individuality as defended by liberalism would not be guaranteed, since part of the identity of the individuals is rooted in a special social group which is not regarded by individual liberalism, and can’t respond to all his/her needs. In light of this, Yong, through developing a different political model is seeking to form a sort of coexistence between the individual rights and group rights, to fill in the gap of the deficiencies of the individual rights.

Human rights in terms of individual rights are considerably under the influences of the liberals and undoubtedly the international system of human rights is in debt to the struggles and inspirations of the liberals. But on the other hand, the same thing, has contributed to the fact that the level of human rights narrowed down to some individual rights. Although this is not always the case, but it is in general. Under the individual inspirations, the individual is notably been distanced from group and social value, ethics and morals. Despite of the development and declaration of new texts of human rights for the second, third and fourth generations, but the most widely discussed today remains to be the first generation which more focused on the individual rights (Rouhi 2018: 217). Most of the countries which have a variety of ethnicity and cultures and have defined the different communities thought that they have solved the issue however this had led to assimilation and domestication of different minority groups.

The liberalization of human rights and its evolvement of citizenship rights have led to atomization of humans and marginalization of peoples and curbing the identity of different minorities. Narrowing down the rights of peoples and different groups to the rights mentioned in the regional and international texts and documents as it is mentioned in the African Charter on Human and People's Rights (1981) can't support the different cultural rights and can't lead to protection of valuable traditions. The believe in liner evolutionism and the single perception of nations and people in the world in the area of the change of human rights is a big mistake resulted from liberal thought and capitalism. Undoubtedly these thoughts have served a big deal to humanity and humanity is debt to them on a lot of fronts. But continuation and non-conditional follow suit of these ideas and lines would put the human, human security, peace and coexistence in danger. Therefore, people like Teylor, Yong and Kymilcka suggest "diverse cultures" as an alternative for the idea of modern liberalism.

##### **5. Multicultural Citizenship and the Rights of Minorities**

Diverse cultural citizenship is based on respecting and tolerating the differences. It refers to the communities with various and different cultures. Sometimes they are used as synonym of various cultures. It also refers to ideologies or policies that promote diversity in the society. In this concept, diverse cultures towards thoughts and desires would be useful (Bloor 2010: 272). This policies and programs would vary according to the political structure of any country. Although the word diverse culture is generally used to define poor and marginalized groups such as the African-Americans, women, LGBT and so on, many of the theorists use it to define immigrants, ethnic and religious minorities, and indigence peoples. The concept of diverse cultures is mentioned as one of the fundamental freedoms in the Canadian Charter of Human Rights and Freedoms as the Canadians respect one another for all their differences and they try to coexist through respecting diversity and differences (Khojanurri 2013: 23).

Preferring individuals over the community and preferring individual rights and freedoms over the wellbeing of public interest and community life and emphasizing on the freedom of the individuals in choosing and following their own perspective in relation to a good life, appear to be a significant issue in the Western Liberal Democracies in offering a suitable solution to diverse cultures and ethnics. For the traditional political liberal philosophers, another problematic issue of diverse cultures and ethnics the is the inequality and differences between the different cultural groups in today's society, and the state's duty in this regard. For some of the liberal political philosophers, since all the individuals have a set of equal rights and freedoms, therefore the state should disregard the differences between them. Because the state has no duties related to the cultural personality of the society (Kymlicka 1999: 132). On the other hand, theorists like Kymlicka have made efforts to respond to these perspectives, ideas and insights to defend cultural diversity through a way of coexistence between the different ethnics and nations in today's western multi-cultural communities as well as to support the rights of cultural groups especially the cultural minorities.

In Kymilca's view, understanding a culture and a smart and volunteer assessment is the precondition to assess, guide and direct our lives. In his perspective, some of the cultures deserve to be supported and persevered versus the lager communities. In the opinion of the multicultural states have done enough. They believe, the relationship between the state and the official religious organization, assigning official languages for schools, their support for a particular culture and mostly for a predominant culture versus the other cultures, some of the laws and hindering some cultural groups, discriminatory linguistic and cultural public policies, all of these have contributed to a political and economic hegemony of a predominant culture over the other cultures. Such a circumstance further reinforces the predominant culture and further weakens and oppresses the minority groups.

Opposing such a condition, the theorists in the field of diverse cultures consider some policies such as cultural and religious exemption; bilingual education as state policies in relation to "multi-ethnic law" to bring about a fairer condition in the context of today's mixed diverse cultures (Kymlicka 1995: 115).

Communalists and conformities through officially recognizing the importance of equality for different groups, advocate for identity opportunities and freedoms for every citizen even through providing some special rights to cultural minority groups. For example, Charles Taylor emphasized on officially recognizing cultural identities in public sphere. Indeed, this official recognition is based on respect and weight for the identity of the individuals in the public sphere and atmosphere. This would prevent creating second degree citizens as well as unequal status and citizenship based on individual or cultures identities (Taylor 1994: 37).

Kymilca's citizenship model is focused on the issue of how the minority rights and individual rights can coexist and how the principles of individual freedom, democracy, justice and social justice could be protected. Although Kymlicka sees no inconsistency and challenges in between the individual right and group rights, believes that the group rights as a means could prevent oppressing smaller communities by larger communities and groups in order to preserve the resources and organization of minorities from the majority's prerogatives (Kymlicka 2005: 73).

Kymlicka considers the right of autonomy, multi-ethnic rights, and quota rights as practical solutions to protect the rights of groups. In Kymlicka viewpoint, right of autonomy can be implemented through granting authority to minorities in a state through a type of federalism.

The rights and laws of multi-ethnicity through providing legal and public economic assistance to the cultural minorities would protect their group and community identity. The right of special representation, guaranties the minority representation in political organizations and centers. Kymlicka sets the right of autonomy quite broad and leaves a narrow margin relative to secession. As apposite to these rights, he believes that the multi-ethnic and multi-cultural laws would guarantee that the minorities are attracted to the heart of the political community. However, this matter is addressed through recognition and tolerance of the differences as an essential part of a stable multi-cultural state, not through denial and rejection (Kymlicka 1995: 33). The work of Kymlicka have had the biggest impact in this field and they could be used a guideline for the states with diverse cultures. In this roadmap, there is a type of peace and conformity between the individual rights and group rights. National unity can be produced based on tolerating different cultures under the umbrella of diverse cultures.

## 6. CONCLUSION

The approaches based on equality and no discrimination in the system of human rights is very essential. In a diverse cultures society with multiple different cultural groups replying on equality in the field of citizenship rights in the most positive level would result in unification and assimilation of cultures within the predominant culture. But in most cases, it has caused reaction and backlash of the marginalized and repressed cultures by the predominant culture in the state thus presenting challenges. These forms are very notable in the countries which Kurdistan has been divided over. There are many more examples globally. It is not possible to rest assure that the rights of all components are guaranteed through the principle of equality and human rights. Such a system doesn't regard the minorities and their rights. Not taking the differences into consideration eventually results in degrees in citizenship. The predominant culture of the state would become number one and the rest would be marginalized. Adopting diverse culture policies and systems in laws and citizenship rights could result in expectation for meaningful citizen participation at all levels of decision-making, implementation and monitoring. In such a circumstance, security and legal stability would be achieved for all citizens who carry different identities. Respecting the differences would start in the country's constitution and delegate to all laws, resolutions, recommendations and guidelines. Kurdistan owns colorful components. They have historically lived together in peace as long as there has been no intervention in the relationship of these components by occupying states, international and regional superpowers. Therefore, when drafting a constitution to the KRG, all the components should be reflected and their status to be affirmed in the constitution. Kurdistan been a victim of assimilation and destruction itself in the heart of predominant peoples, policies and cultures, should accommodate in its own constitution that the right of all its population is protected. This would not be achieved, and the rights of all components would not be guaranteed without compliance to a constitution that entails a system of multiculturalism.

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