BACKGROUND GUIDE: Rights of Indigenous Peoples

READ TO DISCOVER:

1. What are the rights of indigenous peoples?
2. Why do these rights need to be protected now?
3. How do things like climate change and globalization affect the rights of indigenous people? And, how can their rights be protected from decaying due to these things?

DESCRIPTION OF THE COMMITTEE

In March 2006, the Human Rights Council (HRC) was established to replace the United Nations Commission on Human Rights (UNCHR). Meeting three times annually at the United Nations Headquarters in Geneva, Switzerland, the Human Rights Council is the world’s highest body on human rights protection and provides recommendations directly to the United Nations General Assembly when violations of human rights occur.

Composed of 47 countries, which are elected by a majority vote of the General Assembly through a secret ballot, each member state that holds a seat on the Council is required to respect human rights in its own country and policies or face suspension of its Council membership. The current membership of the Council is thirteen African member states, thirteen Asian member states, eight Latin American and Caribbean member states and thirteen European and other member states.
STATEMENT OF THE PROBLEM

Beginning in the thirteenth and fourteenth centuries, European nations sent officials to new regions of the globe in order to explore and eventually colonize what was thought to be the “New World”. These countries would often seek new resources such as gold, silver, food, people and land in order to increase their wealth.

The first to colonize the “New World”, or the Western Hemisphere, were the Spanish and Portuguese in the 1400s and 1500s. The Dutch colonized the Indonesian islands in the 1500s and the British followed by colonizing North America and India in the 1600s and 1700s. The British would continue to expand its colonial territories to earn the ambitious phrase, “the sun never sets on the British Empire.” At its height, the Imperial Britain had colonies in North America, the Caribbean, Latin America, Africa, the Middle East, East and South East Asia, South Asia, the South Pacific and Australia.

By the end of World War II though, the United Nations supported decolonization and self-determination, principles that made sure that the colonial powers would allow the indigenous population, those who lived on the land before foreign powers came, freedom from foreign rule and give them the right to decide who and what kind of political system would be put in place to govern their society and land.

Despite decolonization and self-determination, many indigenous peoples have been taken over by foreign countries or forced to accept foreign control, such as the Aboriginals of Australia or the Native Americans of the United States. As a result, they often lack economic, political and social power within society. In addition, their human rights can be violated and social values ignored without the same consequences that would occur if the same thing happened to the now ruling population.

The United Nations has tried to preserve the heritage of indigenous groups, but this is difficult when indigenous customs differ from the rest of a country. Today, many indigenous groups still lack formal recognition and are even the target of discrimination and prejudice.

Source: http://mulattodiaries.files.wordpress.com
DISCUSSION OF THE PROBLEM

Today, there are about 300 million indigenous people in the world, representing almost 5,000 different cultures. However, each day, indigenous people are dying out and their cultures are being lost. Indigenous peoples have their own social culture and political and economic institutions. Sadly, these cultures and institutions are constantly in danger of being forgotten or eliminated.

According to the UN Educational Scientific and Cultural Organization (UNESCO), half of the world’s 6,000 different languages are in danger of dying out and 10 languages disappear every year. These languages may be practiced by small communities of indigenous peoples, but are important nonetheless. Other forms of cultural knowledge are also in danger of extinction around the world. Art, folk stories, traditional dances and other elements of indigenous culture are vulnerable as well.

The Relationship between Governments and Indigenous Peoples

It is important to point out that in many cases governments do not intentionally ignore or persecute indigenous groups. But as the world modernizes it is difficult for indigenous groups to rely on their traditional ways of life.

In many cases of decolonization, governments, businesses or other groups have taken land from indigenous inhabitants. Often indigenous people do not understand new laws, and as a result, they agree to terms that are harmful. Other times, their rights may just be taken from them.

Many indigenous groups claim that officials or other inhabitants stole their land years ago. Today though, this land may be legally owned by others according to government records. Simply giving the land to its original owners may not solve the problem, since others that use it now would lose out on their investments, businesses or homes.

It is important for governments to search for all possible ways to return land rightfully claimed by indigenous groups, or to

Aboriginal myths told about spirits called Mimis who lived in caves and under rocks because they were so skinny that they could be broken by the wind. These spirits taught the Aborigines how to hunt and to paint and are found in many Aboriginal bark paintings.

Source: Art Smarts 4 Kids http://arts4kids.blogspot.com/
provide monetary or some other form of compensation if this is not possible.

Social Discrimination

In some countries, indigenous people are not given the same educational and professional opportunities as other people. As a result, it is difficult for them to earn a living. Often, indigenous peoples are attacked by others who have a different way of life. In other cases, citizens of a nation can see indigenous groups as backward or uneducated. This may lead to racism. Racism then prevents indigenous people from getting jobs, receiving medical care or having access to an education.

Political Discrimination

Indigenous peoples also suffer from political discrimination. This means that they are not given the same rights as other people. Some governments do not consider the rights of indigenous people to be important so they do not let indigenous peoples have a role in society. Other governments think that giving indigenous peoples another set of rights specific to the indigenous population would create a second category of citizens, dividing the people and ultimately creating tension between the two groups.

Critical Thinking:
Psychologists say that racism takes generations to fully erase itself from society. However, what are some methods that your country can take in order to improve relations with the way that it views its indigenous populations?

Whenever an indigenous group has its own set of laws and codes of conduct, these are rarely recognized by the government. What is worse is that many times, the indigenous peoples may not know much about the laws that the government has written. As a result, indigenous people can be abused or mistreated since they may not understand what is against the law and what is not.

Finally, many indigenous people do not speak the languages of the majority of people in their country or even their region. This makes it difficult for them to make decisions about what is happening in their immediate surroundings. Even simple ideas and tasks that we take for granted like understanding pedestrian signs in large cities, grocery shopping and voting in an election can be extremely difficult.
CURRENT SITUATION

With 143 affirmative votes, 11 abstentions and 4 votes against (all of whom were member states with large indigenous populations: Australia, Canada, New Zealand and the United States), the United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples on September 13, 2009.

Hope was brought to the issue of indigenous peoples’ rights when Australia, a long-opposed country to the Declaration, stated in April 2009 they would support the document. “[The] formal support from the Australian Government for the United Nations Declaration on the Rights of Indigenous Peoples is likely to go down in history as a watershed moment in Australia’s relationship with Aboriginal and Torres Strait Islander peoples,” said Tom Calma, Aboriginal and Torres Strait Islander Social Justice Commissioner.

Additionally, in recent years, multinational corporations have been patenting biological resources that have been used for years by indigenous populations. After these corporations patent the resource, the indigenous peoples can no longer use it and struggle to find something else to use instead. This is called biopiracy and occurs in places such as India, Brazil, Thailand and Malaysia.

PAST INTERNATIONAL ACTION

International Labour Organization

The International Labour Organization (ILO) was the first international body to defend the rights of indigenous peoples. Although the UN had adopted the Universal Declaration of Human Rights by 1948, it was not until the early 1950s that the ILO published the first international report on indigenous peoples and the pressures that they face.

Today, the ILO has programs to help indigenous

Did you know?

There are over 370 million indigenous people in Africa, the Americas, Asia, Europe and the Pacific. They are among the most impoverished, marginalized and frequently victimized people in the world.

Source: http://www.iwgia.org/sw248.asp

Biopiracy: the unauthorized use of biological resources like plants, animals, microorganisms, genes and of traditional knowledge.

Imagine If...

You were to go to the grocery store tomorrow or you were trying to read a sign in a store front window and everything was in a different language. How much more difficult would life be?

This is how life is for many indigenous peoples when they venture outside of their communities and into cities.
peoples participate in development. It also provides advice, training workshops and seminars explaining laws to indigenous people.ix

The ILO also set labor standards for indigenous people who are working. This helped ensure that indigenous people are not mistreated at work. The ILO also stated that indigenous peoples should be able to maintain their lands, traditions and languages, and receive their human rights without discrimination. However, only 17 countries have ratified the ILO conventions that discuss this.x

**Other Actions**

In 1965, the UN adopted the *International Convention on the Elimination of All Forms of Racial Discrimination*. It was the first international law that bound countries to protecting their citizens against racism. The convention is monitored by the Committee on the Elimination of Racial Discrimination (CERD), which carries out meetings and receives reports from member states. Although racism has not been eradicated and in fact, continues to occur worldwide, advances have been made. Today, 128 member states have ratified the convention.

In 1994, the United Nations Commission on Human Rights (UNCHR, predecessor of the Human Rights Council) adopted the *Draft Declaration on the Rights of Indigenous Peoples*. The declaration states that all indigenous peoples have the right to practice their traditional customs as they see fit among many other rights and protections it establishes and grants. The draft declaration also stated that indigenous children should receive essential education. However, the declaration, like all others before it, does not state how these goals are to be accomplished or who will enforce specific violations of rights of indigenous peoples.

**RECOMMENDATIONS FOR FORMULATING A RESOLUTION**

Delegates should work to draft a resolution that addresses issues that are still problem of concern to indigenous peoples’ human rights. In particular, delegates should consider finding diplomatic ways to ensure that indigenous groups can participate in society without giving up their cultures or beliefs, to increase tolerance for indigenous cultures, to fight biopiracy, to safely incorporate indigenous peoples into mainstream society and to outline ways to incorporate indigenous peoples’ views into global decision-making.
**RESEARCH AID:**

Before you start your “serious” research, this is a fun video that shows a dancer from a Native American Pow-Wow in Arizona, USA a couple of months ago. It will help get you excited to learn about indigenous peoples!

- **Native American Dancer:** [http://www.youtube.com/watch?v=O8APEVR3VxA](http://www.youtube.com/watch?v=O8APEVR3VxA)

This is the official website of the United Nations Human Rights Council.

- **Human Rights Council:** [http://www2.ohchr.org/english/bodies/hrcouncil/](http://www2.ohchr.org/english/bodies/hrcouncil/)

This is a great resource where you can find information on indigenous issues, specific countries and even councils!


This is the website of the United Nations Permanent Forum on Indigenous Issues, specifically linked to the topics section. It is very helpful when researching anything related to the Millenium Development Goals (MDGs).


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**Questions to Consider:**

1. Does your country have an indigenous population? If so, what is it?
2. Has your country ever had conflict with indigenous populations?
3. According to your country, what can indigenous populations contribute to society?
4. Has your country ratified ILO Convention 169 or the *Convention on the Elimination of All Forms of Racial Discrimination*? Why or why not?
5. What actions has your country taken to incorporate and respect indigenous peoples?
6. What else can the international community do to respect indigenous rights while promoting development?
This is the International Labour Organization’s Indigenous Peoples’ Rights website. The ILO was mentioned in the “past international action” section of this background guide.

- **ILO: Indigenous Peoples’ Rights:**
  

You can find the full text PDF version of the UN Declaration on the Rights of Indigenous Peoples here:

- **The Declaration on the Rights of Indigenous Peoples:**
  

This is a great research resource for a general background of the problems facing indigenous populations worldwide.

- **Global Issues: Rights of Indigenous People:**
  

This is an interesting, ten minute video by the First People of Suriname, an indigenous group in Suriname, talking about their lives and their struggle with the government of Suriname to gain rights to their land.

- **The First People of Suriname (subtitled):**
  
  [http://www.youtube.com/watch?v=cVHebkw3w9c](http://www.youtube.com/watch?v=cVHebkw3w9c)

Amnesty International is an organization that watches human rights around the world and is a great place to search for information about your country or issue.

- **Amnesty International:**
  
  [www.amnesty.org](http://www.amnesty.org)

Human Rights Watch is another organization that monitors human rights worldwide and is a great source for information.

- **Human Rights Watch:**
  

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“British Empire and Overseas Territories” Flagspot, [http://flagspot.net/flags/gb-colon.html](http://flagspot.net/flags/gb-colon.html).


vi http://www.iwgia.org/sw37643.asp

viii Janet Chernela.