

United Nations Human Rights Council (UNHRC)

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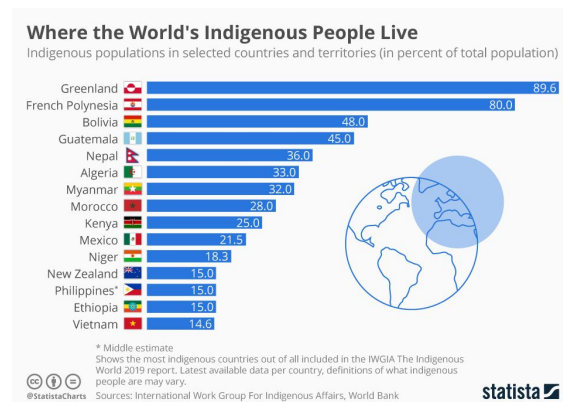
Topic: Protection of Indigenous Populations

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The rights and preservation of indigenous populations are increasingly at stake as we continue to develop and morph into a more modern world than ever before. The colossal boom in innovation that characterizes today’s society has led to troublesome circumstances in which

indigenous people are struggling to find or maintain their place in social structures. Although defined by the UN as “inheritors and practitioners of unique cultures and ways of relating to people and the environment,” indigenous populations are not always obvious and/or pertinent in their societies. To aid in this confusion, there are



Graphic 1: Chart showing the approximate populations of indigenous peoples in certain regions.

certain characteristics that can usually signify if a group of people are in fact natives of an area.

Indigenous populations tend to resemble the historic culture and current culture of the place in which they inhabit. They usually have distinct traditions, and many of their values will have spilled over into the rest of society. Important to note is the UN-recognized idea that indigenous people also self-identify as indigenous.¹ Despite these indicators, what makes these

¹ https://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf

individuals indigenous is not just the long-lasting effect they have had over society, but more so the strong history and connection they share with the natural resources, environment and land around them. Furthermore, another key aspect of the accepted idea of what it means to be indigenous is that these people inhabited their country or region during a time when various ethnic and cultural groups were arriving.² These new arrivals later became dominant, taking control over the natives and their geographical region.

To some, it is crucial for the indigenous populations of our world to be regarded with the same respect and freedom that the rest of society is granted. Evidently, however, that is not the case, and the marginalization against them only continues to increase. According to Cultural Survival, a non-profit organization that advocates for indigenous rights, groups face “eviction from their ancestral lands, being denied the opportunity to express their culture, physical attacks and treatment as second-class citizens.”³ If these people are so important and impactful to the culture of our world, both modern and historic, why do they face discrimination on such a harsh and massive scale?

Currently, about 70% of the world-wide indigenous population resides in Asia.⁴ Myanmar alone houses over 100 ethnic groups, with the Rohingya, the country’s main group of indigenous people, making up around 68% of the country’s 50 million people.⁵ The Rohingya, although having lived in Myanmar for centuries, face rising tensions with the Buddhist majority of the country. More and more, cases of rape, torture, arbitrary detention, and violence against

² <https://www.culturalsurvival.org/issues>

³ <https://www.culturalsurvival.org/issues>

⁴ <https://asiancenturyinstitute.com/society/804-asia-s-indigenous-peoples>

⁵ <https://www.culturalsurvival.org/issues>

these people are now commonplace. Most, if not all, of these incidents go unreported, with enforcement officers increasingly turning a blind eye. Because of the heinous circumstances and atrocities this ethnic group became subject to on an everyday basis, many of the Rohingya people fled across the border of Myanmar into Bangladesh in 2017.

Unfortunately, nothing has changed for these now refugees. Their situations have improved very little, as they still face marginalization and grapple to find means of providing for their families; not to mention, they have flooded Bangladesh with an amount of refugees the country will not be able to sustain long-term. According to World Renew, “Nearly one million Rohingya people now live in a small corner of Bangladesh and are in urgent need of humanitarian assistance.”⁶ While fleeing offered a seemingly promising opportunity to escape the discrimination that essentially all indigenous people face, the Rohingyas (and many other ethnic groups) still face massive struggles.

In September of 2007, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly.⁷ According to the UN, UNDRIP sought to outline “the minimum standards for the survival, dignity and well-being of the indigenous people of the world.” Originally, four countries (Australia, Canada, New Zealand and the United States) had voted against the ratification of the declaration. Today, the UN claims that these countries have since reversed their positions, and now support UNDRIP.

⁶https://worldrenew.net/rohingya?gclid=Cj0KCQjw8svsBRDqARIsAHKVyqG8Po1t0DoL1mKv1oSLLcBGRkFDJqJNqoHU8EAs2saMR9QFcXImK3kaAvoYEALw_wcB

⁷<https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

In addition to UNDRIP, indigenous rights are being recognized through a multitude of new laws, international frameworks, and constitutional arrangements. According to the Australian Institute of National Affairs, indigenous people are a priority under the UN's 2030 Agenda for Sustainable Development, as they are guided by the principle that "no one is left behind." As Pope Francis' 2015 encyclical regarding meaningful climate action mentioned, when indigenous people are guaranteed land rights, and they are protected by their communities, these indigenous groups become the best guardians of the world's forests and biodiversity.⁸ This, in turn, will help to combat the world's dire problems of conserving and protecting our lands.

With UNDRIP and several other articles in effect, indigenous populations have slowly but surely been gaining protection and recognition. Despite this, they still remain the most vulnerable of the world's population. "One indigenous language is lost every two weeks. Wherever they live, indigenous communities are the poorest of the poor. At six percent of the world's population, they make up 15 percent of the world's poorest peoples."⁹ Many countries, specifically those with a large indigenous makeup including China, Indonesia, India, Bangladesh, and Russia, enforce harsh and unwavering limits on the rights of indigenous populations and the acknowledging of those rights. Recently, these countries have stalled efforts to increase indigenous representation in the UN.¹⁰

⁸<http://www.internationalaffairs.org.au/australianoutlook/undrip-making-progress-indigenous-rights>

⁹<http://www.internationalaffairs.org.au/australianoutlook/undrip-making-progress-indigenous-rights/>

¹⁰<http://www.internationalaffairs.org.au/australianoutlook/undrip-making-progress-indigenous-rights/>

Although the Chinese government adopted UNDRIP, China has yet to recognize the term “indigenous,” thus the declaration remains unenforced. With the Han Chinese majority that exists in China today, most other ethnic cultures have since become secondary; China’s interests seemingly reside with the spreading of this culture as opposed to the prosperity of all. China displays this kind of mindset largely in regards to the country’s several languages. For example, the International Work Group for Indigenous Affairs notes that, “Most mother tongue teaching in ethnic minority regions in China has been marginalized due to the primacy of teaching the Chinese language.”¹¹ To China, and several other countries, the strengthening of indigenous rights poses a threat to the advancing of the large and mainstream cultures that typically take priority.

In Russia, there are over 100 identified ethnic groups, but only 41 of them are recognized under the law as “indigenous small-numbered peoples of the North, Siberia, and the Far East.”¹² As noted by Cultural Survival, to be considered an ethnic group, these clusters must contain less than 50,000 individuals, uphold a traditional way of life, and inhabit distinct and isolated areas of the country. Russia, while having not ratified UNDRIP, has also not ratified the Indigenous and Tribal Peoples Convention, commonly referred to as ILO convention 169. This convention sought to recognize indigenous peoples' right to self-determination within a nation-state, while setting standards for national governments regarding indigenous peoples' economic, socio-cultural and political rights, including the right to a land base.¹³ Because Russia has not enforced either of these documents, its indigenous population has suffered greatly, despite the

¹¹ <https://www.iwgia.org/en/china>

¹² <https://www.culturalsurvival.org/news/who-are-indigenous-peoples-russia>

¹³ https://indigenousfoundations.arts.ubc.ca/ilo_convention_169/

slight refuge offered by Article 69 of the Russian Constitution. These groups have yet to receive adequately implemented protective laws, and their rights are often compromised when difficulty regarding the use of the natural resources of the North arises.

Ideas that are important to note and that should be discussed during committee are whether certain countries meet the guidelines of UNDRIP and/or whether specific controversial actions are truly violations of the declaration or simply unfavorable. Because of the sheer volume and broadness of the topic of indigenous rights, it's not difficult to fathom that controversy arises almost everywhere, as several different interpretations of UNDRIP will inevitably exist.

As the UNHRC, it is our duty to formulate a realistic consensus that aims to put the problem of whether or not to recognize and enforce indigenous populations' rights, and on what scale, to rest.

Questions to Consider:

1. What indigenous people live in your nation?
2. How are the indigenous people treated in your nation?
3. What legislation has been enacted, or is being created, in order to protect indigenous people?
4. What stance has your country taken in this issue?
5. If your country is against the increasing of indigenous rights, what reasons do they have for taking this stance?

Helpful Links:

- https://www.ohchr.org/EN/Issues/Discrimination/Pages/discrimination_indigenous.aspx
- <https://unchronicle.un.org/article/discrimination-against-indigenous-peoples-latin-american-context>
- <https://www.unglobalcompact.org/what-is-gc/our-work/social/indigenous-people>
- <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>