

# Social Cultural Humanitarian Committee

## CIMUN

Topic 3: The question of discrimination against Indigenous populations

Ameer Sarfarazhusain and Petra Colombo



## Introduction

More than 5.000 unique peoples make up the world's indigenous population, which is estimated to number 370 million people living in more than 70 nations. According to the World Bank, indigenous peoples account for 15% of the world's poorest people despite making up just 5% of the population. Indigenous peoples confront several obstacles, and their human rights are routinely violated: they are denied authority over their own development based on their own beliefs, needs, and goals; they are underrepresented in politics; and they lack access to social and other services. They are frequently ignored when it comes to activities that impact their territories, and they have been forced to relocate as a result of endeavors such as natural resource extraction.

Indigenous peoples are also responsible for 33% of the world's extreme rural poverty. Despite tremendous worldwide advances in poverty reduction and economic development over the previous few decades, Indigenous Peoples remain disproportionately represented among the poorest of the poor and the most vulnerable to this day. This injustice is the result of deep-seated historical discrimination by dominant groups in their respective societies, including forced assimilation, expulsion, relocation, and even extermination. International development efforts have had limited success in reaching these populations because of this underlying discrimination. However, the international community and the United Nations (UN) are increasingly acknowledging Indigenous Peoples' historical injustices, as well as the unique contributions they make to humanity's common heritage, and know their rights to be respected as culturally distinct from their dominant societies. In this sense, the United Nations has said that if development initiatives with Indigenous Peoples are to be effective, they must be guided by a culturally sensitive and human rights-based approach. Such an approach must enable Indigenous Peoples' full and effective participation in the creation and implementation of programs and policies that may impact them or their surroundings, including their land, territories, and resources, through their representative institutions.

Although, there lies a clear problem and a clear solution. It is much harder than it seems to be on mere paper. International Organizations and the Global Community have been trying for various decades to get rid of the discrimination facing indigenous populations, however, there still needs much work done in various sectors. For a responsible society, Governments, institutions and people need to be responsible for leading this cause. Moreover, there lie various key issues

encompassing this topic which need to be carefully looked upon. The world needs to ensure the end of discrimination once and for all, as such, humanities actions are what define how, what, where, and when should discrimination end. With rapid responses and slow solution based approaches implemented over time for the issues mentioned below.

## Key Terms

**Indigenous Populations:** Indigenous peoples are inheritors and practitioners of unique cultures and ways of relating to people and the environment. They have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live (UN department of Economic and Social Affairs). Although this definition is yet to be recognized by governments World-wide having various contentions on such, there needs to be a more clear definition for legislative purposes.

**Employment:** Usually refers to the act of having a paid job wherein a person receives a certain amount of remuneration for their work.

**Vocational Training:** Refers to a certain type of education that specifically prepares a person with the relevant training and skills for a specific and technical profession.

**Discrimination:** Discrimination is the act of making unjustified distinctions between human beings based on the groups, classes, or other categories to which they are perceived to belong. People may be discriminated against on the basis of race, gender, age, religion, or sexual orientation, as well as other categories. Although in this case it refers to the discrimination against Indigenous people.

**Direct Discrimination:** Direct discrimination refers to rules, policies or practices that exclude or disadvantage certain individuals because they belong to a particular group or because they have certain characteristics (example: indigenous origin, sex, religion, etc.). This form is generally easier to identify. (International Labour Organization).

**In-Direct Discrimination:** Indirect discrimination is often hidden, more subtle and therefore more difficult to identify. It occurs when apparently neutral measures (rules, policies or practices) have a disproportionately adverse impact on one particular group. Even well-intended measures may be discriminatory (International Labour Organization).

**Assimilation:** In this case, Cultural Assimilation is when members of an ethno-cultural group (such as minority populations or indigenous populations) are generally thought to assume a larger established group's values, characteristics, beliefs and behaviours. Otherwise known to be absorbed into the larger group, which causes the loss of characteristics, culture and tradition of the absorbed group

**Expulsion:** In this case Ethnic expulsion refers to the systematic expulsion or elimination of a group from a certain region or society by means such as forced emigration, deportation or even genocide.

**Relocation:** The act of moving to a new place or region to completely start from scratch one's livelihood, home or business.

**Displacement:** The act or process of moving someone or something from their place and position. In this case it would refer to the Indigenous people and their displacements all across the globe.

**Self-Determination:** Self Determination refers to every person's ability to make choices and implement actions with controlling their lives without external compulsion or interference.

**Self Identification:** The ability to categorize or assign a particular characteristic to oneself. Usually in this case refers to giving Indigenous peoples the ability of self identification.

## Background Information

### **Defining, Identifying and Legislating policies for Indigenous populations**

There is no globally recognized definition of Indigenous Peoples at the moment. Rather, the UN system has taken the approach of providing criteria for identifying Indigenous Peoples to whom certain instruments or policies should apply. In this regard, the International Labour Organization (ILO)'s Indigenous and Tribal Peoples Convention (1989) applies to peoples "who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions."

Self-identification is also an important requirement for identity, according to the Convention. Importantly, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

(2005) preparatory work demonstrates that a definition of the word was not attainable at the time and was not required for UNDRIP's approval. Rather, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) recognizes Indigenous Peoples' right to "determine their own identity or membership in accordance with their customs and traditions," as well as "determine the structures and membership of their institutions in accordance with their own procedures".

However, in the framework of development programs and policies, unique and specialized standards for the identification of Indigenous Peoples exist. The World Bank, for example, has a set of criteria for determining the presence of Indigenous Peoples in the areas where its investment programs have an impact. When an indigenous people is present in the project area, World Bank Operational Policy 4.10 on Indigenous Peoples is adopted being:

"...distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (a) self identification as members of a distinct indigenous cultural group and recognition of this identity by others; (b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (d) an indigenous language, often different from the official language of the country or region."

It's worth noting that the World Bank policy also applies to people who have lost collective attachment to their lands or territories as a result of forced relocation or absorption into metropolitan regions. Indigenous Peoples are also referred to as "indigenous ethnic minorities," "aboriginals," "hill tribes," "minority nationals," "scheduled tribes," or "tribal groupings" in different states, according to World Bank policy.

In reality, there are many geographical variations in how Indigenous Peoples' rights are seen. Uncertainty over identifying standards has hampered efforts to address Indigenous Peoples' rights in Africa and Asia. The word isn't often associated with foreign colonization in these areas. In Africa, for example, there is a debate about whether individuals of African ancestry may be called indigenous to the continent if the literal definition of the term is followed. A similar issue exists in Asia, where a number of governments argue that the notion of Indigenous Peoples as separate tribes does not apply to them, claiming that their whole population is indigenous. Identification policies that consider Indigenous Peoples as "primitive" or "backwards" are also widespread in Asian countries, and are part of policies aimed at assimilating them into the mainstream society. Indigenous Peoples are widely recognized in Latin American governments, although they are frequently excluded from national development programs and participatory procedures.

Keeping in mind that Article 33 of the United Nations Declaration on the Rights of Indigenous Peoples emphasizes the importance of indigenous peoples' self-identification and self-creation of identity, as indigenous peoples must identify themselves as indigenous.

Although, this still brings a lot of loopholes and various blank spaces to explore in terms of merely defining who are indigenous people.

### **Restrictions on the access to land and resources**

The lack of acknowledgment of indigenous peoples' rights to lands, territories, and resources is the most serious issue they confront in their traditional occupations. Due to land grabs, large-scale construction projects, population transfers, and the formation of protected areas, many people have been marginalized and alienated. The relevance of indigenous peoples' traditional vocations in the quest of poverty reduction, food security, and sustainable development, as well as for the national economy in general, is frequently overlooked by decision-makers.

Traditional jobs are sometimes unfairly dismissed as obsolete or ineffective, and are even outlawed by law in some situations. Environmental degradation, a lack of investments, infrastructure, and social services in indigenous communities, as well as limited access to markets and finance, exacerbate the problem. Malnutrition, low educational outcomes, health issues, rising poverty, unemployment and underemployment, mass emigration from indigenous territories, and the disintegration of social fabric and cultural institutions are all consequences.

The value of Indigenous Peoples' lands, territories, and resources should not be underestimated. Indigenous Peoples across the world have a distinctive trait of collective connection to ancestral lands and territories, which has been acknowledged internationally. Indigenous Peoples have rights to a larger territory that includes their whole surroundings, including natural resources, rivers, lakes, and coastlines, in addition to the lands they occupy. Territories have a significant impact on Indigenous Peoples' identities, livelihoods, and knowledge. Their land practices and livelihoods are based on ancestral beliefs and knowledge systems that are frequently overlooked by formal state organizations. Similarly, the state frequently ignores their traditional governing systems and institutions.

Furthermore, indigenous people frequently reside inside nation governments that have traditionally shown little respect for their particular relationship with their lands and resources, as well as their customary and ancestral ownership. As a result, they have continued to lose authority over their lands, territories, and resources. Indigenous Peoples can only successfully

decide their own development objectives if these rights are secured. Identification of indigenous lands and territories, respect for traditional norms for the transmission of land rights, and appropriate resources in national legal systems for settling land claims are some of the specific methods that might enable this acknowledgment.

### **Discrimination in employment**

Many indigenous peoples have had bad experiences with national and international labour markets, where they have been exploited or incorporated in the most disadvantageous way possible, such as as bonded labourers in colonial regimes. As a result, most indigenous and tribal cultures have evolved diverse economies that include subsistence and market-oriented production as well as many forms of employment. Several people are forced to move – either temporarily or permanently – in pursuit of jobs and economic possibilities outside indigenous lands.

However, only a small percentage of indigenous employees acquire well-paid employment in the official sector, while the majority take up labour in the informal economy, where they earn poor pay and have little social protection. Indigenous people are frequently seen working as domestic, agricultural, or construction labourers, or as small-scale street sellers in developing nations. Discrimination against indigenous employees is also a well-known issue in wealthier nations, where many indigenous people are unemployed or rely on government assistance. Prejudice against indigenous peoples' traditional livelihood methods and professions may result from a lack of respect for their rights and customs, as well as discrimination against indigenous peoples seeking employment and economic possibilities beyond their customary areas.

There is a general shortage of accurate data and statistics concerning indigenous peoples, and much less understanding about their specific vocation and job status. Where information is available, however, it shows that indigenous peoples are discriminated against and consequently belong to the lowest portions of society, with limited possibilities to pursue their preferred profession or obtain work.

Indigenous peoples confront a number of hurdles and disadvantages while seeking jobs or occupations in the national and worldwide labour markets, as outlined above. Because their knowledge and abilities are undervalued and they have limited access to formal education and vocational training, many indigenous workers are unable to compete on an equal basis. Indigenous people are frequently incorporated into the labour market in precarious ways that violate their basic labour rights. Furthermore, Indigenous employees earn less, and their earnings are lower when compared to the number of years of schooling they have finished, than their non-indigenous counterparts. With higher levels of education, the disparity widens even further.

## **Limited Access to Education and Vocational Training**

The UN Declaration on the Rights of Indigenous Peoples, which states in Article 14 that "Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning," protects indigenous peoples' right to education.

A number of other international human rights documents, notably the Universal Declaration of Human Rights, guarantee indigenous peoples' right to education. Furthermore, Goal 4 of the 2030 Agenda for Sustainable Development asks for the vulnerable, such as individuals with disabilities, indigenous peoples, and children in precarious situations, to have equitable access to all levels of education and vocational training.

Despite these tools, most indigenous peoples' right to education has not been completely realized, and there is a major education gap between indigenous peoples and the mainstream population.

Indigenous traditions, languages, and customs were frequently disregarded or discouraged when states and religious groups created formal education for indigenous peoples.

The education sector is a unique arena that not only reflects and condenses indigenous peoples' historical injustices, discrimination, and marginalization, but also their ongoing battle for equality and respect for their rights as peoples and persons.

Stigmatization of indigenous identity and low self-esteem among indigenous students; discriminatory and racist attitudes in the school environment, including in textbooks and materials and among non-indigenous students and teachers; language barriers between indigenous learners and teachers; insufficient resources and low priority for education are all barriers to indigenous students' education.

As such many steps need to be taken for example: Indigenous peoples should have access to culturally and linguistically appropriate education that does not promote or result in undesired assimilation; Indigenous children, teenagers, and adults should get language instruction in their mother tongue; Language revitalization programs should be included into the school system where indigenous languages are not the mother tongue (i.e. where the language is not being transferred). Furthermore, Indigenous women and girls frequently fall behind other sectors of the population in terms of educational achievement. Indigenous women and girls must be given special attention to ensure that they have access to and benefit from education.

Lastly, Second chances, vocational training, and adult literacy education programs are key components of inclusive education that provide indigenous peoples with several long-term advantages.

### **Discrimination against Indigenous Women**

Indigenous men and women are affected differentially by prejudice in job and occupation, and gender may be a factor in discrimination against indigenous women. Indigenous women face more discrimination in the workplace than both indigenous males and non-indigenous women. Additionally, indigenous women may face discrimination even inside their own communities. As a result, Many indigenous women have limited access to education and training at all levels, and in relation to that, they are more likely to be unemployed or underemployed. Most are involved in unpaid labour or are paid less for the same amount of effort. Furthermore, they have less access to the materials and official recognition required to advance in their profession or gain employment, resulting in a lack of access to administrative and leadership roles.

There are also instances when women are subjected to more difficult working circumstances, such as those relating to working hours and occupational safety and health. Moreover, because they frequently have to seek jobs outside of their communities, women are particularly exposed to sexual assault, harassment, and trafficking. Finally, they are constrained by discriminatory cultural norms that, for example, restrict girls from receiving an education or from inheriting property or participating in decision-making processes in indigenous groups and elsewhere.

Indigenous women have played a major role in the promotion of gender equality within their communities, as well as mainstreaming a gender perspective into campaigning for indigenous people's human rights, while often being discriminated against. Even when contemplating prejudice against indigenous people, these responsibilities and activities must be more widely acknowledged by the international community, and greater action in Gender Equality must be taken.

### **Discrimination in Healthcare towards Indigenous People**

Discrimination in the health care system has a direct negative impact on health and wellbeing. Experiences of discrimination are considered a root cause for the health inequalities that exist among Indigenous peoples. Experiences of discrimination are commonplace, with patients noting abusive treatment, stereotyping, and a lack of quality in the care provided, which discourage Indigenous people from accessing care

Indigenous peoples' narratives about poor treatment by health care providers draw clear conclusions that racism was a factor in those interactions. Stories of misdiagnoses of late-stage cancers to assumptions of drunkenness of patients with acute health episodes demonstrate that the health concerns of Indigenous people are often disregarded by health care professionals.

Healthcare being a fundamental and basic human right needs to be accessible equitably to one and all as it solves the question of life and death. Governments and Institutions needs to look upon their healthcare systems and have to pass or follow strictly policies that avoid discrimination at all times. There also needs to be better measures for the treatment of Indigenous people such as allocating professionals that speak the same language or understand similar concerns. Most important Indigenous people have to be treated like any other patient and this could be the first step towards ending discrimination against them.

### **Tourism and its effect on Indigenous populations**

Unsustainable tourism is a major issue. The commercialization of indigenous heritage is frequently a side consequence of government and private sector efforts to develop the tourism business. When it comes to indigenous peoples' traditional knowledge, oral traditions, and other material that they consider intellectual property, the packaging of experiences labeled as "genuine" can be insulting. Even in cases where culture is not packaged in this way, historically holy locations are frequently disregarded or mistreated by foreign corporations or visitors, prompting indigenous people to assert that a lack of acknowledgment of their land rights is at the core of the unpleasant reality brought on by tourism. Even when corporations try to include local populations, tensions over land usage arise since tourist businesses are typically controlled by persons from outside indigenous communities. In the worst-case scenarios, tourism operations have forcibly evicted indigenous communities. Some experts anticipate that indigenous cultures will deteriorate until they vanish unless national laws ensuring real access to and ownership of land for indigenous peoples are implemented and enforced.

Furthermore, Indigenous peoples live in some of the world's most biodiverse places, and their spiritual, cultural, social, and economic ties to their ancestral lands are frequently dependent on the biodiversity found there. Despite this, the environment and the rights of indigenous populations who are inextricably linked to it are sometimes overlooked in favor of economic gains. Tourism infrastructure, particularly electrical and transportation infrastructure, has the potential to damage flora and animals, as well as contaminate natural water supplies used by indigenous populations.

Despite the fact that tourism has hurt many indigenous peoples, indigenous tourism is in great demand, and many indigenous communities seek to gain from it. Indigenous tourism is defined as tourism "in which indigenous peoples are directly involved either through control or by having their culture serve as the essence of the attraction." When done responsibly, indigenous tourism can generate economic and environmental benefits, assist indigenous peoples in realizing their right to development, and, in the long run, contribute to the achievement of the SDGs.

## Major Countries and Organizations Involved

<b>Date</b>	<b>Name</b>	<b>Importance</b>
1944	Declaration of Philadelphia	States that "... all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity ..."
1948	The Universal Declaration of Human Rights (UDHR)	It is an international document adopted by the United Nations General Assembly that enshrines the rights and freedoms of all humans.
1957	International Labour Organizations Convention No. 107	The first international legal document on the subject of the rights of Indigenous Peoples was the ILO's Indigenous and Tribal Populations Convention.
1958	International Labour Organizations Convention No. 111 accompanied with recommendation No. 111	Most States have accepted international obligations to achieve the realisation of the right to decent work, without discrimination of any kind. Convention No. 111 is one of the eight fundamental ILO Conventions and has been ratified by 165 countries. The Convention is accompanied by the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111).
1966	The International Covenant on Civil and	In accordance with the UN Charter, it acknowledges the freedom to seek economic,

	Political Rights (ICCPR)	social, and cultural growth, as well as the right to self-determination. Furthermore, it grants ethnic, religious, or linguistic minorities the right to enjoy their own culture.
1966	The International Covenant on Economic, Social and Cultural Rights (ICESCR)	It ensures Economic, social and cultural rights include the right to an. adequate standard of living, the right to education, the right to fair wages and. the right to safe working conditions.
1985	UN Voluntary Fund for Indigenous Populations	The UN Voluntary Fund for Indigenous Peoples offers financial support in the form of grants. These grants aim to help representatives of indigenous communities and organizations to participate in UN mechanisms and processes most relevant to indigenous issues.
1989	International Labour Organizations Convention No. 169	Convention 107 was considered obsolete and detrimental to indigenous rights, and Convention 169 the Convention on Indigenous and Tribal Peoples, 1989 (No. 169) replaced it in 1989.
1989	The UN Convention on the Rights of the Child (CRC)	The United Nations Convention on the Rights of the Child is an international human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children.
1992	The UN Convention on Biological Diversity (CBD)	Recognizes the dependence of indigenous communities on biological resources and calls for parties to the CBD to work with indigenous peoples to respect, preserve, and maintain those resources.
1993	Vienna Declaration and Programme of Action (VDPA)	Triggered global momentum for the defense of human rights. Furthermore, the VDPA welcomed the realization of milestones for the empowerment of indigenous peoples such as the International Year.

1993	International Year of the World's Indigenous People	The UN General Assembly had proclaimed 1993 the International Year of the World's Indigenous People.
1994	First International Decade of the World's Indigenous Peoples (1995-2005)	The General Assembly launched the First International Decade of the World's Indigenous Peoples (1995-2005) with (resolution 48/163).
1997	Clarification of the Convention on The Elimination of All Forms of Racial Discrimination	The Committee on the Elimination of Racial Discrimination (CERD) emphasized that the provisions of the 1965 Convention on the Elimination of All Forms of Racial Discrimination also apply to indigenous peoples,
2000	The Permanent Forum on Indigenous Issues is established	After decades of Indigenous leaders pushing for inclusion and representation at the United Nations, on July 28, 2000, the UNPFII was established as a high-level advisory body to the UN Economic and Social Council by resolution 2000/22
2001.	Special Rapporteur on the Rights of Indigenous Peoples is established	The Commission on Human Rights created the office of the Special Rapporteur on the Rights of Indigenous Peoples in 2001.
2004	The Second International Decade of the World's Indigenous People (2005- 2015)	On 22 December 2004, the General Assembly adopted Resolution A/RES/59/174 for a Second International Decade, which commenced on 1 January 2005 and concluded in December 2014.
2007	Expert Mechanism on the Rights of Indigenous People is established	The United Nations Human Rights Council established an Expert Mechanism on the Rights of Indigenous Peoples in 2007.
2007	The United Nations Declaration on the	The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is adopted by the

	Rights of Indigenous Peoples (UNDRIP)	General Assembly (A/RES/61/295).
2014	The First World Conference on Indigenous Peoples is held	The conference yielded important commitments aimed at enhancing the realization of indigenous rights and the implementation of UNDRIP.

**International Labour Organization (ILO)**

The United Nations' sole tripartite body. Since 1919, the International Labour Organization (ILO) has brought together governments, companies, and workers from 187 member countries to set labour standards, create laws, and implement programs that promote decent work for all women and men.

Since the 1920s, the ILO has been involved with indigenous and tribal peoples' concerns. It is in charge of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), which is the only international treaty dealing entirely with the rights of indigenous peoples and is open for ratification. The ILO's Decent Work Agenda provides as a framework for indigenous and tribal peoples' empowerment, including gender equality and non-discrimination as a cross-cutting concern.

**United Nations Educational Scientific and Cultural Organization (UNESCO)**

The United Nations Educational, Scientific, and Cultural Organization (UNESCO), which is in charge of cultural heritage conservation, is the implementing body for the 2003 Convention for the Safeguarding of Intangible Cultural Heritage and runs a number of initiatives to help indigenous peoples. The Local and Indigenous Knowledge Systems program of UNESCO encourages the application of indigenous knowledge in environmental policy formulation.

The World Heritage List, maintained by UNESCO, is a public record of places recognized as having internationally important cultural or natural heritage. Increased visitor activity is common at places listed on the List, which, if not managed correctly, can have a detrimental influence on tourism sites and local populations. To address this, UNESCO and the United Nations World Tourism Organization (UNWTO) have launched the World History and Sustainable Tourism Programme, which aims to bring tourism stakeholders together to enhance site management and conserve local heritage.

### **United Nations World Tourism Organization (UNWTO)**

The United Nations' World Tourism Organization (UNWTO) is in charge of promoting responsible, sustainable, and universally accessible tourism.

UNWTO, as the world's premier tourist organization, promotes tourism as a driver of economic growth, inclusive development, and environmental sustainability, and provides leadership and assistance to the industry in the advancement of knowledge and tourism policy across the globe.

UNWTO has a panel on indigenous tourism through which it promotes sustainable tourism to boost indigenous economies and to prevent damage to such. It also promotes partnerships with various organizations such as United Nations Educational Scientific and Cultural Organization (UNESCO) and The World Indigenous Tourism Alliance (WINTA)

### **The World Indigenous Tourism Alliance (WINTA)**

The World Indigenous Tourism Alliance (WINTA) was founded on March 27, 2012, in Australia's Northern Territory's Larrakia Nation. The organization was founded on the global, collective aspirations of Indigenous tourism interests. It is an Indigenous initiative based on key human Indigenous rights such as self-determination, self-governance, and the right to maintain and develop their own distinct institutions, as well as the right to maintain and develop cross-border contacts that are critical to maintaining their communities.

WINTA was founded to help six Indigenous tourism organizations form worldwide connections in the future. The World Indigenous Tourism Alliance (WINTA) was established to promote and develop a worldwide network of indigenous people and organizations committed to tourism development. WINTA is dedicated to collaborating on the development and implementation of indigenous tourism initiatives. The group works in the tourist sector to foster relationships and a greater appreciation for indigenous wisdom, values, and expertise.

### **United Nations Human Rights Council (UNHRC)**

The Human Rights Council is an inter-governmental body within the United Nations system made up of 47 States responsible for the promotion and protection of all human rights around the globe. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year.

It lies at the forefront of Protecting the Human Rights of Indigenous populations, drafting and monitoring conventions and declarations and boosting change in Nations Worldwide.

## **The People's Republic of China**

The People's Republic of China (PRC or China) declares itself a united country with a diverse ethnic make-up, and the Constitution treats all ethnicities equally.

The government recognizes 55 minority ethnicities inside its boundaries, in addition to the Han Chinese majority. Minority nationalities account for 111,964,901 people, or 8.49 percent of the country's overall population, according to the 2010 national census. There are additionally 640,101 people in China who belong to "unrecognized ethnic groups." In the Chinese setting, minority nationalities are socially marginalized.

The Law on Regional National Autonomy of the People's Republic of China is a fundamental law governing China's minority nationalities. It entails the creation of autonomous regions, as well as the establishment of their own local administration and the ability to exercise their own language and culture. These regional national autonomous regions cover around 64% of China's total land area.

Despite voting in support of the United Nations Declaration on the Rights of Indigenous Peoples, the Chinese government does not recognize the existence of Indigenous Peoples in the PRC (UNDRIP).

The Chinese government's refusal to recognize Indigenous Peoples inhibits them from contributing meaningfully to climate change and biodiversity conservation efforts in China, as well as from voicing their concerns about threats to their lands, holy places, and natural resource access. While activities on climate change and biological diversity protection are mostly carried out on lands and waterways historically occupied and used by Indigenous Peoples in China, little to no thought has been given to the impact of these actions on the Indigenous Peoples who live in these places.

## **The Republic of India**

In India, there are 705 ethnic groups classified as Scheduled Tribes.

The Scheduled Tribes are known as Adivasis in central India, which literally means "indigenous peoples." They make up 8.6% of the overall population, with an estimated population of 104 million. Many additional ethnic groups would qualify for Scheduled Tribe status but are not officially recognized, therefore estimates of the overall number of tribal groupings are higher than the official amount.

Several laws and constitutional provisions recognize Indigenous Peoples' rights to land and self-governance in India, including the Fifth Schedule for central India and the Sixth Schedule for some regions of northeast India. The laws intended at safeguarding Indigenous Peoples are riddled with flaws, and their execution is inadequate. The Indian government voted in favor of

the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) on the condition that all Indians be deemed indigenous since independence.

### **The United States of America**

Between 2.5 and 6 million Indigenous people reside in the United States of America, with about 20% living in American Indian regions or Alaska Native communities.

Native groups in the United States are more frequently referred to as Indigenous Peoples. While socioeconomic indicators vary greatly by location, people who identify as American Indian or Alaska Native have a poverty rate of about 27%.

Members of federally recognized tribes are given the formal status of being American Indian or Alaska Native, with certain limitations. In December 2019, the United States recognized 574 Native American tribal organizations as American Indian or Alaska Native tribes, with the majority of them having established national homelands.

Native nations that have been recognized by the federal government are sovereign by nature, but their sovereignty has been limited by the federal government's unilateral designation of them as wards. Although the federal government requires tribal input on a variety of topics, it retains complete control over Indigenous nations. Many Native nations have treaty rights, and the federal government has accepted guardianship of Native peoples, despite the fact that those obligations are sometimes underfunded.

State-recognized and non-recognized American Indian tribes exist, although they are not recognized by the federal government as Native nations.

After voting against the UNDRIP in 2007, the US stated in 2010 that it would embrace it as a moral direction. The ILO Convention No. 169 has not been ratified by the United States. While most American Indians are citizens of the United States, they are also citizens of their own countries.

### **Republic of Indonesia**

Indonesia has a population of over 250 million people. There are 1,128 ethnic groups recognized by the government. Some Indigenous communities are classified as *komunitas adat terpencil* (geographically isolated Indigenous communities) by the Ministry of Social Affairs. Many more people, however, self-identify as Indigenous or are thought to be Indigenous by others.

Indigenous Peoples are referred to as *masyarakat adat* in recent government legislation and decrees. The national Indigenous Peoples' organization, Aliansi Masyarakat Adat Nusantara (AMAN), believes that Indonesia has between 50 and 70 million Indigenous Peoples.

Despite the fact that Indonesia is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), government officials argue that the concept of Indigenous

Peoples is irrelevant because almost all Indonesians (except ethnic Chinese) are Indigenous and thus have the same rights. As a result, the government has turned down requests from Indigenous communities for particular requirements.

In Indonesia, West Papua boasts the most varied cultures and languages. While Bahasa Indonesia is now the official language, Indigenous Papuans still speak more than 250 tribal dialects. West Papuans have been seeking independence from Indonesia since Indonesia seized the territory from the Netherlands in 1969. The struggle and bloodshed lasted until the Indonesian government enacted a Special Autonomy Law for the province, which was formerly known as Irian Jaya to Papua, in 2001, after which the Indonesian government forcefully separated Papua and West Papua into two provinces.

### **Federal Democratic Republic of Ethiopia**

Ethiopia's Indigenous Peoples account for a substantial percentage of the country's estimated 105 million inhabitants.

Pastoralists and sedentary farmers account for around 15% of the population, with the Ethiopian lowlands accounting for about 61 percent of the country's overall area.

Ethiopia is said to contain Africa's biggest cattle population, with a substantial portion of it in the hands of pastoralist groups living on land that has been in high demand from international investors in recent years. Such "land grabbing" has further exacerbated Ethiopia's Indigenous Peoples' already precarious political and economic condition. Many pastoralist groups and small-scale farmers have been forced off their traditional agricultural and grazing grounds as a result of Ethiopia's villagisation program, and Indigenous Peoples' access to healthcare and basic and secondary education remains severely limited.

There is no national legislation that protects them, and Ethiopia has not signed ILO Convention 169 and was not present for the UN Declaration of the Rights of Indigenous Peoples voting (UNDRIP). In recent years, political unrest in Ethiopia has exacerbated the challenges faced by Ethiopia's indigenous peoples.

### **Federative Republic of Brazil**

Brazil's Indigenous population totals 896,900 individuals, with 36.2 percent living in cities and 63.8 percent in rural regions. There are 505 Indigenous Lands (TIs) that have been recognized. These territories cover 12.5 percent of Brazil's land (106.7 million hectares) and are home to 517,400 Indigenous people (57.7% of the population). 37.4 percent of Indigenous people in Brazil over the age of five speak one of the 274 indigenous languages.

In 2002, Brazil ratified ILO Convention 169. The legalization of Indigenous Lands is a lengthy bureaucratic procedure that ends with the President of the Republic's ultimate approval; each

president during the previous 25 years has given anywhere from 0 to 145 approvals, implicitly reflecting each government's public policy toward the Indigenous population. Unfortunately, the current President Jair Bolsonaro has given 0.

**Please Note:** The stakeholders mentioned above are only examples of what occurs in the topic. To implement solutions it is recommended that solutions applied to a group of countries (Such as LEDCs/Developing MEDCS/Developed or even based on regions and criterias of certain thresholds) to be more effective and well represented globally.

## Relevant UN Resolutions and Reports

### Previous Attempts at Resolving This Issue

Despite the fact that Indigenous Peoples continue to be disproportionately represented among the impoverished and vulnerable, the United Nations has made strides in recognizing their rights as culturally unique civilizations. International treaties such as Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) have laid the groundwork for greater international efforts to empower indigenous peoples via full and effective involvement in all sectors of development. This progress is evidenced by the UN General Assembly convening a high-level discussion on indigenous rights. Nonetheless, Indigenous Peoples continue to be among the poorest and most disadvantaged peoples, implying that much work has to be done.

### Questions a Resolution Must Answer

- ❖ How can the United Nations system make all of its actions more culturally sensitive and inclusive?
- ❖ What steps may be taken to make the United Nations Declaration on the Rights of Indigenous Peoples more effective at the national level?
- ❖ What are some of the possibilities for international cooperation on Indigenous Peoples' rights?
- ❖ What can the General Assembly do to increase Indigenous Peoples' involvement in the UN system at all levels?
- ❖ In what ways can the General Assembly better define or come to a common resolve on the definition of Indigenous Peoples?
- ❖ How can Indigenous Communities be identified and distincted?

- ❖ How should government enact laws to prevent discrimination against Indigenous people?
- ❖ How could governments ensure the protection of the traditional and cultural heritage and occupations of Indigenous people?
- ❖ In what ways can governments and Institutions ensure equal and fair employment to indigenous people?
- ❖ What initiatives and programs could be implemented to fill the unfair gap for indigenous peoples and especially women?
- ❖ How could the International Community ensure sustainable tourism and also help indigenous communities build economies with such?
- ❖ How could governments and healthcare systems ensure better responses while looking out for indigenous populations?
- ❖ How can education for indigenous people be provided to give them equal opportunities as an ordinary citizen?
- ❖ In what ways and in how much time should programs be implemented to stop direct and indirect discrimination

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