

General Assembly 3

Protection of indigenous populations



Forum	General Assembly 3
Issue:	Protection of indigenous populations
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Introduction

Indigenous populations are most commonly known as the original inhabitants of a territory who share ancestral ties to the land they are descended from, and who existed before people from other countries came to their land. For centuries, the arrival of people from other lands through colonization, occupation, or conquest, created the beginning of mass exploitation and marginalization of many indigenous populations in different countries. They were forcibly removed from their ancestral lands, forced to assimilate into mainstream society, or became victims of genocide.

In recent years, the challenges for indigenous people have evolved to concern a growing number of human rights issues and violations. Despite being the original descendants of their land, indigenous people are often denied formal recognition over their territories, and can even be displaced from their ancestral lands by corporations or governments desiring easier access to natural resources or to fulfill a growing demand for urbanization. There are often little legislations or social structures in place which allow them to receive public services or access to basic needs, such as healthcare. Therefore, this creates further barriers for them to participate in political processes or access a better quality of life. Indigenous people make up 19 percent of the world's extreme poor, and their life expectancy can reach to be 20 years lower than the life expectancy of non-indigenous people.

The presence of ethnic bias in legal and social systems worldwide helps to perpetuate and continue the cycle of inequality against indigenous people. Concurrently, such discrimination has made indigenous people one of the communities most vulnerable to the effects of climate change or disease, such as the recent pandemic of COVID-19. However, the movement for the protection of Indigenous populations not only concerns their immediate physical wellbeing, but also the preservation of their distinct languages, cultural heritages, and political systems.



Definition of Key Terms

Indigenous populations

Following terms outlined by the UN, indigenous people can be understood as people with; historical continuity with pre-colonial or pre-settler societies, a strong link to territories and surrounding natural resources, and a resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities.

Genocide

An intent to destroy, in whole or in part, a national, ethnical, racial or religious.

Ethnocide

The deliberate destruction of an ethnic culture.

Cultural heritage

The legacy of physical artifacts and intangible attributes of a group or society inherited from past generations.

Human rights

Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. The United Nations has established a range of rights to be accepted internationally, the foundation of which is the Universal Declaration of Human Rights, including civil, cultural, economic, political and social rights.

Discrimination

The intended or accomplished differential treatment of persons or social groups for reasons of certain generalized traits.



General Overview

The argument as for why the protection of indigenous populations is so important extends beyond simply being able to assure the security and survival of a group of people, but concerns the potential to create better conditions for the survival of the planet as a whole. Although indigenous populations only make up 6% of the global population, they protect 80% of biodiversity worldwide. One factor indigenous cultures all have in common is that living in harmony with nature is at the fundamental core of their values and beliefs. They hold ancient ecological knowledge about maintaining the sustainable use of natural resources, and ensuring food supply while simultaneously encouraging environmental biodiversity. As such, it has become clear to the UN and other international bodies that the protection of indigenous people is crucial to protecting vital ecosystems worldwide.

Indigenous land rights

The recognition of their land rights is at the central core of the struggle for indigenous rights, most importantly because their connection to their land defines them as a people. Their culture, spiritual identity, and political systems are all tied to their ancestral lands, as it is the very basis of their society. In recent years, there has been some progress in achieving legal recognition for indigenous populations. Some states have recognized their land rights through granting constitutional protections or setting aside territories for adjudications with Indigenous populations. However, there still remains a stark contrast between the formalities agreed to by governmental parties and the lack of action on the physical implementation of such laws. Even when partially implemented, such procedures such as resource tenures, land mapping, or others, suffer delays or end up incomplete.

Under international law, such as in the Universal Declaration of the Rights of Indigenous Peoples by the UN, it is made clear that indigenous people shall not be ‘forcibly removed from their lands or territories’, or relocated without their consent or fair compensation. However, these rights are regularly violated as governments and private companies sell, destroy, or simply use indigenous lands for their own means. Once they no longer have access to their environment or resources necessary for survival, indigenous populations can suffer from poverty and disease, leading to a dwindling number of their people.



Climate Change Threats

Climate change or its mitigation efforts also present a problem to the livelihood of indigenous populations. Although indigenous populations contribute the least to climate change, they are often disproportionately impacted by it due to their reliance on the environment and its natural resources. In regions such as the Himalayas, glacial melts put indigenous populations at risk of not having a secure water supply to last them throughout the whole year. Severe droughts in places such as the Amazon, due to deforestation and logging, resulted in huge forest fires and destroyed the food, homes, and livelihoods of indigenous people.

Contrastingly, even sustainability efforts or measures to alleviate climate change can disproportionately affect indigenous populations. As many countries are turning to alternative energy sources, the construction of dams for hydroelectric power generation has increased. Many of these are built in indigenous territories without their consent or permission, flooding their villages and destroying their fishing grounds.

Protecting indigenous culture

Previous UN resolutions and international attempts at preserving indigenous culture have focused on tangible objects or infrastructure, such as religious sites, buildings, and other traditional items. While this certainly helps indigenous societies to maintain physical traditions and their creative art forms, there is now a renewed focus on the preservation of Indigenous languages. Among all types of communities, language preserves cultural and religious beliefs which would otherwise be lost or be much harder to communicate simply through symbols or visuals.

In most places, there is still little support from the government for the recording or teaching of indigenous languages. For centuries, colonizers or the mainstream society inhabiting the land banned many indigenous populations from speaking their native languages, which has cumulated in a rapid decline of indigenous people being able to speak their own language. Language is not only important for communication within a community, but also to be able to provide a sense of belonging for indigenous people, and is a fundamental component of their identity.



Major Parties Involved

United Nations Permanent Forum on Indigenous Issues (UNPFII)

Part of the global United Nations framework, the forum is the UN's central body regarding all issues concerning the rights or matters of indigenous people worldwide. Each year, it holds sessions discussing issues regarding socio-economic development, cultural preservation, human rights, health, and many more, all relating to indigenous populations. They regularly release reports and studies about such indigenous matters for other international bodies and UN departments to access, as well as updating guidelines and protocols for how indigenous rights should be approached under international law.

United Nations Educational, Scientific and Cultural Organization (UNESCO)

UNESCO is a UN agency tasked with the promotion of world peace through the preservation and cooperation of education, arts, science, and culture. In particular, their work with cultural heritage helps to save the languages and cultures of many dying societies worldwide, many of which are endangered indigenous populations. The official UNESCO policy states that indigenous people are a significant part of the world's biological and cultural diversity, and are one of the most important partners in their protection activities. At a local level, they encourage the cooperation of governments and indigenous people to include indigenous populations in the decision making and monitoring of the conservation of properties and heritage sites.

Amnesty International

Amnesty International is an international non-governmental organization focused on human rights issues. Using its vast network of volunteers, Amnesty spotlights human rights abuses worldwide and holds mass campaigns for such issues to be brought under international law. Using the mobilization of mass public opinion, it puts pressures on governments to correct the human rights violations they have committed. Indigenous rights is one of the 6 key topics they work with, focusing on developing laws to protect indigenous livelihoods, culture, and land rights. In particular, they work on making sure governments implement the UN Declaration on the rights of Indigenous people. These include helping them maintain their unique cultural identities, living free from discrimination or genocide, and having access to land and resources necessary for their survival.



Timeline of Key Events

Date	Description of event
July 28 th , 2000	The United Nations Permanent Forum on Indigenous Issues is established.
September 13 th , 2007	The UN adopts the United Nations Declaration on the Rights of Indigenous Peoples.
June 25 th , 2018	UNESCO launched the International Indigenous Peoples Forum for World Heritage.
2019	The UN declares 2019 to be the International Year of Indigenous Languages, with UNESCO creating a partnership with multiple stakeholders for preservation efforts.

UN involvement, Relevant Resolutions, Treaties and Events

- United Nations Declaration on the Rights of Indigenous Peoples, 13th September 2007 (A/RES/61/295)
- UN 2030 Agenda for Sustainable Development, 2020
- International Decade of Indigenous Languages (2022-2032), 2019 (A/RES/74/396)

Previous Attempts to solve the Issue

Since its establishment in 2000, the United Nations Permanent Forum on Indigenous Issues has done regular work in drawing international attention to pressing threats against indigenous language and helped develop policies for the preservation of these languages. Following this, the forum further recommended for governments to implement indigenous languages in public administrations in order to provide better integration of indigenous language and overcome historical marginalization of indigenous cultures. This has made impact in other UN bodies such as UNESCO, which updated its operating policies to consider indigenous people to be one of its key focuses. Other recommendations from the permanent forum have been taken with much



consideration, with one such recommendation in 2019 leading to the UN General Assembly declaring 2019 as the International Year of Indigenous Languages, an effort in order to draw attention to the loss of indigenous languages and the need for cooperation at all level to urgently preserve them.

On the other hand, some indigenous populations have been successful at preserving their languages through the work of their own communities. An example of this is the promotion of Hawaiian language in all public schools, which almost became extinct in the early 1970s. Through making the curriculum entirely in the native language, it was revitalized and re-established as an official language of Hawaii. Other indigenous populations in different places have seen similar success either working through their own initiatives or with help from the government as well, using mass media, cultural competitions, or technology to spread the promotion of indigenous language.

Unfortunately, more often than not, governments are aware of the loss of languages and still are not willing to implement legislation or programs to address it. Reasons for unwillingness or lack of effective action are often stated to be the lack of monetary funding or resources needed to accomplish such a huge undertaking. Funding is needed for recording, translating, and transcribing languages, while the actual undertaking of teaching and implementing languages needs much more effort.

Other efforts to protect indigenous territories from threats such as climate change and land legislations have also been a key focus of the UN and other environmental organizations from around the world. Indigenous people themselves are a lot more involved in preserving the biodiversity of their habitat, as they are able to provide sustainable and permanent solutions due to their deep ancestral knowledge of natural harmony. However, not much has been done to ensure the protection of indigenous environmental defenders and activists, especially when standing up to governments or corporate bodies wishing to exploit their resources. Indigenous people have little legislation or help in place to protect them from being murdered, attacked, or tortured, which happens to many of their community when speaking out on these issues.



Possible Solutions

In regards to securing land rights, not only does strengthening effective governance and the security of land tenure matter, but so does the availability of resources for indigenous communities to take actions and address their issues with international help. Populations evicted from their homes or facing other aggressions from their government can be educated and aided in taking their case to human rights courts. This can be seen in the case of the Ogiek people in Kenya, who fought against the government's eviction by seeking litigation from the African Court on Human and People's Rights, which granted them reparations and renewed status over their forest. Registering and titling land so that their land rights are actually formalized in a government document and obtaining formal certificates is also a more effective way to ensure that communities can protect their land rights and are recognized in legislation.

International agreements and treaties made by any bodies should only be done so after the input and agreement of indigenous people. However, this must be supported by equipping indigenous communities with the necessary tools and education to make decisions in international policy making and participation. In most cases, this required much funding and the transfer and teaching of technological resources, which would need to be aided by government help. Resource constraints is one of the most important barriers in helping communities reach long-term and permanent solutions.

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Appendices

Appendix I – Ways indigenous people are fighting against land seizures.

www.wri.org/insights/5-ways-indigenous-groups-are-fighting-back-against-land-seizures

Appendix II – Resources, studies, reports from the UNPFII

<https://www.un.org/development/desa/indigenouspeoples/publications/desktop-publications.html>

