



Research Report General Assembly 2

The question of preserving the rights of
indigenous peoples around the world

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Introduction

Indigenous peoples' rights have become more and more important to international law and policy. As our world develops, there is a need for preserving the rights of the indigenous people in many regions. The question of the preservation of their land, language, and other traditions in their heritage has been widely discussed. There is no official singular definition of indigenous peoples under international law, but it basically entails all people that have preserved their own culture despite invasion and colonization of the land they live on. These peoples often consider themselves as a separate part of society and often do not develop along with the rest of the world, or at least not in the same way. The Human Rights Council is there to discuss what parts of their culture the rest of society should respect and what rights these people have to their lands and possible resources.

The Committee

In MUNA, General Assembly 2 deals with issues on human rights, which can include an immense number of topics. In this General Assembly nations come together to discuss one's (individual) rights and find solutions in a peaceful and respectful manner. When debating different solutions, it is important to note money is not an issue as nations can call upon the UN's unlimited funds. Hence, a delegate should never vote or speak against a resolution because of financial reasons.

An important fact to note is that the real Second Committee deals with economic and financial issues and that the Human Rights Council would actually discuss the issues we do in this committee. During MUNA, due to restrictions in space, human rights are being dealt with in General Assembly 2.

A peculiarity for all General Assemblies is the participation in the Plenary Session. This session will take place on the last day of MUNA in the main hall and one resolution from each General Assembly will be discussed. In our committee, we will have to pass a resolution, which can then be discussed at the Plenary Session.

Keywords

- Indigenous peoples = all people that have preserved their culture despite the invasion and colonization of the land they live on
- Non-binding = not legally necessary to obey or follow
- OHCHR = Office of the United Nations High Commissioner for Human Rights
- WGIP = Working Group for Indigenous Populations

Overview

Before discussing the rights of indigenous peoples, it is necessary to understand what is meant by this term. As has been said, there is no official singular definition due to the immense difference there can be between indigenous people. They are all around the world and thus very different depending on the region in question. Even the Declaration on the Rights of Indigenous Peoples does not give a definition and even states that indigenous people have the right to determine their own identity. Likewise, the rights of indigenous peoples are quite different from government go government. However, since around the year 2000, indigenous rights have become an international issue and various indigenous societies have banded together to pursue communal interests together.

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The biggest problem with indigenous peoples' rights stems from their lands or territories and the resources that can often be found there. The development that occurs in the rest of the world and the extraction of resources can threaten their culture and possibly even their lives, which is why the Human Rights Council has sought to focus more attention on this issue in recent years.

The United Nations mainly represents indigenous peoples through the Working Group on Indigenous Populations (WGIP), which was established in 1982. This was a significant year, since it can be seen as the start of many discussions, negotiations on Indigenous Rights. The United Nations General Assembly proclaimed the period of time stretching from 2005 to 2014 to be the second International Decade of the World's Indigenous People. This decade was named "*Partnership for Action and Dignity*" and meant to promote non-discrimination and inclusion, as well as re-define the development policy from the perspective of social equality. It was the immediate follow-up of the first International Decade of the World's Indigenous Rights. It differs in the sense that the first decade was meant to strengthen the cooperation to resolve the problems experienced by indigenous people, in contrast to improving the promotion and improvement of Indigenous Peoples' rights.

The largest victory for Indigenous Peoples' rights was in September 2007, when the General Assembly adopted the Declaration on the Rights of Indigenous Peoples. It is a non-binding declaration outlining the individual rights, as well as the collective rights, of indigenous peoples. This Declaration is what also gives them the rights to their culture, language, education, and the right to determine their own identity. The rights to their lands, territories, and resources are recognized within the Declaration, including the ones that were originally controlled by the indigenous population but are held by others. It is highly important to note that the Declaration passed with four votes against, namely from the United States, Canada, New Zealand, and Australia. These countries all have significant indigenous populations, but they have changed their vote to in favour since the passing of the Declaration.

Major parties involved

It is hard to say where the issue of Indigenous Peoples' rights is most prevalent, as it is truly a worldwide issue. Countries that have large indigenous populations have most interest in ensuring the rights are in concord with their countries morals, since it will have a big effect on them. These countries include the United States of America, in which there are about 5.2 million indigenous people, Canada, with 2.13 million indigenous people, and Mexico, with an overwhelming 25.7 million indigenous people. Nevertheless, these are not the only nations with indigenous people and doing research about your assigned country's population is therefore vital when discussing this issue.

Arguments

When discussing the issue of indigenous peoples' rights, there is no particular group against or in favour. Nonetheless, there are different opinions on how far Indigenous Rights should go and if it is in harmony with national laws and standards. Guiding questions for your research could include if your country has any indigenous communities and, if so, what your history says with regard to them, how your country defines indigenous, and what international action can be taken to incorporate indigenous communities.

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Timeline of Events

1920	The Covenant of the League of Nations ensures all members accept their duty of promoting the well-being and development of the indigenous population. They use 'indigenous' to differentiate between colonial powers and people living under colonial domination.
1945	The "Declaration Regarding Non-Self-Governing Territories" calls upon member states of the United Nations to protect the culture of people living in these territories and help them. Those people include indigenous people.
1982	The United Nations (UN) creates the Working Group on Indigenous Populations (WGIP). The WGIP allowed representatives of indigenous people to join in drafting the declaration on the rights of indigenous peoples.
28 July 2000	The Permanent Forum on the Indigenous Issues is created to advise the UN and raise awareness of the issues of indigenous peoples.
2001	The Commission on Human Rights appoint a Special Rapporteur on the rights of indigenous peoples. This Special Rapporteur gathers, requests, receives, and exchanges information on alleged violations of their human rights.
13 September 2007	The United Nations General Assembly adopts the Declaration on the Rights of Indigenous Peoples. This is a non-binding declaration, but has the aim of encouraging countries to cooperate with indigenous people to solve other global issues.

Resolution

When composing a resolution, a delegate should carefully consider their country's perspective and opinion on the matter. The questions mentioned under 'arguments' are a good starting point for your research. After answering these questions for your country, you should try to think of ways to increase social tolerance on the issue of indigenous peoples. The UN's main objective is to bridge the gap between the different cultures in an area and if more people are aware of the existence of indigenous culture in an area, the issues these cultures face can be resolved.

Additionally, you should consider the political representation that indigenous people have. Some nations do not allow the indigenous societies to represent themselves and only let the national government do so. Giving the indigenous peoples representatives, their involvement will also increase.

Here, you should inform the delegates about the fact that their resolution should give an image of their stance on this issue, possible solutions and remind them to stick to their country's opinion.

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Links and sources

For the Official United Nations Declaration on the Rights of Indigenous Peoples
https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/61/295

For more information on what the United Nations are doing to represent Indigenous Peoples
<https://www.un.org/development/desa/indigenouspeoples/>

For an explanation of the Declaration on the rights of Indigenous Peoples
<https://www.un.org/esa/socdev/unpfii/documents/FAQsindigenousdeclaration.pdf>

For a report by the OHCHR on Indigenous Peoples and the United Nations Human Rights system
<https://www.ohchr.org/Documents/Publications/fs9Rev.2.pdf>

For a more detailed explanation on who Indigenous Peoples are and what is being done globally for their rights
<http://hrlibrary.umn.edu/edumat/studyguides/indigenous.html>

