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HUMAN RIGHTS COUNCIL

DESCRIPTION OF THE COMMITTEE

In March 2006, the Human Rights Council was created to address human rights violations around the world. The Human Rights Council is composed of 47 countries, which are elected by a majority of the General Assembly through a secret ballot. Member states of the Council are required to uphold human rights in their own countries and policies. Council members with “gross and systematic violations of human rights” may have their membership suspended. The Council meets at least three times a year.

TOPIC: THE RIGHTS OF INDIGENOUS PEOPLES

INTRODUCTION

Throughout history, countries sent officials to new regions of the globe to set up colonies. These countries would often seek new land and new resources in order to increase their wealth. By the end of World War II though, the United Nations supported “decolonization”—ensuring that areas once governed by foreign powers can establish their own governments.

Indigenous peoples are those that lived on a land before foreign powers came.

In many cases, they have been taken over by foreign countries or forced to accept foreign control. As a result, they often lack economic, political and social power in society. In addition, their human rights are sometimes violated, while their social values are ignored.

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.

BACKGROUND

Indigenous peoples have their own culture and political and economic institutions. But 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.¹ 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.

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

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. Around the world, indigenous groups are also still targets of racism.

Today, there are about 300 million indigenous people in the world, representing almost 5,000 different cultures.² But each day, indigenous people are dying out and their cultures are being lost.

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 traditional ways of life.

Many indigenous groups claim that their land was stolen years ago by officials or other inhabitants. 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 seek all possible ways to return land rightfully claimed by indigenous groups, or to provide money or resources if this is not possible.³

Political Discrimination

Indigenous peoples 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.

If an indigenous group has its own set of laws and codes of conduct, they are rarely recognized by the government. But indigenous peoples may not know much about the government's own laws. As a result, indigenous people can be abused or mistreated since they may not understand what is legal and what is not.

Finally, many indigenous people do not speak the languages of others in their region. This makes it difficult for them to make decisions about what is happening in society. Even just voting in an election can be difficult.



Social Discrimination

In addition to political discrimination, indigenous groups also face social discrimination. In some cases, 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 getting an education.

INTERNATIONAL ACTION

International Labour Organization

The International Labour Organization (ILO) was the first international body to defend the rights of indigenous peoples.⁴ 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 peoples participate in development. It also provides advice, training workshops and seminars explaining laws to indigenous people.⁵

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.⁶

Other Actions

In 1965, the UN adopted the *International Convention on the Elimination of All Forms of Racial Discrimination*. It was the first legal instrument 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. Today, 128 member states have ratified the convention, though racism continue to occur worldwide.

In 1994, the UN 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. The draft declaration also stated that indigenous children should receive essential education. However, the declaration does not state how these goals are to be accomplished.



RECOMMENDATIONS FOR FORMULATING A RESOLUTION

Delegates should address the following when creating draft resolutions:

- Ensuring that indigenous groups can participate in society without giving up their cultures or beliefs;
- Recommending ways to increase tolerance for indigenous cultures;
- Recommending ways to safely incorporate indigenous peoples into mainstream society; and
- Outlining ways to incorporate indigenous peoples views into global decision-making.

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 communities?
6. What else can the international community do to respect indigenous rights while promoting development?

SOURCES FOR RESEARCH

Office of the UN High Commissioner for Human Rights www.ohchr.org

Amnesty International www.amnesty.org

International Committee of the Red Cross www.icrc.org

UN Human Rights Treaties www.bayefsky.com



REFERENCES

Indigenous Peoples

¹ “Linguistic Diversity: 3,000 Languages in Danger,” *UNESCO* press release no. 2002-07, www.unesco.org/bpi/eng/unescopress/2002/02-07e.shtml.

² Janet Chernela, “The Rights of Indigenous Peoples: International Instruments,” *American Anthropological Association*, November 11, 2003, www.aaanet.org/committees/cfhr/chronology.htm.

³ “General Comments and Recommendations regarding Indigenous Treaty Rights,” *Treaty Justice*, as quoted in www.bayefsky.com, “CERD General Recommendation XXIII (Fifty-first session, 1997): On the Rights of Indigenous Peoples, A/52/18 (1997).”

⁴ Janet Chernela.

⁵ “The ILO and Indigenous and Tribal Peoples,” *United Nations Guide for Indigenous Peoples*, Office of the United Nations High Commissioner for Human Rights, www.unhcr.ch/html/racism/indileaflet8.doc.

⁶ “Convention 169: Convention concerning Indigenous and Tribal Peoples in Independent Countries,” ILO, ILOLEX, www.ilo.org.

