



| | |
|-------------------------|--|
| Forum: | Third Committee (Social, Cultural Humanitarian) |
| Question of: | Establishing a framework for the rights and well-being of indigenous communities, including land rights, cultural preservation and economic development |
| Student Officer: | Neele Schrader |
| Position: | Main Chair |

I. Description of the Issue

There are over 5,000 different indigenous peoples made up from 476 million people worldwide, that's 6.2% of the world's population. Indigenous cultures are very diverse and can be found in more than 90 countries over the world, however they all face very similar issues connected to infringement of human rights, stemming from the effects of colonialism, such as, but not limited to;

- Restricted access to education, healthcare and housing,
- Displacement and eviction from their ancestral lands,
- Extreme poverty,
- Discrimination in the form of attacks or even murders,
- Landlessness,
- Malnutrition.

Indigenous cultures all possess unique identities, traditional knowledge and a deep connection to their ancestral lands. To ensure and promote that these traits and indigenous communities themselves are protected from the issue so their cultures can be preserved, and they can use the economic opportunities that arise from their lands it is essential to further establish a productive framework.

II. Definition of Key Terms

Indigenous Communities/Peoples

This term refers to groups that are native to a specific region, with distinct traditions, practices and languages who have a close relationship with their ancestral lands.

Indigenous communities/peoples often have their own systems of governance and knowledge etc.



Land rights

Land rights refer to the legal rights of indigenous people to own, use, and most importantly manage their ancestral lands and thus the resources provided.

Cultural Preservation

This refers to the protection and the insuring of survival of indigenous traditions and their cultural identities across generations.

Cultural Appropriation

Cultural Appropriation is the adoption or use of elements of indigenous culture by non-indigenous people, without permission or the understanding of its cultural significance. This can contribute to the deterioration of indigenous cultures.

Ancestral Lands

Land that has been traditionally used, controlled and/or inhabited by indigenous peoples over generations. Ancestral lands can be critical to the cultural identity, spirituality or livelihood of an indigenous community.

III. Background information

Historical background in North America

The historical background of indigenous peoples in North America is marked by centuries of colonization, displacement, and cultural suppression, beginning with the arrival of European settlers in the 15th and 16th centuries. Before colonization, the continent was home to diverse indigenous communities, including hundreds of Native American tribes in what is now the United States and Canada. These groups had developed complex societies, governance systems, and spiritual connections to their ancestral lands. However, European colonization disrupted their ways of life, leading to catastrophic consequences for indigenous populations.

With the arrival of European settlers, indigenous peoples were subjected to land seizures and forced relocations, justified by doctrines such as "Manifest Destiny" in the U.S. and the Crown's expansion in Canada. Treaties were often signed under deception and later violated, resulting in the displacement of indigenous communities from their ancestral lands. In the



U.S., one of the most infamous examples is the Trail of Tears (1830s), when the Cherokee and other tribes were forcibly removed from their homelands to reservations in the West, leading to the deaths of thousands.

The 19th century also saw the establishment of assimilation policies aimed at erasing indigenous cultures. In both the U.S. and Canada, indigenous children were forcibly taken from their families and placed in residential schools or boarding schools. These schools aimed to strip children of their languages, cultural practices, and identities, often subjecting them to physical and emotional abuse. The legacy of these schools continues to haunt indigenous communities today, with intergenerational trauma and cultural loss still profoundly affecting survivors and their descendants.

Despite these oppressive policies, indigenous peoples resisted colonization and fought to retain their cultural identities, governance systems, and land. In the 20th century, indigenous activism gained momentum as communities demanded recognition of their rights, including land restitution and cultural preservation. Legal victories, such as the Indian Self-Determination Act (1975) in the U.S. and land claim settlements in Canada, began to address some historical injustices.

Today, the struggle for indigenous rights continues. In both the U.S. and Canada, issues such as land sovereignty, resource extraction, and treaty recognition remain.

Historical background in Latin America

The historical background of indigenous peoples in Latin America too, is rooted in colonization by Europeans. Before the arrival of Europeans in the late 15th century, the region was home to civilizations like the Maya, Aztec, and Inca, along with countless other indigenous groups. However, the arrival of Spanish and Portuguese colonizers dramatically changed the region, leading to widespread devastation for indigenous populations.

When Christopher Columbus arrived in the Americas in 1492, it marked the beginning of European conquest and colonization in Latin America. The Spanish and Portuguese empires rapidly expanded, with figures like Hernán Cortés and Francisco Pizarro leading conquests that toppled indigenous empires. The Aztec Empire in present-day Mexico and the Inca Empire in the Andes were among the most prominent civilizations to fall. Colonizers sought



to exploit the region's vast resources, particularly gold and silver, and established systems of forced labor such as *encomienda* and *hacienda*, which subjected indigenous peoples to brutal working conditions, resulting in widespread death, displacement, and cultural disruption.

Disease also played a major role in the devastation of indigenous populations. Smallpox, measles, and other European diseases to which indigenous peoples had no immunity caused massive population declines, some estimates suggest that as much as 90% of the pre-Columbian indigenous population was wiped out within a century of European contact.

In addition to physical dispossession, indigenous peoples in Latin America faced systematic efforts to eradicate their cultures. Spanish and Portuguese colonizers imposed Christianity on indigenous populations, often violently, and indigenous languages, religions, and traditions were suppressed. Missionaries played a central role in this cultural assimilation, and many indigenous communities were forced to abandon their spiritual practices and adopt European customs.

Throughout the colonial period and after Latin American countries gained independence in the 19th century, indigenous peoples continued to face marginalization and exclusion. The new nation-states largely disregarded indigenous land rights and maintained exploitative systems of labor and resource gain. Indigenous peoples were often part of the lowest rungs of society, denied access to land, education, and political representation.

In recent decades, indigenous movements in Latin America have gained increased visibility and influence. In Bolivia, for example, Evo Morales became the first indigenous president in 2006, championing indigenous rights and environmental protection. Similarly, movements like the Zapatista uprising in Mexico in the 1990s drew global attention to the struggle for indigenous land and cultural autonomy. Across the region, indigenous peoples are fighting against environmental destruction caused by mining, logging, and large-scale agriculture, which often encroach on their territories without their consent.

International frameworks, such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the International Labor Organization's Convention 169, have provided important tools for the recognition of indigenous rights. However, indigenous



communities in Latin America continue to face significant challenges, including poverty, land dispossession, and violence. Conflicts over natural resources remain central, as governments and corporations seek to exploit indigenous lands for profit, often leading to clashes and human rights abuses.

Historical background in the Arctic region

The historical background of indigenous peoples in the Arctic region is shaped by their ancient connection to one of the world's harshest environments and their long-standing resilience to external forces, including colonization and modern development. The Arctic is home to several indigenous groups, most notably the Sámi in northern Scandinavia and Russia, the Inuit across Greenland, Canada, and Alaska, and other indigenous groups in Siberia. These communities have lived in the Arctic for thousands of years.

Pre-Colonial Arctic

Before the arrival of Europeans, indigenous Arctic peoples had complex social structures, economic systems, and spiritual traditions deeply rooted in their environment. They relied on hunting, fishing, and herding for subsistence, with activities like reindeer herding being central to the Sámi and seal and whale hunting vital to the Inuit.

Early Contact and Colonization

The first significant interactions between indigenous Arctic peoples and outsiders began in the 16th and 17th centuries, as European explorers started to navigate Arctic waters for trade routes and resources. The Sámi, for example, had already encountered Scandinavian and Russian traders and settlers, while the Inuit first met European whalers, missionaries, and explorers in the 18th century. These early encounters brought new goods, such as tools and weapons, but also diseases like smallpox and tuberculosis, which devastated indigenous populations.

Colonial expansion was at an all-time high in the 19th century, with Arctic territories becoming more integrated into the states of Norway, Sweden, Finland, Russia, and Denmark (through Greenland). In North America, Canada and the United States increasingly sought control over the Arctic. Governments in these countries imposed legal and political systems



that undermined indigenous governance structures, leading to the gradual removal of indigenous autonomy over their lands and resources.

Cultural Suppression and Forced Assimilation

Throughout the 19th and 20th centuries, colonizing powers sought to assimilate indigenous Arctic peoples into the dominant culture. In Scandinavia, policies of "Norwegianization" and similar programs in Sweden and Finland aimed to erase the Sámi language and culture. Sámi children were sent to boarding schools where they were forbidden to speak their native language, and traditional livelihoods like reindeer herding were restricted.

Ongoing Challenges and Climate Change

While there have been significant advances in the recognition of indigenous Arctic peoples' rights, they continue to face challenges related to resource extraction, environmental degradation, and climate change. The Arctic holds vast reserves of oil, gas, and minerals, and the increased accessibility of these resources due to melting ice has brought new pressures on indigenous lands.

IV. Major Countries and Organizations Involved

United States of America

The U.S. government has engaged in numerous legal and political battles over indigenous land rights and sovereignty, including landmark cases like the Indian Self-Determination Act (1975) which aimed to enhance indigenous self-governance. However, ongoing issues such as disputes over land use and environmental protection, exemplified by the Standing Rock Sioux Tribe's protest against the Dakota Access Pipeline, highlight persistent challenges.

Canada

Canada has made strides in acknowledging indigenous rights through measures such as the Truth and Reconciliation Commission (TRC) and the implementation of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) into national law. Despite these efforts, issues related to land claims, resource extraction, and the legacy of residential schools remain significant challenges.



Australia

Australia's indigenous policies have seen progress with the Mabo decision (1992), which recognized native title and overturned the doctrine of terra nullius. The Uluru Statement from the Heart (2017) has called for constitutional recognition and the establishment of a First Nations Voice to Parliament, aiming to address ongoing social and economic disparities.

New Zealand

New Zealand has been proactive in addressing indigenous rights through the Treaty of Waitangi (1840), which forms the basis for legal and political interactions with Māori. Recent initiatives, such as the Treaty settlement process, aim to resolve historical grievances and return land and resources to Māori communities.

Brazil

In Brazil, indigenous groups face severe challenges from illegal land invasions and environmental degradation, particularly in the Amazon rainforest. The Brazilian government has implemented legal protections for indigenous territories, but enforcement is often weak, leading to ongoing conflicts and advocacy by indigenous and environmental groups.

International Labor Organization (ILO)

The ILO's Convention 169 on Indigenous and Tribal Peoples provides a framework for recognizing and protecting indigenous rights, including land and cultural practices. Ratified by 23 countries, this convention sets international standards for the rights of indigenous peoples and mandates free, prior, and informed consent for development projects affecting their lands.

Amnesty International

Amnesty International advocates for the protection of indigenous rights globally, focusing on issues such as land dispossession, environmental destruction, and human rights abuses. Their campaigns and reports, such as those on the impacts of mining on



indigenous lands, aim to bring international attention to injustices faced by indigenous communities.

V. **Timeline of events**

1948 - Universal Declaration of Human Rights (UDHR)

The UDHR, adopted by the UN General Assembly, lays the groundwork for human rights protections, including those relevant to indigenous peoples.

1957 - ILO Convention 107

The International Labor Organization (ILO) adopts Convention 107, which was the first international treaty to address indigenous and tribal peoples' rights, emphasizing integration and protection.

1965 - UN Declaration on the Elimination of All Forms of Racial Discrimination

This declaration calls for the elimination of racial discrimination and includes protections relevant to indigenous peoples' rights.

1971 - Establishment of the UN Working Group on Indigenous Populations (WGIP)

The UN establishes the WGIP to focus on the rights of indigenous peoples, which marked a significant step toward the international recognition of indigenous issues.

1982 - First International Day of Indigenous Peoples

The UN General Assembly holds the first International Day of Indigenous Peoples, highlighting the need to recognize and protect the rights of indigenous populations.

1989 - ILO Convention 169

The ILO adopts Convention 169, replacing Convention 107 and focusing on the rights of indigenous and tribal peoples, including land rights and cultural preservation. This convention emphasizes the need for free, prior, and informed consent for development projects affecting indigenous lands.



1992 - International Conference on Indigenous Peoples in the Americas

This conference, held in the lead-up to the Rio Earth Summit, provides a platform for indigenous leaders to voice their concerns and needs on an international stage.

2001 - UN World Conference on Indigenous Peoples

The UN holds this conference to address indigenous issues globally, leading to the development of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

2007 - Adoption of UNDRIP

The UN General Assembly adopts UNDRIP, which articulates a comprehensive set of rights for indigenous peoples, including self-determination, land rights, and cultural preservation. While it is not legally binding, it represents a global consensus on the importance of indigenous rights.

2008 - UN Permanent Forum on Indigenous Issues (PFII)

The PFII, established in 2000, holds its seventh session focused on the implementation of UNDRIP and the need for better mechanisms to support indigenous peoples' rights.

2014 - International Year of Solidarity with Indigenous Peoples

The UN designates 2014 as the International Year of Solidarity with Indigenous Peoples, aiming to increase awareness and support for indigenous issues worldwide.

2015 - Sustainable Development Goals (SDGs)

The UN adopts the SDGs, which include targets relevant to indigenous peoples, such as ensuring access to education, health care, and protecting their rights to land and natural resources.

2017 - UN Forum on Indigenous Issues 16th Session

This session addresses the challenges faced by indigenous communities, particularly in relation to climate change and environmental sustainability.

2019 - UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) Report



The EMRIP releases a report focusing on the rights of indigenous peoples to participate in decision-making processes that affect their lands and resources.

2021 - UN International Year for the Elimination of Child Labor

The UN emphasizes the impact of child labor on indigenous children, advocating for their protection and the preservation of their cultural and traditional practices.

VI. Possible solutions

To effectively support indigenous communities, a comprehensive framework should focus on key areas. It must ensure legal recognition of indigenous land rights, allowing communities control over their ancestral territories and resources. Cultural preservation should be prioritized, with measures to protect indigenous languages and traditions. Political representation and participation in decision-making processes are essential, providing indigenous peoples a voice in policies affecting them. Economic development should align with indigenous values, involving community-led projects and respecting their consent for development initiatives. Lastly, addressing socio-economic disparities through targeted policies can improve health, education, and economic opportunities for indigenous peoples. Implementing these elements together can help rectify historical injustices and promote sustainable development.

VII. How to prepare as a delegate

Please note, that every delegate should do further research on their country's position and history with indigenous communities. Questions that can provide a guideline can be the following:

- Does my country have a history of colonialism, if so are/were indigenous peoples affected by this?
- Has my country made efforts to minimize the struggles of indigenous people?

Please not that, all delegates are obligated to write at least one draft resolution and a minimum of two preferably three position papers so that all topics of the forum are fully covered. Please remember that **the deadline to send in the documents is the 21.09.24**. And after that deadline documents will not be corrected. By then all delegates should have send in



their document, documents turned in later than that, should not be included in decision-making when it comes to **awards**.

VIII. UN resolutions

- (A/61/L.67), 13.09.2007, **United Nations Declaration on the Rights of Indigenous Peoples**
- (E/RES/1982/34), **Establishment of the Working Group on Indigenous Populations**

IX. Sources

- UN, Indigenous Peoples, <https://www.un.org/en/fight-racism/vulnerable-groups/indigenous-peoples>
- UN, Who are indigenous peoples?, https://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf
- OHCHR, OHCHR and Indigenous Peoples, <https://www.ohchr.org/en/indigenous-peoples>
- UNEP, Indigenous peoples and their communities, <https://www.unep.org/civil-society-engagement/major-groups-modalities/major-group-categories/indigenous-peoples-and>,
- MPIL, Indigenous Peoples' Right to Land, https://www.mpil.de/files/pdf1/mpunyb_ulfstein_8.pdf
- UN, Indigenous peoples' collective rights to lands, territories and resources, <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/04/Indigenous-Peoples-Collective-Rights-to-Lands-Territories-Resources.pdf>
- UN, Indigenous People's Traditional Knowledge Must be Preserved, Valued Globally, Speakers Stress as Permanent Forum Opens Annual Session, <https://press.un.org/en/2019/hr5431.doc.htm>
- UNESCO, Living Heritage and Indigenous Peoples, <https://ich.unesco.org/doc/src/Brochure-indigenous-people-201904-EN.pdf>
- Britannica, Native American – Indigenous peoples of Canada and United States, <https://www.britannica.com/topic/Native-American>



- Britannica, Peoples of Australia & Oceania, <https://www.britannica.com/browse/Peoples-of-Australia-and-Oceania>
- WWF Arctic, Arctic Communities, <https://www.arcticwwf.org/our-priorities/arctic-communities/>
- UNDP, The situation of Latin America’s indigenous population and the impact of COVID-19, <https://www.undp.org/latin-america/blog/situation-latin-americas-indigenous-population-and-impact-covid-19>