

**Forum:** UN Habitat

**Issue:** Improving socioeconomic conditions for Indigenous Peoples by ensuring the Right to Self-determination

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## Introduction

Indigenous populations across the world suffer today because of strained economic situation. The necessary wealth to pay for education and good-quality service in areas like healthcare that impact a population's chances of survival is something they lack, and in today's world their lack of said wealth is also an effective barrier that prevents them from accessing or creating key social and political platforms to campaign for their rights. However, indigenous populations also face social problems, with prevailing mindsets of discrimination and prejudice translating often into even worse social services, social isolation, governmental ignorance or inaction, and skewed verdicts in court cases - all of which contribute to the problems they face and specifically often serve to exacerbate land-grabbing problems as well as tensions. Said tensions, perhaps arising as a result of fixed mindsets and indigenous people being caught up in physical confrontations while possibly trying to defend their land, often spark violence. This is especially true in countries where many indigenous people reside, but human rights and environmental activism - another field that indigenous people are often involved in given their close relationship with land - is frowned upon. Ultimately, this means that indigenous people, faced with deteriorating socioeconomic conditions that almost always require governmental support or action, they witness governmental inaction - something they can't change because they're denied the right to self-determination.

## Definition of Key Terms

### Indigenous Peoples

There is no single adopted UN definition of indigenous peoples. However, indigenous peoples is a term that generally refers to persons who originate and are usually connected to ancestral lands - though nomadic tribes are sometimes considered indigenous to regions. There are more than three hundred million indigenous people today in the world.

## **The Right to Self-Determination**

The right to self-determination is a supposedly guaranteed principle under international law. According to the Declaration on the Principles of International Law Concerning Friendly Relations and Cooperation States in accordance with the Charter of the United States. There are three ways the right to self-determination can be met: through the establishment of a sovereign and independent state, free association with another state, or integration with another state. The second and the third can manifest in different ways and include measures like funding construction or promoting education, but though most indigenous groups will readily drop opportunities for the first for the second and third, there are a handful of people who will argue that they are, the third more so, actually a suppression of indigenous social customs and culture, meant to weaken indigenous movements and take away the right to self-determination as it can be met through establishing a state. At its core, the right to self-determination places upon states the obligation to refrain from interfering with other peoples' right to self-determination, but additional UN documents have come to frame states' obligation as promoting and supporting people's' rights.

## **The Right to Free, Informed, and Prior Consent**

An important aspect of the right to self-determination, the right to free, informed, and prior consent, a right that expresses the necessity of consulting indigenous populations with regards to decisions concerning them, and the right to education.

## **Sovereignty**

Sovereignty is a term that refers to governmental authority over land and people. It can refer to both autonomous regions with partial sovereignty that ultimately defer to nation states or actual nation states with something termed supreme sovereignty.

## **Background Information**

### **The Question of Land**

The question of land and land rights are central to this topic because they're often intrinsically tied to the culture, lifestyle, and livelihoods of indigenous people. Today it is an issue partly because of all the global instances of land-leasing or grabbing where indigenous territories are unlawfully seized by either private or public actors that either happen in the past and now create situations where indigenous people want to reclaim their land or are happening now in the present. It also comes up in the context of states helping indigenous nations develop, protect, or restore damaged and reclaimed lands.

## Violence

When it comes to marginalized communities, acts of violence are not wholly irregular. For indigenous populations, violence often occurs in confrontations with indigenous activists trying to protect the environment or perhaps reclaim land. This is especially true in countries where general activism and human rights protests are frowned upon, and there are instances where community members die as a result of shot wounds. Violence also occurs with indigenous women who are often marginalized both for their status as indigenous and gender, the two labels working to compound social isolation and rape, and in some cases violence against indigenous peoples, who are in places thought of as simply ethnic minorities, can be state-sponsored as well.

## Education

Education, in the context of indigenous self-determination, can act as a method of social integration - whether it's with the general populace about indigenous rights to instill in younger generations respect for or educating indigenous populations about the societal systems they live under in existing schools or state-sponsored schools ones, though some have in the past produced poor-quality education with complaints about offensive curriculums. However, education can also play into social conditions by preserving indigenous culture with states providing funds for schools that indigenous communities are to run themselves.

## Climate Change

Climate change in the Arctic has, in recent years, opened up indigenous territories to outside influence, both creating valuable economic opportunities in industries like shipping that developing economies of countries like Greenland need and scenarios for potential environmental harm that can affect animal species and indigenous food sources.

## Land and Water Rights

Another issue is land and water rights to the Arctic Ocean and its surrounding territories that are rich in natural resources, with competing countries mostly having agreed to use the United Nations Convention on the Law of the Sea which does not recognize indigenous sovereignty and people increasingly pushing to drill in indigenous ancestral lands where drilling and spills would affect animal populations and have social and cultural implications with indigenous people whose lifestyles are centered around hunting or fishing.

## Chaos

General inaction can be attributed to the chaotic nature, for some countries, of African governments. For example, in Mali where jihadist groups are active, the government has a tenuous hold on power only

with international support and people including indigenous persons suspected of jihadists activities are often unlawfully taken or murdered, in Niger indigenous populations are often caught in intercommunal conflict because of unproven associations with their people to terrorist organizations, and in Eritrea indigenous people face state-sponsored mass murder, ethnic cleansing, and forced displacement.

## Major Countries and Organizations Involved

### Central and South America

In Central and South America, though more public discussions about indigenous rights have occurred with bilingual centers for education facilitating social inclusion, social services to largely impoverished indigenous communities are still of poor-quality with indigenous communities rarely being consulted and human and environmental rights activists at huge risk. Indigenous women in particular suffer from double exclusion and sexual abuse. Land grabbing is a common trend with places like Costa Rica having more than half of territories are being taken without interference at points.

### The Pacific

Indigenous people in the Pacific region are often met with discrimination, prejudice, and bad social services in Australia, New Zealand, and New Caledonia where there has been a movement for independence for close to four decades. In particular, Pacific indigenous groups on small islands often suffer as a result of climate changes that force relocations into urban center that are accompanied by lost culture and strained local sources that generate tensions and social aggression.

### Middle East

In the Middle East, Israel's native Bedouin population, with no rights or recognized status, are often forced into settlements of low quality compared to Jewish settlements with their homes demolished and many fleeing into Palestine where settling in disputed territory often furthers forced relocations.

### Asia

There's everything from slightly progressive countries with new legislation to places like Cambodia that are fraught with discrimination and forced displacement. A lot of native people are not recognized as indigenous - for example, Vietnamese and Chinese natives are referred to only as "ethnic minorities." - compounding tensions to generate land grabbing incidents.

### Africa

In Africa, problems indigenous people face include illegal land-grabbing or leasing of indigenous territories and minimal governmental action outside of some emerging policy development.

## **Australia**

Pacific issues of climate change apply. In Australian territory, there is the Murrawarri Republic - a micronation of sorts that claims independence but is unacknowledged - the Republic of Mbarbaram, the Wiradjuri Central West Republic, the Euahlayi Peoples, and the Yidindji Government - which was acknowledged by Australia's indigenous affairs minister at a national summit. Independence issues aside, however, Australia can be an example of a progressive state with the more than three hundred native claims

## **Bolivia**

In 2009, Bolivia was the first plurinational state in South America, granting indigenous communities autonomy and self-governance over ancestral lands. In 2015, Bolivia elected the first indigenous president of the national Supreme Justice Tribunal.

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## **Greenland**

A constituent country of Denmark since close to three decades ago though still heavily dependent on Denmark's support, Greenland, made up of Inuit, is focused on economic autonomy and serves as an inspiration to many indigenous communities because of its aforementioned autonomy.

## **Nigeria**

While a dominant ethnic group performs mass killings and creates refugee trends, more indigenous groups like the Biafra want self-determination in the form of independence.

## Panama

There's progress with Embera lands being recognized as indigenous territory, but some lands still go unrecognized.

## Peru

The first indigenous autonomous government - made up of Wampis - was given jurisdictional sovereignty over 1.3 million acres of land in 2016, and since then there's been a shift toward progress.

## Indigenous Peoples' Major Group

The IPMG is the main organization helping indigenous peoples meet sustainable development goals that cover socioeconomic conditions. In particular, they provide information and technical and logistical support to indigenous groups who are often in remote locations and without easily accessibility to modern technological platforms.

## UN Permanent Forum on Indigenous Issues

The Permanent Forum is a ECOSOC body that is concerned with ensuring Agenda 2030 Sustainable Development Goals are met by indigenous peoples. The Forum also promotes and evaluates UNDRIP as well as hosts annual meetings that emphasize the importance of indigenous rights within the UN. The Forum is made up of 16 experts from governments, the UN, and indigenous peoples' organizations around the world - and its inclusion of indigenous people is particularly important if not because of the knowledge they possess about their different peoples then for the symbolic and perhaps conciliatory gesture it symbolizes.

## Timeline of Events

<b>Date</b>	<b>Description of event</b>
1860s	The right to self-determination begins to be formed as an idea mostly associated with colonial powers

June 26th, 1945	The UN Charter is created with the right to self-determination
May 1st, 1979	Greenland, a country mostly made up of indigenous Inuit, becomes a self-governing constituent country to Denmark
July 28th, 2000	The UN Permanent Forum on Indigenous Issues is founded
September 13th 2007	The UN adopts the United Nations Declaration on the Rights of Indigenous Peoples in which the right to self-determination is included
March 30th, 2013	The Murrawarri Republic inspires a series of claims to independence after being the first on the continent to declare independence from Australia
June 15th, 2016	The Organization of American States adopts the American Declaration on the Rights of Indigenous Peoples which goes into detail about the right to self-determination, providing that indigenous peoples have the right to partial autonomy or self-government
September 13th, 2017	A celebration of UNDRIP's tenth anniversary is preceded and followed by reports evaluating effectiveness and detailing suggestions

## Relevant UN Resolutions and Treaties

- Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 24 October, 1970 (**A/RES/25/2625**)
- International Covenant on Economic, Social, and Cultural Rights, 16 December 1996 (2200 XXI)
- International Covenant on Civil and Political Rights, 16 December 1996 (2200A XXI)
- United Nations Declaration on the Rights of Indigenous Peoples, 13 September 2007 (**A/RES/61/295**)

- Enhancing the Participation of Indigenous Peoples' Representatives and Institutions in Meetings of Relevant United Nations Bodies on Issues Affecting them **(A/RES/71/321)**
- Universal Realization of the Right of Peoples to Self-determination, 19 December 2017 **(A/RES/72/159)**
- Rights of Indigenous Peoples, 19 December 2017 **(A/RES/72/436)**

## Possible Solutions

**One possible approach to the question at hand would be facilitating generic communication systems between indigenous populations.** This is something that countries like Canada have increasingly been doing, and something that can perhaps be advantageous due to its ambiguity and unspecificity regarding the purpose of communication systems. In essence, this can translate into communication systems for any of the mentioned solutions below but also just a method to draw closer together indigenous communities and national citizens, increasing awareness and facilitating social inclusion.

**Another approach can include funding and developing needed indigenous buildings and institutions.** This can include constructed buildings or institutions like schools or better houses and financial centers, which can later create economic independence and fall under the free association aspect of self-determination but also, if not carefully planned, create an unwanted dependency on funding nations.

**A third approach is more country-specific and can involve opening up channels or request negotiations.** This would quell social tensions and protests whether or not the end result is indigenous land or water rights, though the issue would mostly likely require international channels when it comes to territories like the Arctic Ocean that are highly contested and thus will probably be ineffective if not enough parties support its end goals.

**In addition, channels could also be opened for the delegation of responsibilities and creation of, through free association, autonomous, self-governing indigenous communities.** In particular, countries that have already granted indigenous peoples jurisdictional sovereignty could serve as examples of success and help facilitate the implementation. However, this approach will most likely be a contentious point of debate for the many countries who do not support indigenous territorial autonomy.

## Bibliography



Gregoire, Paul. "Always Independent: An Interview with Murrawarri Republic Chair Fred Hooper." *Sydney Criminal Lawyers*, 29 Dec. 2018, [www.sydneycriminallawyers.com.au/blog/always-independent-an-interview-with-murrawarri-republic-chair-fred-hooper/](http://www.sydneycriminallawyers.com.au/blog/always-independent-an-interview-with-murrawarri-republic-chair-fred-hooper/).

"By the Numbers: Indigenous and Community Land Rights." *2018 Will See High Meat Consumption in the U.S., but the American Diet Is Shifting* | *World Resources Institute*, [www.wri.org/blog/2017/03/numbers-indigenous-and-community-land-rights](http://www.wri.org/blog/2017/03/numbers-indigenous-and-community-land-rights).

"Arctic Indigenous Peoples." *Arctic Centre, University of Lapland*, [www.arcticcentre.org/EN/communications/arcticregion/Arctic-Indigenous-Peoples](http://www.arcticcentre.org/EN/communications/arcticregion/Arctic-Indigenous-Peoples).

"How Indigenous Australians Are Still Fighting for Their Lands 25 Years After a Landmark Court Case." *Smithsonian.com*, Smithsonian Institution, 30 June 2017, [www.smithsonianmag.com/history/how-indigenous-australians-are-still-fighting-their-lands-25-years-after-landmark-court-case-180963893/](http://www.smithsonianmag.com/history/how-indigenous-australians-are-still-fighting-their-lands-25-years-after-landmark-court-case-180963893/).

"The American Declaration on The Rights of Indigenous Peoples." *The US-EU Banana Dispute* | *ASIL*, 22 June 2017, [www.asil.org/insights/volume/21/issue/7/american-declaration-rights-indigenous-peoples](http://www.asil.org/insights/volume/21/issue/7/american-declaration-rights-indigenous-peoples). *INDIGENOUS WORLD*. The International Workgroup for Indigenous Affairs, April 20th, 2018, <https://www.iwgia.org/images/documents/indigenous-world/indigenous-world-2018.pdf>

*State of the World's Indigenous Peoples: Education*. United Nations, 2017, [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2017/12/State-of-Worlds-Indigenous-Peoples\\_III\\_WEB2018.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2017/12/State-of-Worlds-Indigenous-Peoples_III_WEB2018.pdf)