

Committee: Human Rights Council

Issue: Combatting discrimination against Ethnic Minorities and Indigenous People

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I. Introduction

Combating discrimination against ethnic minorities and indigenous people remains on the agenda of the UN, and has been for the past sixty years. Approximately all countries in the world's population include groups of either national, ethnic, linguistic or religious minorities.¹ Such groups, face discrimination in the form of violations of civil, political, economic and cultural rights; these include 'racism or exclusion on the grounds of the ethnic, religious, national, or racial characteristics of the victim group'². Ethnic Minorities are a group within the main population, that have their own cultural and national traditions that are different from the main population of the nation. This topic also tackles, combating discrimination against indigenous groups. There isn't a set definition for the term indigenous due to the diversity of the groups which makes it difficult for the UN to combine all these groups under a standardized definition, it rather identifies the term indigenous based on a set of characteristics in which a group is considered indigenous based on. In a brief nutshell, indigenous groups are people with distinct social, political and economic systems from the dominant group; people that are linked to the territory and are pre-settler societies. Discrimination against minorities comes in various social, economic or political forms; such as: unequal distribution of resources and exclusion from political activity. For instance, "Indigenous Peoples represent approximately 5% of the global population, but account for 15% of the world's extreme poor"³. This date shows the extent of bigotry against indigenous groups, as well as how unprivileged these groups are. Furthermore, the wars that have plagued this world in the past decades have placed several individuals as ethnic minorities in the form of refugees, hence it is of utmost importance to ensure the protection of their rights"⁴. This issue tackles means of bridging the gap between minorities and dominant groups, by finding ways of protecting their cultural beliefs and identities, while ensuring their equal existence within their respective societies.



Native American, Indigenous Tribesman.

¹ "Combating Discrimination against Minorities." *OHCHR | Combating Discrimination against Minorities*, www.ohchr.org/EN/Issues/Discrimination/Pages/discrimination_minorities.aspx.

² "Combating Discrimination against Minorities." *OHCHR | Combating Discrimination against Minorities*, www.ohchr.org/EN/Issues/Discrimination/Pages/discrimination_minorities.aspx.

³ "Partnering with Indigenous Peoples and Ethnic Minorities Through Community-Driven Development." *World Bank*. N.p., n.d. Web. 22 Aug. 2017.

⁴ "Partnering with Indigenous Peoples and Ethnic Minorities Through Community-Driven Development." *World Bank*. N.p., n.d. Web. 22 Aug. 2017.

II. Involved Countries and Organizations

[Nepal]

Nepal is one of the most recognized countries when it comes to discrimination, specifically towards ethnic and indigenous minorities. Even though its population stands at 28.98 million⁵, the minorities in Nepal suffer from discrimination, land loss, deforestation, and bonded labor- slavery to relieve debt. The Limbu, Chepang and Tharu native communities have lost land rights, seeing as native lands have legally been put in the hands of immigrants. Linguistic minorities (ex: Gurung, Magar, Tamang) have also suffered from the Private Forest Nationalization Act, which put the forests in the hands of the state. Forests, to the indigenous people, are homes, sources of food, sources of warmth and resources (timber, medicinal plants etc). Since forests have been compromised, they are forced to shift from their ancestral ways, to be able to properly adapt to their newly shaped environment; this includes relocation, change of jobs, and naturally a struggle to gather food/resources. Additionally, the indigenous Nepalese have been subjected to serfdom, and debt bondage, being forced to pay off their debt, through working as serfs to powerful landowners controlling villages and estates . Even though Nepal is an ethnically and linguistically diverse country, many communities, specifically the hill people and the South Terai population, who are under-represented by the government due to their small numbers, and exclusion from the society, as found in the Indigenous People Assessment and Measures Indigenous Peoples Planning Framework under the community irrigation program.

The ethnic discrimination in Nepal, based on a UNESCO report⁶, originated because of two main strategies implemented by early Nepali rulers to impose the Hindu ways on the Nepali nation. The first strategy they used was the establishment of control over the resources, that the ethnic minorities were dependant on . The state, then, were ensured rights to dispose these resources. The second and very significant strategy used was the hinduization of these ethnic communities by: using the Civil Code enacted in 1854 that altered the caste system, incorporating the ethnic groups into that system of the Hindu hereditary hierarchy, labeling them as a “liquor drinking population”⁷, further aiding their disregard as Nepalese citizens, dividing them into enslavable and non-enslavable categories, in order to subjugate them. Furthermore, the Nepalese nation has suffered from numerous political and social uprisings, most of them caused by the discriminated minorities, like the Maoist rebellion in the early 2000s that led to a difficulty in establishing a stable parliament.⁸

⁵ “Nepal Population (LIVE).” *Nepal Population (2017) - Worldometers*, www.worldometers.info/world-population/nepal-population/.

⁶ <http://unesdoc.unesco.org/images/0014/001460/146086e.pdf>

⁷ Ibid.

⁸ Ibid.

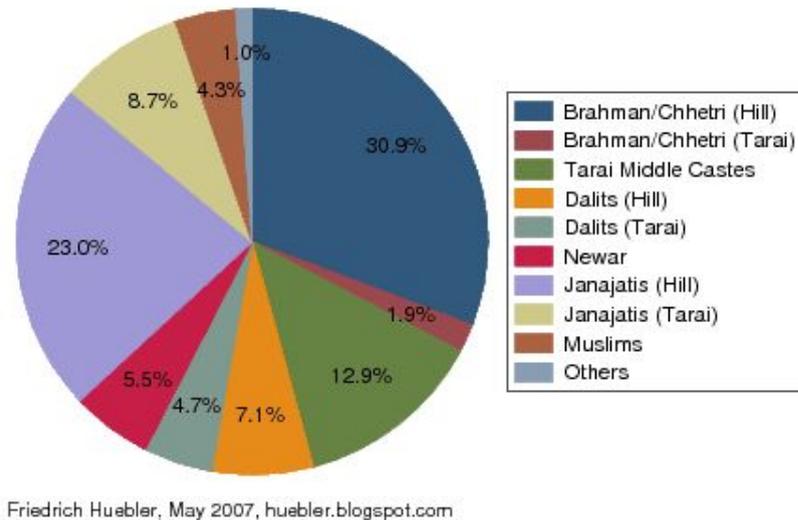


Figure 2: Ethnic groups of Nepal⁹

[New Zealand]

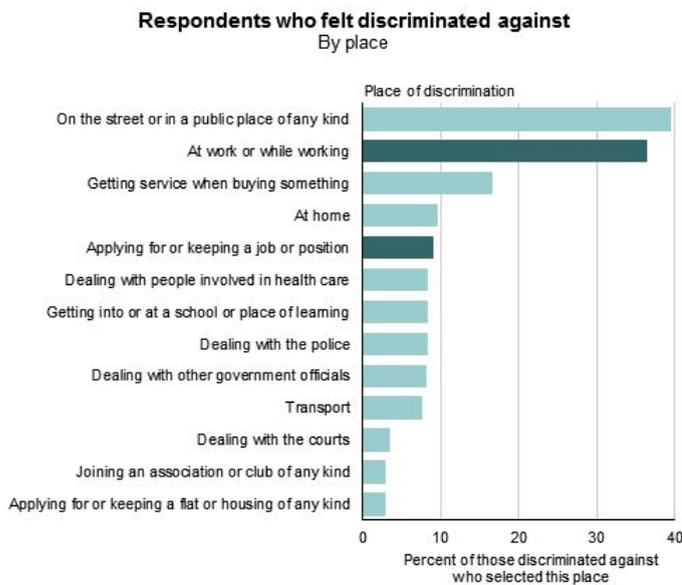
New Zealand is an island off the coast of Australia, and, like Nepal, it faces issues with discrimination. In New Zealand the discrimination is more towards the indigenous people that happen to fall under minorities; the Maori and the Pacific Islanders. To start with, the Maori people were documented to be in New Zealand starting from the 11th century: “The Maori population has increased by 30.0 per cent in the past 15 years, up from 434,847 in 1991 to reach 565,329 in 2006 (an increase of 130,482). More than one in seven people (14.6%) usually living in New Zealand in 2006 belonged to the Maori ethnic group. Just over half (52.8%) of all people in the Maori ethnic group identified Maori as their only ethnicity. In 2006, 42.2 per cent of Maori stated that they identified with European ethnic groups, 7.0 per cent with Pacific peoples ethnic groups, 1.5 per cent with Asian ethnic groups, and 2.3 per cent also gave ‘New Zealander’ as one of their ethnic groups.”¹⁰ This proves that the ethnic minorities in New Zealand have been compromised due to the increase in dominance of the foreigners. Also, as seen above, a big majority of the Maori population don't admit that they are Maori, but associate themselves with Asians, Europeans, or New Zealander, showing that a lot of natives are straying from their origins, and that the Maori population is being compromised not only from the invasion of foreigners, but also because of the Maori themselves. With the European contact later on through the explorations and later on colonization, weaponry was introduced, which caused wars between the different Maori tribes over disagreements regarding land, and the different reactions to the European colonization later on; and as Europeans started settling in New Zealand, the Maori population started decreasing rapidly to the extent that for a time they were close to extinction. To summarize the events later on: the Maori became victims of colonization when the English took over their land and tried to take their resources; and after a long struggle as well as numerous treaties like the Treaty of Waitangi, regarding the adaptation of the Maori to the new settlers in terms of land negotiations (etc), the Maori were gradually discluded from the

⁹ "International Education Statistics." *Caste, Ethnicity, and School Attendance in Nepal*. N.p., n.d. Web. 22 Aug. 2017. <<https://huebler.blogspot.com/2007/05/caste-ethnicity-and-school-attendance.html>>.

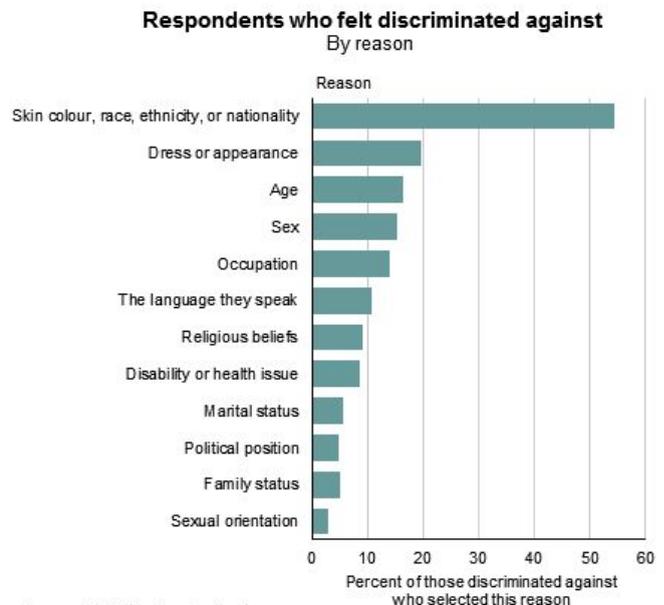
¹⁰ "Maori." *Minority Rights Group*. N.p., n.d. Web. 22 Aug. 2017.

<<http://minorityrights.org/minorities/maori/>>.

New Zealander society. Most of the treaties failed mainly because of the refusal of Maori tribe leaders to agree to the terms of the treaty, causing disagreements, which lead to wars such as the series of ‘Maori wars’. Nowadays, Maori live in the less privileged parts of the society, where they receive low wages and unemployment rates are high. Even though, the government is trying to compensate the Maori losses through the integration of the maori into the society, and through the compensation of the government to land, but they remain to own 5% of the land that they originally fully owned¹¹. The following graphs show the extent of discrimination in New Zealand (see Figures 3 and 4).¹²



Source: Statistics New Zealand



Source: Statistics New Zealand

Another minority subjected to discrimination is the Pacific Islanders, but unlike the Maori, they are not originally from New Zealand, rather from Polynesia. However, Pacific Islanders are faced with much less discrimination than the Maori people. A lot of them, if born in New Zealand, are less prone to be discriminated against.¹³ They are included in the workforce, they “are mainly employed in manufacturing industries, but Islanders born in New Zealand are more likely to be employed and work in professional, managerial and technical jobs.” However Are respected in the sense that they are treated as New Zealanders. However, others who are not born in the country are looked down upon and are labeled as the low class of the society¹⁴; they are mainly either given jobs in factories or manufacturing industries, or they are left unemployed. Islanders are concentrated in the South of New Zealand and in impoverished city areas. Unlike the Maori, there is no effort being made to include them into the society, nor to end their discrimination.¹⁵

¹¹ Ibid

¹² "Working Together: Racial Discrimination in New Zealand." *Home*. N.p., n.d. Web. 22 Aug. 2017. <http://www.stats.govt.nz/browse_for_stats/people_and_communities/asian-peoples/racial-discrimination-in-nz.aspx>.

¹³ Ibid

¹⁴ Ibid

¹⁵ Ibid

[The International Movement Against All Forms of Discrimination and Racism (IMADR)]

The International Movement Against All Forms of Discrimination and Racism is a non-profit non-governmental organization dedicated to ending discrimination in all its forms worldwide. It was founded by the Buraku minority in Japan in 1988. The IMADR works worldwide with minorities and active individuals with regional committees, working with to eliminate all forms of racism and discrimination. It maintains a UN liaison in Geneva, and works actively with the UN ECOSOC. Its goals include maintaining the rights of indigenous peoples and ethnic minorities; and they do so by helping minorities link together, by supporting their movements and keeping their solidarity through enhancing the cooperation between individuals that work towards eliminating racism and discrimination from the world. IMADR also spreads awareness to help people acknowledge the seriousness of discrimination and to get people involved in the movement to end it. Finally, it works as an active body by getting involved in UN conferences, where it further spreads its message worldwide.¹⁶ An example of their work would be reflected, in numerous successful projects. Roma for example, which is the largest minority in Europe, have been socially and culturally discriminated throughout their history, they were victims of the Nazi Holocaust; in collaboration with the IMADR, they were able to make the German Government admit their responsibility towards these victims through advocating or protesting actions against racist and discriminatory policies, measure, and/or incidents. This is one of their many succes



Figure 5: IMADR's General Assembly¹⁷

III. Focused Overview of the Issue

Ethnic minorities exist within several states. They approximately make up to 10-20 percent of the world's population, meaning that there are between 600 million to 1.2 billion¹⁸ persons of ethnic minorities among dominant groups. Considering that ethnic groups are disadvantaged in society, members of ethnic minorities are often subjected to discrimination, bigotry and injustice, which comes in several forms, including exclusion from the public and

¹⁶ Ibid

¹⁷ Ibid

¹⁸ "Combating Discrimination against Minorities." *OHCHR | Combating Discrimination against Minorities*. N.p., n.d. Web.

political sphere. Ethnic minorities are often excluded from decision making conferences that have to do with their well being, land, and political rights.

1) Ethnic Minorities' Rights

Peaceful relations between minorities and majorities and establishing mutual respect for their group identities is considered an advantage to the state seeing that ethnic minorities add to the state's diversity, heritage and contribute to cultural richness. Ethnic minorities contribute to a state's diversity, heritage and cultural richness. Hence establishing peaceful relations between majorities and minorities is considered an advantage to the political, social and economic well being of a nation. This is established through developing mutual respect, and respecting the group identities of ethnic minorities. Furthermore, fulfilling the rights of minority groups as well as recognizing their cultural dignity contributes to the equality of individuals within a society which lessens tension between dominant and minority groups.¹⁹

2) Violation of Ethnic Minority rights

This issue aims to combat discrimination against ethnic minorities which includes tackling the issue of violations against their rights and establishing equality. The UN allocates a lot of attention on this issue, due to the increased ethnic, racial, and religious discrimination and tension, which makes this a modern issue. The discrimination takes form in political, social, and economic discrimination. Minorities aim to seek recognition by their government and aspire to protect and cement their social identity. Furthermore they seek cultural freedom, to be able to practice their culture, speak their own language, and practice their religious beliefs. Furthermore several minorities, call for the right to maintain their cultural associations. The main source of tension and conflict, stems from the marginalization of minorities from the political and public sphere which limits their ability to have a voice in development policies and projects that affect them. It is not merely enough to ensure that there is no explicit discrimination against ethnic minorities, but instead, special measures should be implemented to promote their rights, and specifically those that secure their culture and identity. The conflicts between minority groups and dominant groups are "often rooted in power struggles and are aggravated by socio- economic inequalities".²⁰

3) Ethnic Minority Rights Under International Law

The rights of ethnic minorities have only been recently an attraction for international attention. "Only over the past decade has the international community taken such measures. These include the adoption of the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (Minorities Declaration) in 1992, and the subsequent creation of the UN Sub-Commission Working Group on Minority".

¹⁹ Ibid

²⁰Brown, Graham K, and Frances Stewart. "Economic and Political Causes of Conflict: An Overview and Some Policy Implications." *Economic and Political Causes of Conflict: An Overview and Some Policy Implications*, vol. 18, Feb. 2015, pp. 1–16.,
doi:<http://www3.qeh.ox.ac.uk/pdf/crisewps/workingpaper81.pdf>.

The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic Religious and Linguistic Minorities adopted by the General Assembly in 1992, is the main point of reference for the international community concerning the rights of minorities. The declaration acknowledges the rights to which minorities are entitled to, those include right to practice their culture, religion and use their own language. It further reaffirms their rights to "enjoy all fundamental freedoms in correspondence to principles of non discrimination and equality before law." Other key rights included, are the protection of existence, right to effective participation, promotion and conserving identity. Specifically, article 1 states that states should protect their existence (minority groups), and classifies minorities based on their identity, that being ethnic, cultural, national, religious and linguistic.

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4) Reasons Behind Conflict

Conflict between minority groups and dominant groups is theorized to be due to underdevelopment. Meaning that poverty generates conflict, and conflict begets poverty, which is referred to as a "conflict trap". Even though this explanation may appear to be too simplistic, yet it offers a skeleton to how economic conditions and conflict between groups affect one another.

Conflict does not arise from differences between cultures and ethnicities alone. Nations such as Ghana and Tanzania are multireligious and multiethnic societies that live peacefully. As stated by Abner Cohen, the conflict is over some fundamental issues concerning the distribution and exercise of power, whether political, economic, social or both. There are four economic explanations for conflict, the first is inequalities as a source of conflict, the second is individual gains from conflict that serves as a motive, the third is when the social power structure fails "failed social contract", and the fourth theorizes environmental pressures creates conflict. Understanding the roots of conflict and inequality between minorities and majority groups is essential for resolving this issue.

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5) Refugees as Ethnic Minorities

A refugee is a person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country ..."²³

Communities of refugees are an ethnic minority group when seeking asylum in a state which is not their own. Refugees often face discrimination, even in developed countries, in which they are often held in detention for prolonged periods. Furthermore the discrimination stretches to everyday life such as being discriminated against by landlords, employers or and state run authorities, adding to that the stereotyping by media and political parties.

²¹<http://www.ngeckenya.org/program/6057/minority-marginalised>.

²²Brown, Graham K, and Frances Stewart. "Economic and Political Causes of Conflict: An Overview and Some Policy Implications." *Economic and Political Causes of Conflict: An Overview and Some Policy Implications*, vol. 18, Feb. 2015, pp. 1–16.,
doi:<http://www3.qeh.ox.ac.uk/pdf/crisewps/workingpaper81.pdf>.

²³"1951 Convention." *Rights in Exile Programme*, www.refugeelaidinformation.org/1951-convention.

The 1951 Convention relating to the Status of Refugees and its 1967 Protocol are the most comprehensive and widely ratified international codification of refugee rights. This convention provides a definition of “refugee” and it states the legal status of refugees, which incorporates their rights and duties. The nation states that have signed the convention are required to respect the basic human rights of refugees, as well as protect them on their territory. These fundamental human right, should be equivalent to the rights that foreign nationals living legally in a given country enjoy. According to the convention, one qualifies for the refugee status only if one fears persecution for reason of one or more of the five grounds that are listed in Article 1A (2). Persecution is “threat of deprivation of life or physical freedom”.²⁴

6) Indigenous Groups

Indigenous groups are considered minority groups as well, not only due quantitative aspects but also due to them possessing less power amongst a dominant majority or population. It is estimated that indigenous people make up to five percent of the world’s population, but are fifteen percent of its poorest. Indigenous groups are in many cases marginalized, denied of fundamental rights such as land and property and access to basic services.²⁵

Indigenous peoples possess unique languages, knowledge and belief systems. They also hold knowledge of sustainability and management of natural resources. Indigenous groups carry a special relation to their traditional land. However despite the importance of their ancestral land for their collective physical and cultural survival, their land is often used by dominant groups and sometimes governments for economic projects without their consent.

7) Political Participation

Indigenous peoples and ethnic minorities have much in common when it comes to political participation, seeing that they are often neglected segments of societies, which is shown through the lack of political representation and participation, as well as economic and social marginalization. This takes form in the existing poverty and lack of access to social services and discrimination. These groups strive for recognition of their identities, cultural beliefs and ways of life as well as their right to traditional land and natural resources.

²⁴ Ibid

²⁵ Angelika.engl. “Press Releases.” *“Refugees and Migrants Are Widely Discriminated Against, Including in Rich Countries” Statement for Human Rights Day, 10 December 2009*, UNIS, 10 Dec. 2009, www.unis.unvienna.org/unis/pressrels/2009/unisinf348.html.

8) Education

Minorities and Indigenous Peoples are underprivileged when it comes to education, as they are likely to be denied their right to education.²⁶ This goes against international human rights law, underpinned by the principle of equality, that should ensure the right to education of everyone. However, the majority of children who do not attend school worldwide are minority and indigenous children.²⁷ They are also often deprived of opportunities to quality education, which is relevant receptive to their context and needs to survive and flourish within a society that they exist in. International human rights law, recognizes and classifies several individual and collective dimensions of the right to education which includes the recognition of special measures regarding their rights to education.²⁸ The main issue that minorities and indigenous groups face when claiming these rights, is the struggle to claim the minority of indigenous status.

a. Educational Autonomy

The International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966) and the Convention on the Rights of the Child (CRC, 1989) guarantee the *individual* right to education for everyone. However they do not explicitly address the context, concerns and needs of minorities and indigenous groups when it comes to education.²⁹ Article 30, CRC and Article 27, International Covenant on Civil and Political Rights (ICCPR, 1966) however ensures the specific right of persons belonging to indigenous groups and minorities to practice their own culture, religion, and to use their own language.³⁰

For minorities and Indigenous groups, education is one of the key ways of which, knowledge, belief systems and language is passed on from one generation to the next. Indigenous groups, require educational autonomy for this to occur. Meaning that this requires the right to formulate education to protect the collective culture. Hence they aim to have a say, and control what education is delivered and how. This includes, the content, methods, values, language of instruction and values. The right to educational autonomy is protected by international law, in the case of indigenous peoples, according to Article 12, UNDRIP: “: 'the right to autonomy or self-government in matters relating to their internal and local affairs.’”³¹

9) Indigenous Women, Women of Ethnic Minorities

Research studies have shown that globally, women and girls belonging to ethnic, racial or religious minorities including indigenous groups, have less access to education, resources and employment and health services. They often face discrimination, from men both in their own communities and outside. The effect of this issue echoes in other aspects seeing that minority women who face discrimination such as limited access to education, paid jobs and healthcare are more likely to experience domestic violence and other forms of violence. A study conducted by UN women Georgia, 2013, on “The Needs and Priorities of Ethnic

²⁶“Minorities and Indigenous Peoples.” *Right to Education Project*,
www.right-to-education.org/issue-page/marginalised-groups/minorities-and-indigenous-peoples.

²⁷Ibid

²⁸Ibid

²⁹Ibid

³⁰ Ibid

³¹Ibid

Minority Women in the Kvemo Kartli Region” came through with several findings that located the root of discrimination against ethnic women and their marginalization. The study established that by providing an overview on the challenges and barriers that limit the participation of ethnic minority women from participating in public life and in decision making process. It was confirmed that there are a lot of commonalities between the problems that ethnic minority women around the world have to confront. These problems include,³² lack of knowledge of the majority language, lack of access to basic social and legal services, and a high school dropout rate among girls due to the practice of early marriage. Other common issues include lack of pre-school facilities, which prevents women from seeking gainful jobs. Also lack or limited cooperation between women’s group and local government bodies.

IV. Key Vocabulary

Discrimination: treatment or consideration of, or making a distinction in favor of or against, a person or thing based on the group, class, or category to which that person or thing belongs rather than on individual merit.³³

Indigenous: originating in and characteristic of a particular region or country; native.³⁴

Ethnicity: an ethnic group; a social group that shares a common and distinctive culture, religion, language, or the like.³⁵

Minority: a racial, ethnic, religious, or social subdivision of a society that is subordinate to the dominant group in political, financial, or social power without regard to the size of these groups.³⁶

³²Alexandra George, Alexandra, et al. “STUDY ON THE NEEDS AND PRIORITIES OF ETHNIC MINORITY WOMEN IN THE KVEMO KARTLI REGION.” *UN Women*, UN Women, 2014, www2.unwomen.org/-/media/field%20office%20georgia/attachments/publications/2014/ethnic%20minority%20women2014eng.pdf?la=en&vs=409.

³³ "Discrimination." *Dictionary.com*. Dictionary.com, n.d. Web. 22 Aug. 2017. <<http://www.dictionary.com/browse/discrimination?s=t>>.

³⁴ "Indigenous." *Dictionary.com*. Dictionary.com, n.d. Web. 22 Aug. 2017. <<http://www.dictionary.com/browse/indigenous?s=t>>.

³⁵ "Ethnicity." *Dictionary.com*. Dictionary.com, n.d. Web. 22 Aug. 2017. <<http://www.dictionary.com/browse/ethnicity?s=t>>.

³⁶ "Minority." *Dictionary.com*. Dictionary.com, n.d. Web. 22 Aug. 2017. <<http://www.dictionary.com/browse/minority?s=t>>.

V. Important Events and Chronology

Date	Event
21 December 1965 ³⁷	International Convention on the Elimination of All Forms of Racial Discrimination. Focuses on combatting the racial discrimination, including the discrimination of racial and ethnic minorities
13 September 2007 ³⁸	General Assembly, Adoption of Declaration on Rights of Indigenous peoples, targeting the elimination of indigenous discrimination
9 December 2011 ³⁹	Adoption of HRC, Rights of persons belonging to national or ethnic, religious and linguistic minorities

VI. Past Resolutions and Treaties

[A/RES/47/135](#) The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

This resolution was adopted by the General Assembly on the 18th of December 1992. It is a declaration named “The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.” It addresses the issue, and focuses on how this declaration can be implemented to establish and enforce the rights of minorities-ethnic, linguistic, national, and religious. Aiming to help nations protect, these minorities, and help them have the freedom they need while performing their traditions, and speaking their languages, amongst other things. Furthermore, the education of these minorities as well as the dedication of UN organizations and organs are mentioned. This declaration however, mainly

³⁷"International Convention on the Elimination of All Forms of Racial Discrimination." *OHCHR* | *International Convention on the Elimination of All Forms of Racial Discrimination*. N.p., n.d. Web. 22 Aug. 2017. <<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>>.

³⁸ "GENERAL ASSEMBLY ADOPTS DECLARATION ON RIGHTS OF INDIGENOUS PEOPLES; 'MAJOR STEP FORWARD' TOWARDS HUMAN RIGHTS FOR ALL, SAYS PRESIDENT | Meetings Coverage and Press Releases." *United Nations*. United Nations, 13 Sep. 2011. Web. 06 Oct. 2017. <<https://www.un.org/press/en/2007/ga10612.doc.htm>>.

³⁹ "Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities." *Ohchr.org*. United Nations, n.d. Web. <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G11/172/78/PDF/G1117278.pdf?OpenElement>>.

focuses on how to implement the terms stated, and how to incorporate the minorities in the society⁴⁰

[A/61/L.67 Declaration on Rights of Indigenous peoples](#)

This is also a declaration published by the UN, adopted by the General Assembly, targeting the rights of -only- indigenous peoples. It was adopted in September of 2007, and was published by the UN afterwards in March of 2008. This declaration also addresses colonization (in the preambulatory clauses) and the way it is one of the main reasons indigenous people are facing discrimination, since after colonization the indigenous people were disregarded, and their rights were given to the colonizers. This declaration emphasizes how indigenous people are humans; therefore, they are entitled to the rights stated in the UDHR as well, like the rights found in article 7. Additionally, it allows the indigenous people to govern themselves regarding their internal affairs. It also leaves the indigenous people the option to freely participate in any matters of the state, aiming to encourage states to give indigenous people all the rights of an active citizen.⁴¹

VII. Failed Solution Attempts

As this is a very case sensitive topic, not all the solutions taken up in the forms of declarations or resolutions are adopted. Many conditions tend to interfere with a country's sovereignty, and are therefore impossible to enforce, and in turn aren't taken up by the state. However, this issue has been addressed in numerous conventions and treaties and has been taken up by many active UN bodies such as the HRC, and organizations, such as the OHCHR. The main reason behind the failing of most of these resolutions, can be based on many things. Like what happened with the Maori tribes and the Waitangi treaty, no declarations can force tribes to sign a treaty, making the Waitangi treaty fail. Also, since the indigenous peoples and ethnic minorities' voices (usually) aren't those represented by a country's delegation, then a treaty or a declaration does not have the power to force said country to integrate the voices of the discriminated parties, nor is it allowed to be involved in the country's internal affairs (conflicts between minorities and civilians (etc.)) which in turn causes many solution attempts to fail.

VIII. Possible Solutions

- Delegates can call upon governments to:
 - Give the minorities their human rights such as liberty of choosing a nationality, liberty in speaking their language and performing their traditions.
 - Letting them govern themselves with a spokesperson.
 - Integrate them into their societies with their own will by allowing them to participate in elections, letting them live in cities, and so on.

⁴⁰ "A/RES/47/135. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities." *United Nations*. United Nations, n.d. Web. 22 Aug. 2017.
<<http://www.un.org/documents/ga/res/47/a47r135.htm>>

⁴¹ http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

- Help governments give the minorities job opportunities that will provide a stable income.
- Offer financial support (subsidies).
- Offer health support.
- Encourage marriages between nationals and indigenous people.
- Have the indigenous minorities become active in politics.
- Provide the minorities with resources they are dependent on.
- Allow them (if they choose) to be secular from the state.
- Form treaties where both parties (state and minorities) needs are met.
- Create an economic relationship with the minorities through resources and jobs.
- Make cultural awareness centres preserving the indigenous culture.
- Reach compromise with the minorities under political/economic/social circumstances.
- Create a secular area for minorities in which the state and the tribes don't interact regularly.

IX. Useful links

-All the links found in the footnotes are useful, in addition to these-

"Pax Christi." *Racism, Discrimination against Ethnic Minorities and Indigenous Communities* | Pax Christi. N.p., n.d. Web. 22 Aug. 2017.

<<http://www.paxchristi.net/our-work/human-rights/racism-discrimination-against-ethnic-minorities-and-indigenous-communities>>.

"The Rights of Indigenous Peoples." *The Rights of Indigenous Peoples*. N.p., n.d. Web. 22 Aug. 2017. <<http://hrlibrary.umn.edu/edumat/studyguides/indigenous.html>>.

"Health of Indigenous Peoples." *World Health Organization*. World Health Organization, n.d. Web. 22 Aug. 2017. <<http://www.who.int/mediacentre/factsheets/fs326/en/>>.

"Campaign." *Minority Rights Group*. N.p., n.d. Web. 22 Aug. 2017. <<http://minorityrights.org/campaign/>>.

OHCHR | *Combating Discrimination against Minorities*. N.p., n.d. Web. 22 Aug. 2017. <http://www.ohchr.org/EN/Issues/Discrimination/Pages/discrimination_minorities.aspx>.

X. Works Cited

"About IMADR." *IMADR*. N.p., n.d. Web. 22 Aug. 2017. <<http://imadr.org/about/>>.

"A/RES/47/135. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities." *United Nations*. United Nations, n.d. Web. 22 Aug. 2017. <<http://www.un.org/documents/ga/res/47/a47r135.htm>>.

"Campaign." *Minority Rights Group*. N.p., n.d. Web. 22 Aug. 2017.

<<http://minorityrights.org/campaign/>>.

"Discrimination." *Dictionary.com*. Dictionary.com, n.d. Web. 22 Aug. 2017.

<<http://www.dictionary.com/browse/discrimination?s=t>>.

"Health of Indigenous Peoples." *World Health Organization*. World Health Organization, n.d. Web. 22 Aug. 2017.

<<http://www.who.int/mediacentre/factsheets/fs326/en/>>.

"Indigenous." *Dictionary.com*. Dictionary.com, n.d. Web. 22 Aug. 2017.

<<http://www.dictionary.com/browse/indigenous?s=t>>.

"International Convention on the Elimination of All Forms of Racial Discrimination." *OHCHR | International Convention on the Elimination of All Forms of Racial Discrimination*. N.p., n.d. Web. 22 Aug. 2017.

<<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>>.

OHCHR | Combating Discrimination against Minorities. N.p., n.d. Web. 22 Aug. 2017.

<http://www.ohchr.org/EN/Issues/Discrimination/Pages/discrimination_minorities.aspx>.

"Minority." *Dictionary.com*. Dictionary.com, n.d. Web. 22 Aug. 2017.

<<http://www.dictionary.com/browse/minority?s=t>>.

"Pacific Islanders." *Minority Rights Group*. N.p., n.d. Web. 22 Aug. 2017.

<<http://minorityrights.org/minorities/pacific-islanders/>>.

"Pax Christi." *Racism, Discrimination against Ethnic Minorities and Indigenous Communities | Pax Christi*. N.p., n.d. Web. 22 Aug. 2017.

<<http://www.paxchristi.net/our-work/human-rights/racism-discrimination-against-ethnic-minorities-and-indigenous-communities>>.



THIMUN Affiliated
Conference



"The Rights of Indigenous Peoples." *The Rights of Indigenous Peoples*. N.p., n.d.

Web. 22 Aug. 2017. <<http://hrlibrary.umn.edu/edumat/studyguides/indigenous.html>>.

"Working Together: Racial Discrimination in New Zealand." *Home*. N.p., n.d. Web.

22 Aug. 2017.

<http://stats.govt.nz/browse_for_stats/people_and_communities/asian-peoples/racial-discrimination-in-nz.aspx>.