

Dartmouth Model United Nations

SOCHUM

April 7 – 9, 2017





DARTMOUTH MODEL UNITED NATIONS CONFERENCE

Twelfth Annual Conference • April 7 - 9, 2017

Dartmouth College • Rockefeller Center • Hanover, NH 03755

E-mail: dartmun@dartmouth.edu • DartmouthMUN.com

January 11, 2017

William Tremml
Secretary-General

Emily Choate
Director-General

Bill Kosmidis
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Jessica Campinile
Chargé d'Affaires

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*Undersecretary-General of
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Lauren Bishop
*Undersecretary-General of
Historical Crisis Committees*

Zainab Molani
*Director of
Public Relations*

Michelle Wang
*Director of
Technology*

Eva Wang
*Director of
Finances*

Dear Delegates:

On behalf of the entire Dartmouth Model United Nations staff, I would like to welcome and thank you for registering for the twelfth annual Dartmouth Model United Nations conference this April 2017. We have been working relentlessly since the end of last year's conference to provide a better and more worthwhile Model U.N. experience for this winter's delegates. We are optimistic about this winter's conference and Dartmouth Model U.N.'s future.

DartMUN is a unique conference. We pair world-class delegations and dais staff members in smaller, more-interactive environments to facilitate an enriching experience for delegates of all skill levels. We believe DartMUN's active, small committees ensure delegates feel comfortable immersing themselves in a competitive but supportive environment that encourages trial by error and participation. Furthermore, DartMUN's well-trained staff is excited to work with your delegates this winter in committee to equip the next generation of college students with the skills to tackle complex global problems.

With this said, Model United Nations is only meaningful when delegates are thoroughly prepared. To aid in your research preparation, your committee staff has spent hours researching, writing, and editing this Background Guide. The Background Guide serves as an introduction to your respective committee and an overview of the topics that you will be debating over the course of the conference.

The Background Guide is intended to be a starting point for your research and is not, in itself, an adequate exposure to the complexities of your committee's topics. To be prepared, each delegate should do further research and focus on processing information through the lens of their respective country or position. If you are having trouble digesting all the information, the Background Guide contains relevant discussion questions that break down the topics. Also, as questions or ideas arise, do not be shy in contacting your committee staff via e-mail. Committee staff are knowledgeable and can help you better understand a particular topic or how your country fits into a larger international debate. More often than not, discussing the problem with another person can open up more paradigms and viewpoints that may guide you throughout the brainstorming process.

As in years past, all delegates are expected to write a brief position paper before the conference to synthesize all of their preparatory research and analysis. Please see the position paper guidelines on the conference website for specific information about content, format, etc. Committee staff will collect position papers at the beginning of the first committee session on Friday evening, so be sure to bring a hard copy because delegates who do not submit position papers will not be eligible for awards.

Sincerely,

William Tremml
Secretary-General
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William Tremml
Secretary-General

January 18, 2017

Emily Choate
Director-General

Dear Delegates:

Bill Kosmidis
Chief of Staff

Welcome to the twelfth installment of the Dartmouth Model United Nations Conference! We are so happy to have you, and we know that, with your help, this year will be the most exciting and rewarding conference yet. We look forward to meeting you in April, but for now, let us introduce ourselves.

Jessica Campinile
Chargé d'Affaires

Your Committee Director: My name is Lauren Dusseau, and I am a '20, or freshman, at Dartmouth. I am from Charlottesville, Virginia, and while it is my first DartMUN, I participated in Model United Nations extensively in high school, both chairing and attending conferences. Despite an interest in diplomacy, I am currently undeclared and am enjoying exploring my options in a variety of subjects and departments, from Studio Art to Earth Sciences. Though I have been at the College less than a year, I bleed green already and cannot wait for the years ahead.

Clayton Jacques
*Undersecretary-General of
General Assemblies*

Your Assistant Director: My name is Julia Vallone, and I am a '19 (a sophomore) at Dartmouth. I am currently in the process of designing my own major, creating an interdisciplinary approach to the study of globalization. Here on campus, I participate in Dartmouth College Consulting Group, write for the Dartmouth Business Journal, and have recently joined a sorority. This is my first time participating in DartMUN and I am looking forward to the conference this spring!

Makisa Bronson
*Undersecretary-General of
Special Committees*

The Social, Humanitarian and Cultural Committee (SOCHUM) functions primarily to address questions related to human rights and social development throughout the world. It is the Third Committee of the General Assembly of the United Nations, which each year accepts and deliberates upon reports relating to the preceding subject matter from any number of sources in numerous countries. Ultimately, SOCHUM produces resolutions and declarations, setting international standards that work to protect marginalized groups across the globe.

Scott Okuno
*Undersecretary-General of
Current Crisis Committees*

As discussion evolves, we will take a close look at the social, cultural, and humanitarian impacts to consider when debating laws and political decisions on an international stage. In particular, our focus for the weekend will center around the rights and protection of journalists and indigenous people, two remarkably different populations. Julia and I have prepared a background guide to serve as an introduction to the committee and the topics. More research, however, is necessary to broaden your knowledge of your country's stance on both issues and develop a deeper understanding of the intricacies of the topics. Please feel welcome to email us (Lauren.A.Dusseau.20@dartmouth.edu or Julia.M.Vallone.19@dartmouth.edu) with questions. We will be happy to hear from you.

Lauren Bishop
*Undersecretary-General of
Historical Crisis Committees*

We are so excited to pursue these discussions with you in April and look forward to meeting you all then. Welcome to DartMUN!

Zainab Molani
*Director of
Public Relations*

Sincerely,

Michelle Wang
*Director of
Technology*

Lauren Dusseau and Julia Vallone

Eva Wang
*Director of
Finances*



The Protection and Rights of Journalists Abroad

Background

On September 26, 2016, the United Nations Human Rights Council adopted a resolution outlining the importance of the safety of journalists in the right to free speech and freedom of expression. Vague and unclear, the resolution failed to adopt any immediate, hard action against those countries who inhibit the duty of journalists to uncover and report on objective truth, merely suggesting the need for standardization of protection and defense of journalists.¹ Since 1992, over 1,195 journalists have been killed while reporting in foreign countries, over half of those directly targeted for murder; only 13% of cases, however, are prosecuted, perpetuating the violence against journalists.² Violence against and persecution of journalists limits access to information available and inhibits freedom of expression, encouraging corruption within government and violation of human rights.³

Rights and Responsibilities of a Journalist

Article 19 of the United Nations Universal Declaration of Human Rights states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."⁴ The

responsibility of a journalist, however, goes beyond simply freedom of expression. Dating back to 1971, a meeting of representatives of the Journalists Unions from across Europe defined what the universal rights and duties are of any journalist. Above all and before anyone or anything else, journalists have a responsibility to the public: to provide the truth and all its consequences to the greater population. In a most ardent declaration of rights, the Journalists Unions stated, "Journalists claim free access to all information sources, and the right to freely inquire on all events conditioning public life. Therefore, secret of public or private affairs may be opposed only to journalists in exceptional cases and for clearly expressed motives".⁵ In order to exercise this right, many countries provide legal protection to journalists; however, with the right to the truth comes the responsibility to report it well.

While the ethics of journalism are tough and extensive, they vary extremely based on individual principles and the social constructs of various societies. For human error and experience, journalism ethics are difficult to define on an overarching scale, although many sources have tried. Approved by the Americas in 1994, the Declaration of Chapultepec, emphasizes the importance of ethical journalism: "The credibility of the press is linked to its commitment to truth, to the pursuit of accuracy, fairness, and objectivity and to the clear distinction between news and advertising. The attainment of these goals and the respect for ethical and professional values may not be imposed. These are the exclusive responsibility of journalists and the media. In a free society, it is public opinion that rewards or punishes."⁶ The declaration also outlines ten fundamental principles describing the importance of free press in a democratic society.⁷

¹ United Nations General Assembly Human Rights Council, ed. *The Safety of Journalists* (2016): n. pag. 26 Sept. 2016. Web. 7 Nov. 2016. <https://www.cpj.org/Safety_of_Journalists%20resolution.pdf>.

² Singhvi, Anjali. "When Journalists Are Killed, Prosecutions Are Rare." *The New York Times*. The New York Times, 16 June 2016. Web. 07 Nov. 2016.

<http://www.nytimes.com/interactive/2016/06/17/world/journalists-killed-prosecutions-rare.html?_r=0>.

³ United Nations Educational, Scientific, and Cultural Organization. *UN Plan of Action on the Safety of Journalists and the Issue of Impunity* (2012): n. pag. Web. 7 Nov. 2016.

<http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/official_documents/UN-Plan-on-Safety-Journalists_EN_UN-Logo.pdf>.

⁴ United Nations. "Universal Declaration of Human Rights | United Nations." *UN News Center*. United Nations, n.d. Web. 07 Nov. 2016. <<http://www.un.org/en/universal-declaration-human-rights/>>.

⁵ Journalists Unions. "Declaration of the Rights and Duties of Journalists." *Accountable Journalism*. N.p., n.d. Web. 07 Nov. 2016.

<<https://accountablejournalism.org/?%2Fethics-codes%2FInternational-Declaration>>.

⁶ United States of America. Department of State. Handbook of Independent Journalism. *Ethics and Law*. By Deborah Potter. US Department of State, 10 Apr. 2008. Web. 07 Nov. 2016.

<<http://iipdigital.usembassy.gov/st/english/publication/2008/04/20080416222032eafas0.7425435.html#axzz4PNi8x5HU>>.

⁷ Organization of American States. "Chapultepec Declaration." *O.A.S. Organization of American States*, 2011. Web. 18 Jan. 2017.

<<https://www.oas.org/en/iachr/expression/showarticle.asp?artID=60&lID=1>>.



Despite the declaration, ethical dilemmas do occur in journalism every day. While credibility is an important aspect of news media, media outlets are also driven economically in an effort to maintain business. Good stories sell, and in order to maintain and advance their careers, journalists can struggle between reporting the truth or reporting what will sell. The U.S. Society of Professional Journalists outlines four basic principles to ground ethical decisions in their field:

1. “Seek truth and report it. Journalists should be honest, fair, and courageous in gathering, reporting, and interpreting information.
2. Minimize harm. Ethical journalists treat sources, subjects, and colleagues as human beings deserving of respect.
3. Act independently. Journalists should be free of obligation to any interest other than the public's right to know.
4. Be accountable. Journalists are accountable to their readers, listeners, viewers, and each other.”⁸

The key to avoiding ethical dilemmas often is realizing they are occurring in the first place. The U.S. Society of Professional Journalists recommends that journalists listen to their instincts; if something feels unethical, it most likely is. Remember the four basic principles of journalism. In particular, principal number two, to “minimize harm” is difficult. Unlike doctors, journalists do not promise not to do harm; the most important stories might risk people’s reputations or hurt people’s feelings. However, it is the duty of journalists to minimize the people who are harmed or could be put at risk by a story. Bob Steele, a journalism professor, asks: “What if the roles were reversed? How would I feel?”⁹

Protection of Journalists Today

Journalists often disproportionately find themselves kidnapped, because they are non-military personnel most involved in conflict zones

⁸ United States of America. Department of State. Handbook of Independent Journalism. *Ethics and Law*. By Deborah Potter. US Department of State, 10 Apr. 2008. Web. 07 Nov. 2016.

⁹ *Ibid.*

and willing to be in danger. With bravery and a moral obligation to provide the whole truth, journalists wander further into the depths of war zones than any other civilians.

The United States

Journalists in the United States operate domestically with incredible freedom compared to situations in developing countries, although not compared to many other developed nations. In fact, the USA ranks 41st on the 2016 World Press Freedom Index, even after less developed countries such as Ghana, Uruguay, and Estonia.¹⁰ Internationally, however, with increased animosity towards the United States, democracy, and freedom of expression, American journalists are at increased risk. Despite conflicts in the past, today there is only one American journalist in captivity. Veteran Marine captain Austin Tice remains captive in Syria after four years.¹¹

The mother of Austin Tice currently advocates for a change in US policy surrounding hostages and communications with their families – the US does not pay ransom or allow its citizens or companies to negotiate with terrorists, a policy unchanged for decades. In addition, many wonder whether there is more the US government could do to protect its citizens while abroad: preventative measures, so to say. The official position of the US government is in assisting with difficulties between American journalists and the local government; however, in ongoing armed conflicts, such as Syria, the US is largely unable to exercise its authority. Brian Michael Jenkins, a terrorism expert and consultant in hostage negotiations, claims that “there’s only a very limited degree of protection that the United States can give these individuals”, even if the US is directly involved in the conflict.¹²

¹⁰ "2016 World Press Freedom Index | Reporters Without Borders." *RSF*. N.p., n.d. Web. 18 Jan. 2017. <<https://rsf.org/en/ranking>>.

¹¹ "The Mother Of Austin Tice, A Freelance Journalist Held Captive In Syria, Speaks Out On U.S. Hostage Policy - The Diane Rehm Show." *The Diane Rehm Show*. NPR, 01 Nov. 2016. Web. 07 Nov. 2016. <<https://thedianerehmshow.org/shows/2016-11-01/the-mother-of-austin-tice-a-freelance-journalist-held-captive-in-syria-speaks-out-on-u-s-hostage-policy>>.

¹² *Ibid.*



SOCHUM

DartMUN XII

After a citizen is taken hostage, the US can attempt to exercise diplomatic power and negotiate hostage release. If they are not dealing with a sovereign entity, however, and instead an organization labelled as a terrorist group, there is little success. The US famously does not negotiate with terrorists, a sentiment well known worldwide. While this means that less Americans are targeted for money because there is little possibility of ransom payment – compared to countries such as France, who always negotiates and pays for its hostages – it is also an insensitive position to the wellbeing of American citizens when they are kidnapped.

Perhaps the most publicized situation of a journalist hostage event occurred around the summer of 2014, when American journalist James Foley was publicly beheaded online by the Islamic State in Iraq after nearly two years in captivity in Syria.¹³ ISIS demanded a hundred million dollar ransom for the US citizen, but it was not paid. Later it was revealed that a United States Special Operations had attempted to rescue Foley and three other American hostages during a secret mission in the summer, just before the assassination. ISIS proceeded to televise the beheading, claiming that the murder was in response to United States airstrikes on the Islamic State.¹⁴

Europe

According to an investigation by the New York Times, currently the main source of revenue for Al Qaeda is the ransom that comes from kidnapping Europeans. In the past five years, they have earned over \$125 million.¹⁵ In Britain, while the British government does not pay ransoms to terrorists, private firms and individuals in the UK can make payments without fear of prosecution, a liberty only recently acquired in the US.

¹³ "Jim." *James W Foley Legacy Foundation*. James W Foley Legacy Foundation, 12 Sept. 2014. Web. 07 Nov. 2016.

<<https://www.jamesfoleyfoundation.org/james-w-foley/>>.

¹⁴ Callimachi, Rukmini. "Before Killing James Foley, ISIS Demanded Ransom From U.S." *The New York Times*. The New York Times, 20 Aug. 2014. Web. 07 Nov. 2016.

<http://www.nytimes.com/2014/08/21/world/middleeast/isis-pressed-for-ransom-before-killing-james-foley.html?_r=0>.

¹⁵ *Ibid*.

In the rest of Europe, including Germany, France, Italy, and Spain, governments have paid ransom directly to terrorist organizations in order to protect the safety of their citizens, many of who are journalists.¹⁶ Germany, however, maintains the front that it does not pay ransoms for hostages, despite contrary evidence. In October 2015, German journalist Janina Findeisen was kidnapped by Al Qaeda while reporting in Syria. Pregnant, she gave birth to a son two months after her kidnapping. Held for a year, they were both released across the border of Turkey in late September 2016. The German government has not revealed whether they paid her ransom of over five million dollars, but it is assumed they did so to assure the safety of the journalist and her child.¹⁷

In June 2014, Danish reporter Daniel Rye was released after thirteen months of captivity in Syria by ISIS. Denmark does not pay ransom nor negotiate with terrorists. Friends and family raised the over one million dollars for Rye's ransom, but after his release, Rye was "drowning in debt". Furthermore, Rye and his family could potentially be prosecuted. Under two United States resolutions, Denmark is obligated to enforce laws that "prevent terrorists from benefiting directly or indirectly from ransom payments."¹⁸

The Middle East

For many Western journalists, reporting in the Middle East can be some of the most dangerous and informative work of their careers. With persistent instability and conflict, the Middle East

¹⁶ Gander, Kashmira. "Isis Hostage Threat: Which Countries Pay Ransoms to Release Their Citizens?" *The Independent*. Independent Digital News and Media, 03 Sept. 2014. Web. 07 Nov. 2016. <<http://www.independent.co.uk/news/world/politics/isis-hostage-threat-which-countries-pay-ransoms-to-release-their-citizens-9710129.html>>.

¹⁷ Huggler, Justin. "German Journalist Who Gave Birth While Being Held as Hostage in Syria Is Released." *The Telegraph*. Telegraph Media Group, 29 Sept. 2016. Web. 07 Nov. 2016.

<<http://www.telegraph.co.uk/news/2016/09/29/german-journalist-who-gave-birth-while-being-held-as-hostage-in/>>.

¹⁸ Flecker, Mads. "EXCLUSIVE - Hostage Tortured by Isis Is Now 'drowning in Debt' after Begging Family and Friends to Raise the Cash for £1.3million Ransom... but Could He Now Face Prosecution for Breaking the Law?" *Mail Online*. Associated Newspapers, 27 Oct. 2014. Web. 08 Nov. 2016.

<<http://www.dailymail.co.uk/news/article-2809865/EXCLUSIVE-Hostage-tortured-Isis-drowning-debt-begging-family-friends-raise-cash-1-3million-ransom-face-prosecution-breaking-law.html>>.



SOCHUM

DartMUN XII

can be a center for anti-Western terrorism especially. Even local journalists face prosecution and death for speaking out, and in addition to government censorship, many practice self-censorship out of fear for their lives. This year, every Middle Eastern country, including Israel, with its more Western ties, ranked at the bottom half of the Free Press Index run by Reporters without Borders.¹⁹

The examples of human rights abuse against journalists in the Middle East are seemingly endless. There are infinite accounts of persecution, military intimidation, and even beheadings. Even Israel, considered a country with the freest press in the region, has a ranking of 101 on the Free Press Index. Overall, the region is “a tomb for journalists.”²⁰

Solutions

There are a variety of paths to take when tackling solutions to this topic. Promoting awareness of the issue is a first step in resolving the problem of violence and persecution against journalists. While many citizens are aware of the global crises around the world, it is easy to forget that there are people risking their lives to report them. Also, creation of an unbiased, international investigative council is a necessity in order to determine and persecute the murderers of journalists. This eliminates the cycle of political corruption through third-party involvement. There could also be the development and requirement of educational and training programs for journalists going into combat zones; or, in high-risk conflict zones, an assigned UN peacekeeper detail would assure the protection of journalists without violation of a country's sovereignty.

Questions to Consider

1. How does the culture of your country affect its treatment of visitors? Are female

journalists more targeted due to traditional gender roles?

2. Can true freedom of the press be implemented in a non-democratic country? When does it become an enforcement of western values?
3. How does the relationship between a government and its citizens affect the significance of free press?
4. What laws and ethics should journalists be held to when reporting in a foreign country? Should they conform to local cultural standards?

¹⁹ Beiter, Katie. "Do Press Freedoms Exist in the Middle East?" *The Media Line*. 19 Sept. 2016. Web. 18 Jan. 2017. <<http://www.themedialine.org/featured/press-freedoms-exist-middle-east/>>.

²⁰ *Ibid*.



The Protection and Rights of Indigenous Peoples

Background

According to the United Nations, there are approximately 400 million Indigenous people in the world, belonging to 5,000 different groups in 90 countries worldwide.²¹ While there is not yet a formally accepted definition of indigenous status, these peoples usually share certain characteristics: (1) they are descended from pre-colonial inhabitants of the region, (2) they maintain traditional cultural and economic practices that are heavily tied to their land, and (3) as a minority group, they suffer from economic and political marginalization.²² Indeed, from imperialism to industrialization, indigenous peoples have faced near constant exploitation at the hands of external parties, who perceived their social and cultural divergences as defects.

Indigenous Peoples Under International Law

Until recently, indigenous peoples have lacked the legal and political tools necessary to secure their rights. Throughout the twentieth century, groups were considered under the jurisdiction of the nation state in which they resided, and were often “pushed to the brink of extinction by state-sanctioned policies of genocide and ethnocide.”²³ Genocide, according to the UN, consists of any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: (a) killing members of the group, (b) causing serious bodily or mental harm to members of the group, (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, (d) imposing measures intended to prevent births within the group, or (e) forcibly transferring children of the group to another group. Unfortunately, the genocide of indigenous peoples knows neither the limits

of time nor geography. From the slaughter of countless Native American tribes during western expansion to the outright lack of recognition and forced assimilation of the Ainu in Japan, the destruction of minority groups appeared to be an inescapable tradition.

As tragedy after tragedy ensued, however, the global community began to investigate indigenous peoples’ legal status (or rather, lack thereof) under international law, in hopes of breaking the lethal cycle once and for all. The first step toward remedying widespread injustice against indigenous peoples occurred in 1972, when the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities (founded by the UN Commission on Human Rights and today considered a part of the Human Rights Council) began efforts to create a comprehensive report on the situation of indigenous peoples across the globe. Completed and published in 1984, the report framed the fight for the protection of indigenous peoples in human rights terms, establishing that ‘indigenous’ was not synonymous with ‘minority.’²⁴⁻²⁵

At the same time, progress was being made within the UN Economic and Security Council (ECOSOC). Beginning in 1977, ECOSOC granted several indigenous peoples’ associations observer status. This observer status signified that approved indigenous groups could attend meetings (of the ECOSOC, as well as the Commission on Human Rights and its various Sub-Commissions and Working Groups) and submit statements. Though this initial involvement was rather restricted (indigenous peoples still could not vote on topics proposed), the granting of observer status marked the beginning of an era in which the rights and concerns of indigenous peoples were formally acknowledged, setting the tone for future years of increased indigenous involvement.

Together, the 1984 report and the increased access described above created positive momentum for indigenous peoples seeking equal protection under international law. This momentum manifested further in 1982, when the UN created a Working Group on Indigenous Populations (WGIP). WGIP aimed to “review developments pertaining to the promotion and

²¹ United Nations Permanent Forum on Indigenous Issues, *Human Development Reports and Indigenous Peoples Desk Review* (2009). <<http://hdr.undp.org/en>>

²² Welker, Glenn. "Indigenous Cultures." Indigenous Peoples Literature. September 28, 2016. Accessed October 20, 2016. <<http://indigenouspeople.net/>>

²³ Williams, Robert A. "Encounters on the Frontiers of International Human Rights Law: Redefining the Terms of Indigenous Peoples' Survival in the World." *Duke Law Journal* 1990, no. 4 (1990): 660-704.

²⁴ United Nations Department of Economic and Social Affairs, *State of the World's Indigenous Peoples* (New York: United Nations, 2009).

²⁵ Stephan Marquardt. "International Law and Indigenous Peoples." *International Journal on Group Rights* 3.1 (1995): 47-76. JSTOR. Web. 2 Nov. 2016.



protection of human rights and fundamental freedoms of indigenous populations” and to “give special attention to the evolution of standards concerning the rights of indigenous populations.”²⁶ WGIP was revolutionary not only in its aims, but also in regards to its level of inclusivity—any participant was allowed to make statements, not simply states or entities granted observer status. The tradition of inclusivity continued in 2000, with the establishment of the UN Permanent Forum on Indigenous Issues (UNPFII). Each year, more than 1,500 indigenous participants (along with representatives from 70 countries and 35 UN agencies) attend this Forum, which functions as another platform for the discussion of indigenous issues.²⁷

For the first time in history, indigenous peoples were officially welcomed to center stage and, as a result, a productive dialogue began to emerge. On September 13, 2007, decades of effort culminated in the UN’s adoption of the Declaration on the Rights of Indigenous Peoples (UNDRIP). Proposed by WGIP after nearly 30 years of drafting, UNDRIP established that indigenous peoples “have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”²⁸ It continues to note that “Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous function.”²⁹

This declaration garnered overwhelming support, winning with a majority vote of 143 votes in favor versus a mere four dissenters (Australia, Canada, New Zealand and the United States). Though not a legally binding instrument under international law, the declaration is both powerful and empowering. As stated in a UN Press Release, it “represent[s] the dynamic development of international legal norms and it reflects the commitment of the UN’s member states to move in certain directions.”³⁰

²⁶ Ibid.

²⁷ United Nations Department of Economic and Social Affairs, *State of the World’s Indigenous Peoples* (New York: United Nations, 2009).

²⁸ United Nations General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples*, adopted by the General Assembly, 2 October 2007

²⁹ Ibid

³⁰ United Nations Permanent Forum on Indigenous Issues, *Declaration on the Rights of Indigenous Peoples FAQs*.

<http://www.un.org/esa/socdev/unpfii/documents/dec_faqs.pdf>

Indigenous Peoples Today

Today, though indigenous groups have made huge strides in terms of awareness of/protection for their rights, their way of life is still at risk. As a result of social discrimination, groups lack access to fair employment, educational opportunities, and modern health care; indigenous peoples constitute 5% of the global population, yet they account for about 15% of the world’s poor.³¹ Additionally, increasing industrialization and climate change jeopardize indigenous peoples’ highly sought after natural resources—though they possess only 20% of the Earth’s land mass, that land harbors 80% of the world’s remaining biodiversity.³² Though present throughout world, below are elaborations on the current state of indigenous peoples in the regions they most densely populate.

Africa

Those who define themselves as indigenous peoples in Africa are mainly nomadic or semi nomadic pastoralists and hunter-gatherers who face extreme social, economic, and political marginalization. (It should be noted that indigenous women in particular face hardship in Africa, as a result of intense internal social and cultural prejudices.) While the hunter-gatherers (groups such as the Pygmies of Central Africa and the San of Southern Africa) exist in very small numbers, pastoralist groups (such as the Maasi of Kenya/Tanzania) compose more than 250 million people on the continent.³³

In 2000, the African Commission on Human and Peoples’ Rights (a public administrative agency of the African Union) established the Working Group on Indigenous Populations and Communities in Africa to protect the well-being of indigenous communities. Thus far, the Republic of Congo, Kenya, Burundi, Cameroon, the Central African Republic, Namibia, and Tanzania have adopted legislation protecting the rights of indigenous peoples.

Though such legislative action is definitely progress in the right direction, African nations still lack

³¹ “Who Are Indigenous Peoples?” Cultural Survival. Web. October 20, 2016. <<https://www.culturalsurvival.org/who-are-indigenous-peoples>>

³² Ibid.

³³ “Who Are the Indigenous Peoples in Africa?” *Indigenous Peoples in Africa*. International Work Group for Indigenous Affairs, n.d. Web.

<<http://www.iwgia.org/regions/africa/indigenous-peoples-in-africa>>



SOCHUM

DartMUN XII

commitment to the safety and security of indigenous peoples. Most indigenous peoples (without “security of tenure through registration of community lands and issuance of communal title deeds”) are deprived of the right to negotiate with both national governments and private companies alike when it comes to public projects that seek to extract natural resources.³⁴ Indigenous peoples enjoy little to no political representation and are often socially marginalized, as they are perceived to be “uncivilized” or “primitive” peoples.

Americas

Indigenous peoples in the Americas are considered those people who inhabited the land before the arrival of European colonizers and settlers.

In North America, indigenous peoples—primarily of the Inuit, Metis, Huron, Algonquin, and Iroquois tribes—suffer a long history of exploitation and abuse. Historians estimate that there were about 10 million indigenous peoples living in US territory at the time Christopher Columbus reached the Caribbean in 1492, a number that dropped to less than 300,000 by 1900. In the United States, indigenous peoples (often termed “Native Americans”) only earned official citizenship in 1924, with the passage of the Indian Citizenship Act. Today, indigenous peoples in North America inhabit reservations, allotted territories in which tribes possess the right to form their own government, to enforce laws (both civil and criminal), to tax, to establish membership, to license and regulate activities, to zone and to exclude persons.³⁵

Similarly, the Canadian government has recognized the importance of allowing indigenous peoples (known there as “aboriginals” or members of the “First Nation”) autonomy in their decision making. They have also taken measures to make amends with their past of aboriginal exploitation; in the final report released by the Truth and Reconciliation Commission in 2015, the Canadian government sought forgiveness for past actions that amounted to cultural genocide, or “a coherent policy to eliminate Aboriginal people as a

distinct peoples and to assimilate them into the Canadian mainstream against their will.”³⁶

Despite efforts to increase protection of indigenous peoples, groups in North America still suffer from various forms of injustice. In some parts of the United States, Native American foster children have been forcibly removed from their tribal community and placed in non-Native homes. According to NPR, even despite the Indian Child Welfare Act of 1978 (which aimed to prevent such unjust removals), nearly 700 Native American children in South Dakota are being removed from their homes every year.³⁷ Corporate interests in the United States have also historically threatened Native American territory. Currently, Native Americans face the construction of the Dakota Access Pipeline, which is planned to cross sacred burial grounds and the Missouri River—the main water source for the Standing Rock Sioux Tribe³⁸ After months of protests that often turned violent and sit-ins in negative temperatures, tribes recently won a small victory, as the Army Corps of Engineers denied permits for key parts of construction. However, this issue is far from over—President Trump, who has previously spoken in support of the pipeline, recently signed an Executive Order allowing for the operator TransCanada to reapply for permits. This is an ongoing issue.

In Central and South America, indigenous peoples have rich histories of constructing vast empires. According to the International Work Group for Indigenous Affairs (IWGIA), there are approximately 40,000,000 people in Latin America and the Caribbean that belong to almost 600 indigenous peoples, many of whom are in Mexico, Peru, Guatemala, Bolivia, and Ecuador.

The 1970s and 1980s brought indigenous social movements to light in Central and South America, which aimed to give a voice to the previously silenced populations. As a result of these movements, today certain Central and South American nations serve as crucial examples of indigenous involvement in

³⁴ *Ibid.*

³⁵ “Indigenous peoples of the Americas.” *New World Encyclopedia*, 12 Apr 2014. <http://www.newworldencyclopedia.org/p/index.php?title=Indigenous_peoples_of_the_Americas&oldid=980272>.

³⁶ Canada. Truth and Reconciliation Commission. *Honouring the Truth, Reconciling for the Future*. <http://www.myrobust.com/websites/trcinstitution/File/Reports/Executive_Summary_English_Web.pdf>

³⁷ Sullivan, Laura, and Amy Walters. “Native Foster Care: Lost Children, Shattered Families.” NPR. NPR, 25 Oct. 2011. <<http://www.npr.org/2011/10/25/141672992/native-foster-care-lost-children-shattered-families>>

³⁸ Patinkin, Jason. “Standing Rock Tribe Protests over North Dakota Pipeline.” *Al Jazeera English*. N.p., 29 Oct. 2016. Web. <<http://www.aljazeera.com/indepth/inpictures/2016/10/north-dakota-native-americans-protest-pipeline-161028150518748.html>>



government. In Bolivia, for example, Juan Evo Morales Ayma (a member of the indigenous Amyara population) has served as President since 2006. Under the Morales government, the nation has strengthened its commitment to the protection of indigenous peoples, adopting “the whipala, a rainbow-colored indigenous flag which is flown alongside the traditional red, yellow and green banner.”³⁹

While legislation has passed throughout the region has supported aims to safeguard the rights of indigenous peoples, on the whole indigenous groups suffer from a lack of implementation of this legislation. There remains a constant “struggle between the indigenous peoples and the governments regarding the right to be consulted and express their free, prior and informed consent” which “exhibits the gap between the recognition and enforcement of indigenous rights.”⁴⁰ In particular, indigenous peoples suffer from a recent increase in resource extraction, which poses a major threat to the biodiversity of their resource holdings.

Asia

Recent data shows that there are over 260 million indigenous peoples in Asia, making it the most culturally diverse region in the world.⁴¹ While nations across the region voted in favor of UNDRIP (with the exception of Bangladesh’s abstention), many dismiss its applicability within their state, claiming that all citizens are in some way or another “indigenous” and, as such, no specific groups require protection. As a result, indigenous peoples still face a variety of trials, which manifest in many different forms.

In war-torn Burma’s most recent Constitution, for example, indigenous peoples and their collective rights remain completely unmentioned. Certain indigenous groups, such as the Rohingya Muslims, lack citizenship and face the near constant threat of violence. Other groups face problems such as widespread land confiscation, militarization, displacement, and lack of informed consent.⁴²

³⁹ "Profile: Bolivia's President Evo Morales." *BBC News*. BBC, 22 Feb. 2016. Web. <<http://www.bbc.com/news/world-latin-america-12166905>>.

⁴⁰ "Indigenous Peoples in Latin America - a General Overview." Indigenous Peoples in Latin America - a General Overview. N.p., n.d. Web. <<http://www.iwgia.org/regions/latin-america/indigenous-peoples-in-latin-america>>

⁴¹ "Asia." Asia. IWGIA, n.d. Web. <<http://www.iwgia.org/regions/asia>>

⁴² "Indigenous Peoples in Burma." Burma. IWGIA, Web.

<<http://www.iwgia.org/regions/asia/burma>>

Japan, a nation proud of its homogeneity, has a history of discrimination against indigenous groups. The Ainu, a group native to the northern parts of present-day Japan as well as some islands within Russian territory, are estimated to number between 100,000 and 300,000 throughout Japan. Official government surveys, however, report a fraction of that estimate, self-identified Ainu totaling instead around 16,996. This discrepancy is the result of a long tradition of cultural repression and forced assimilation, a tradition which the Japanese government is just now beginning to address. The government only officially recognized the Ainu as indigenous peoples in 2008.⁴³

According to the IWGIA, the Philippines’ indigenous populations is estimated at between 10% and 20% of the national population. The groups to the north, near the mountains of Luzon, are known collectively as Igorot. To the south, groups are collectively considered Lumad. Both the Igorot and the Lumad inhabit geographically isolated areas, lacking access to basic social services such as education and health care. Additionally, they suffer from the confiscation of valuable natural resources in their territories. While indigenous groups attempted to address these issues in 1997 with the Republic Act 8371, also known as the Indigenous Peoples’ Rights Act, the government has yet to implement the law in any meaningful way.

These four nations provide examples of the spectrum of injustices leveraged against indigenous peoples in Asia.

Solutions

Historically, dialogue between the UN and indigenous peoples has aimed to “produce at least three results: a) a new awareness of indigenous peoples’ concerns and human rights; b) recognition of indigenous peoples’ invaluable contribution to humanity’s cultural diversity and heritage, not least through their traditional knowledge; and c) an awareness of the need to address the issues of indigenous peoples through policies, legislation and budgets.”⁴⁴ Keeping these in mind, solutions can range from the creation of autonomous regions for indigenous groups to cultural

⁴³ W, Sarah. "The Ainu Peoples of Japan." Tofugu. Tofugu, 07 Nov. 2013. Web. <<https://www.tofugu.com/japan/ainu-japan/>>

⁴⁴ United Nations Department of Economic and Social Affairs, *State of the World's Indigenous Peoples* (New York: United Nations, 2009).



SOCHUM

DartMUN XII

protection/education programs to guarantees for indigenous land rights.

Questions to Consider:

1. Explore the differences and similarities between issues faced by indigenous groups in different regions. Do they seem to have common roots in certain attitudes or historical/cultural/economic practices?
2. How can the international community work to close the gap between approved legislation and implemented legislation within each state?
3. Beyond the creation of UNDRIP, should the UN take any further measures to support indigenous peoples in their quest for equal rights and protection?
4. In order to protect national sovereignty, UNDRIP is not a legally binding document, meaning that (1) it is signed voluntarily and (2) the UN has no power to enforce its content within nations. How does this impact the efficacy of UN efforts to protect the rights of indigenous peoples?
5. Is there any way to mitigate the effects of national sovereignty and ensure that progress will be made in regards to the protection of indigenous peoples? If directly targeting the government is ineffective, how would one accomplish this? Would targeting behavioral norms and influencing public opinion make a difference?



Work Cited

- "Asia." Asia. IWGIA, n.d. Web. <<http://www.iwgia.org/regions/asia>>
- "2016 World Press Freedom Index | Reporters Without Borders." *RSF*. N.p., n.d. Web. 18 Jan. 2017. <<https://rsf.org/en/ranking>>.
- "Indigenous Peoples in Burma." Burma. IWGIA, Web. <<http://www.iwgia.org/regions/asia/burma>>
- "Indigenous Peoples in Latin America." IWGIA General Overview. N.p., n.d. Web. <<http://www.iwgia.org/regions/latin-america/indigenous-peoples-in-latin-america>>
- "Indigenous peoples of the Americas." *New World Encyclopedia*, 12 Apr 2014. <http://www.newworldencyclopedia.org/p/index.php?title=Indigenous_peoples_of_the_Americas&oldid=980272>.
- "Jim." *James W Foley Legacy Foundation*. James W Foley Legacy Foundation, 12 Sept. 2014. Web. 07 Nov. 2016. <<https://www.jamesfoleyfoundation.org/james-w-foley/>>.
- "Profile: Bolivia's President Evo Morales." *BBC News*. BBC, 22 Feb. 2016. Web. <<http://www.bbc.com/news/world-latin-america-12166905>>.
- "The Mother Of Austin Tice, A Freelance Journalist Held Captive In Syria, Speaks Out On U.S. Hostage Policy - The Diane Rehm Show." *The Diane Rehm Show*. NPR, 01 Nov. 2016. Web. 07 Nov. 2016. <<https://thedianerehmshow.org/shows/2016-11-01/the-mother-of-austin-tice-a-freelance-journalist-held-captive-in-syria-speaks-out-on-u-s-hostage-policy>>.
- "Who Are Indigenous Peoples?" Cultural Survival. Web. October 20, 2016. <<https://www.culturalsurvival.org/who-are-indigenous-peoples.>>
- "Who Are the Indigenous Peoples in Africa?" *Indigenous Peoples in Africa*. International Work Group for Indigenous Affairs, n.d. Web. <<http://www.iwgia.org/regions/africa/indigenous-peoples-in-africa>>
- Beiter, Katie. "Do Press Freedoms Exist in the Middle East?" *The Media Line*. 19 Sept. 2016. Web. 18 Jan. 2017. <<http://www.themedialine.org/featured/press-freedoms-exist-middle-east/>>.
- Callimachi, Rukmini. "Before Killing James Foley, ISIS Demanded Ransom From U.S." *The New York Times*. The New York Times, 20 Aug. 2014. Web. 07 Nov. 2016. <http://www.nytimes.com/2014/08/21/world/middleeast/isis-pressed-for-ransom-before-killing-james-foley.html?_r=0>.
- Canada. Truth and Reconciliation Commission. *Honouring the Truth, Reconciling for the Future*. <http://www.myrobust.com/websites/trcinstitution/File/Reports/Executive_Summary_English_Web.pdf>
- Flecker, Mads. "EXCLUSIVE - Hostage Tortured by Isis Is Now 'drowning in Debt' after Begging Family and Friends to Raise the Cash for £1.3million Ransom... but Could He Now Face Prosecution for Breaking the Law?" *Mail Online*. Associated Newspapers, 27 Oct. 2014. Web. 08 Nov. 2016. <<http://www.dailymail.co.uk/news/article-2809865/EXCLUSIVE-Hostage-tortured-Isis-drowning-debt-begging-family-friends-raise-cash-1-3million-ransom-face-prosecution-breaking-law.html>>.
- Gander, Kashmira. "Isis Hostage Threat: Which Countries Pay Ransoms to Release Their Citizens?" *The Independent*. Independent Digital News and Media, 03 Sept. 2014. Web. 07 Nov. 2016. <<http://www.independent.co.uk/news/world/politics/isis-hostage-threat-which-countries-pay-ransoms-to-release-their-citizens-9710129.html>>.
- Huggler, Justin. "German Journalist Who Gave Birth While Being Held as Hostage in Syria Is Released." *The Telegraph*. Telegraph Media Group, 29 Sept. 2016. Web. 07 Nov. 2016. <<http://www.telegraph.co.uk/news/2016/09/29/german-journalist-who-gave-birth-while-being-held-as-hostage-in/>>.
- Journalists Unions. "Declaration of the Rights and Duties of Journalists." *Accountable Journalism*. N.p., n.d. Web. 07 Nov. 2016. <<https://accountablejournalism.org/?%2Fethics-codes%2FInternational-Declaration>>.
- Organization of American States. "Chapultepec Declaration." *OAS*. Organization of American



SOCHUM

DartMUN XII

States, 2011. Web. 18 Jan. 2017.
<<https://www.oas.org/en/iachr/expression/showarticle.asp?artID=60&lID=1>>.

Patinkin, Jason. "Standing Rock Tribe Protests over North Dakota Pipeline." *Al Jazeera English*. N.p., 29 Oct. 2016. Web.
<<http://www.aljazeera.com/indepth/inpictures/2016/10/north-dakota-native-americans-protest-pipeline-161028150518748.html>>

Singhvi, Anjali. "When Journalists Are Killed, Prosecutions Are Rare." *The New York Times*. The New York Times, 16 June 2016. Web. 07 Nov. 2016.
<http://www.nytimes.com/interactive/2016/06/17/world/journalists-killed-prosecutions-rare.html?_r=0>.

Stephan Marquardt. "International Law and Indigenous Peoples." *International Journal on Group Rights* 3.1 (1995): 47-76. JSTOR. Web. 2 Nov. 2016.

Sullivan, Laura, and Amy Walters. "Native Foster Care: Lost Children, Shattered Families." NPR. NPR, 25 Oct. 2011.
<<http://www.npr.org/2011/10/25/141672992/native-foster-care-lost-children-shattered-families>>

United Nations Educational, Scientific, and Cultural Organization. *UN Plan of Action on the Safety of Journalists and the Issue of Impunity* (2012): n. pag. Web. 7 Nov. 2016.
<http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/official_documents/UN-Plan-on-Safety-Journalists_EN_UN-Logo.pdf>.

United Nations. "Universal Declaration of Human Rights | United Nations." *UN News Center*. United Nations, n.d. Web. 07 Nov. 2016.
<<http://www.un.org/en/universal-declaration-human-rights/>>.

United Nations Department of Economic and Social Affairs, *State of the World's Indigenous Peoples* (New York: United Nations, 2009).

United Nations General Assembly Human Rights Council, ed. *The Safety of Journalists* (2016): n. pag. 26 Sept. 2016. Web. 7 Nov. 2016.
<https://www.cpj.org/Safety_of_Journalists%20re-solution.pdf>.

United Nations General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples*: adopted by the General Assembly, 2 October 2007

United Nations Permanent Forum on Indigenous Issues, *Declaration on the Rights of Indigenous Peoples FAQs*.
<http://www.un.org/esa/socdev/unpfii/documents/dec_faq.pdf>

United Nations Permanent Forum on Indigenous Issues, *Human Development Reports and Indigenous Peoples Desk Review (2009)*. <<http://hdr.undp.org/en>>

United States of America. Department of State. Handbook of Independent Journalism. *Ethics and Law*. By Deborah Potter. US Department of State, 10 Apr. 2008. Web. 07 Nov. 2016.
<<http://iipdigital.usembassy.gov/st/english/publication/2008/04/20080416222032eaifas0.7425435.html#axzz4PNi8x5HU>>.

We, Sarah. "The Ainu Peoples of Japan." Tofugu. Tofugu, 07 Nov. 2013. Web.
<<https://www.tofugu.com/japan/ainu-japan/>>

Welker, Glenn. "Indigenous Cultures." *Indigenous Peoples Literature*. September 28, 2016. Accessed October 20, 2016. <<http://indigenouspeople.net/>>

Williams, Robert A. "Encounters on the Frontiers of International Human Rights Law: Redefining the Terms of Indigenous Peoples' Survival in the World." *Duke Law Journal* 1990, no. 4 (1990): 660-704.