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NMUN Simulation*



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Human Rights Council (HRC)

Committee Staff

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Agenda

1. Human Rights and the Use of Private Military and Security Companies
2. Human Rights of Indigenous People

Resolutions adopted by the Committee

Code	Topic	Vote (For-Against-Abstain)
HRC/1/1	Human Rights and the Use of Private Military and Security Companies	24 in favor, 3 against, 0 abstentions
HRC/1/2	Human Rights and the Use of Private Military and Security Companies	27 in favor, 0 against, 0 abstentions
HRC/1/3	Human Rights and the Use of Private Military and Security Companies	23 in favor, 4 against, 0 abstentions
HRC/2/1	Human Rights of Indigenous People	27 in favor, 0 against, 5 abstentions
HRC/2/2	Human Rights of Indigenous People	Adopted without a recorded vote
HRC/2/3	Human Rights of Indigenous People	Adopted without a recorded vote

Summary Report

The Human Rights Council held its annual session to consider the following agenda items:

1. Human Rights and the Use of Private Military and Security Companies
2. Human Rights of Indigenous People

The session was attended by representatives of 32 Member States.

On Monday, the Committee adopted its agenda and began discussion on the topic of “Human Rights and the Use of Private Military and Security Companies.”

On Tuesday, three working groups were formed and discussions started, lead to three proposals being submitted to the dais on Wednesday. They covered a wide range of sub-topics, including database creation, defining private military and security companies (PMSCs), and the protection of the environment. There was strong sense of collaboration, and the body worked diligently to one their work throughout the session.

By Wednesday evening, three draft resolutions had been approved, all of which were adopted. The resolutions addressed a wide range of issues, including UN-approved PMSCs, a Joint Enforcement Forum for PMSCs, and environmental concerns.

The Committee then moved onto the second topic of “Human Rights of Indigenous People.” Thursday morning saw the development of three groups working on three new proposals. By the end of the day, these proposals were considered draft resolutions, and shortly after adopted as resolutions, two of which were adopted without a recorded vote.



Code: HRC/1/1

Committee: Human Rights Council

Topic: Human Rights and the Use of Private Military and Security Companies

The Human Rights Council,

Reaffirming the universal human rights of every autonomous person as enshrined within the *Universal Declaration of Human Rights* (UDHR), proclaimed by the United Nations General Assembly on 10 December 1948, including but not limited to, the rights to life, liberty, and security of a person,

Comprehending the importance of advances on the topic of human rights and Private Military and Security Companies (PMSCs) contributing to achieving Sustainable Development Goal 16 “Peace, Justice and Strong institutions”,

Recognizing the lack of a universal definition of PMSCs and the need for a newly constructed definition of a PMSC by the Human Rights Council (HRC), to supplement a newly formulated regulatory mechanism by which PMSCs and mercenaries will be held accountable,

Reiterating that the recruitment, use, financing, and training of mercenaries is directly prohibited according to the *International Convention against the Recruitment, Use, Financing, and Training of Mercenaries* (2001), and punishable according to the set laws by the International Court of Justice (ICJ),

Underlining the need for a separation of the definitions of PMSCs and mercenaries according to the United Nations,

Fully recognizing the importance of the *Montreux Document (2008)*, which has received support from 59 of the 193 Member States,

Assuming best practices and unique goodwill of governments and organizations to promote peace, security, and the upholding of human rights upon employment of PMSCs,

Appreciating the 2009 United Nations Office of the High Commissioner for Human Rights (OHCHR) framework titled *Private Military and Security Companies: A Framework for Regulations*, globally regulating and demanding accountability for PMSCs,

Recognizing the need to broaden the enforceability of the 2009 OHCHR PMSC framework, which lacks comprehensive coverage of regulatory standards,

Calling attention to its resolution 15/26 (2010), which aimed to create a legally binding framework building upon the existing 2009 OHCHR framework and recommended the establishment of an Intergovernmental Working Group (IGWG) for the regulation, monitoring, and oversight of PMSCs and the fostering of dialogue and cooperation among Member States, PMSCs, and relevant stakeholders to exchange information and experiences,

Deeply regretting the countless infringements on human rights, particularly resulting in lives lost and pain caused by private military and security companies due to a lack of specific measures being implemented,

1. *Suggests* a universal definition of PMSCs as private entities who fulfill the criteria such as:

- a. Operating under and within the boundaries of international human rights law, as well as international humanitarian law according to the 1949 *Fourth Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War*, as well as international law set by the ICJ in 1946;
 - b. Existing as a private, non-governmental entity, and acting under license and approval by the belonging Member State;
 - c. Engaging in the provision of military, security, or related services for financial gain, including but not limited to armed combat, security consulting, intelligence gathering, logistical support, and training;
 - d. Operating in various capacities, including as contractors for governments, international organizations, private corporations, or non-state actors, and can operate domestically or internationally, as well as offensively and defensively, rather than solely in self-defense, and is not classified as a terrorist actor under the definition of terrorism as stated in Security Council resolution 1566 (2004);
2. *Adopts* the definition of Private Military Companies as entities that are involved in military actions like strategic planning, intelligence, land, sea, and air operations with military applications, material and technical support to armed forces, and other related activities employed by governments and intergovernmental bodies, hence more prone to violating human rights than security companies;
 3. *Affirms* the definition of Private Security Companies as entities that are related to security operations, including armed guarding, protection of buildings, installations, property, and people, development and implementation of informational security measures, and other related activities employed by governments, corporations, and individuals, hence more prone to protecting human rights from infringement of private military companies, among others;
 4. *Emphasizes* that PMSCs do not fall under the legal definition of mercenaries as defined under international law, and distinguishes between PMSCs and mercenaries according to the International Convention on Mercenaries based on factors such as legal status, contractual arrangements, and the nature of services provided;
 5. *Recommends* the establishment of a dedicated oversight mechanism, called Joint Enforcement Forum For [PMSCs] or JEFF, under the joint oversight of United Nations Office for Disarmament Affairs (UNODA) and HRC to monitor the activities of PMSCs globally that is made legally binding by the ratification of a treaty enforced by the United Nations Security Council which would:
 - a. Require all PMSCs to operate under the regulatory framework established within the United Nations;
 - b. Encourage the signing of the Treaty upon PMSCs and mercenaries established by HRC and put into motion by the United Nations Security Council;
 - c. Facilitate capacity-building initiatives and the sharing of expertise on effective regulation and management of PMSCs among Member States;
 - d. Advise Member States on best practices for the regulation of PMSCs within their borders, including but not limited to:

- i. Requiring PMSCs to receive and maintain a license from the Member States in which they are headquartered;
 - ii. Making licensing of PMSCs dependent upon the PMSC's completion of a thorough training program on respect for international human rights by Peacekeeping troops, which would be verified by the Department of Peace Operations and specifically the Office of the Under-Secretary-General (DPO/OUSG);
 - iii. Including the requirement for all staff to complete certification by the Department of Peace Operations in human rights standards before being deployed to conflict zones;
 - iv. Mandating that PMSCs take out policies provided by the private insurance market to compensate individuals harmed by their actions;
 - v. Encouraging Member States with PMSC headquarters to report back to United Nations bodies on all operations;
 - vi. Conducting unannounced and random inspections and ongoing assessments to enforce adherence to guidelines;
- 6. *Advocates* for the International Criminal Court (ICC) to incorporate legal recourse and enforce penalties against PMSCs in the event of:
 - a. Operating without a valid license issued by Member States under whose jurisdiction PMSCs operate;
 - b. Violating the terms of the license, including any human rights abuses;
 - c. Acting without informed defensive actions;
 - d. Working outside of the international humanitarian law as set by the Geneva Convention of the United Nations, including environmental degradation without Member State consent;
- 7. *Suggests* that all PMSCs operations be discussed with the Member States in which they are present to the extent that these discussions do not compromise operational security, including coordination with the HRC and the Security Council and should be monitored through the Universal Periodic Review (UPR), including but not limited to Member States' ability to protect their goods and individuals not located on their grounds;
- 8. *Promotes* Members States creating a website when accessible, for victims of PMSCs to report human rights violations, as well as a as well as an on-field reporting groups such as the Peace Corps or the International Red Cross for those who cannot access the United Nations sponsored website due to any outstanding circumstance;
- 9. *Recommends* that any legal and humanitarian standards set for Member States are continuously monitored using the Universal Periodic Review and online source, Member States that are found in violation of standards have the option for an investigation that would identify reasons for the violations and prompt further discussions with joint efforts from the HRC and Security Council to create a plan of action to address the violations;

10. *Strongly encourages* that in case of violations of international humanitarian law and international human rights law, the budget granted to Member States with PMSCs violating prescribed guidelines, such as the destruction of private property and the harm of traditional land, is reduced by the United Nations and victims are compensated according to the gravity of the physical and mental harm caused by the PMSC;
11. *Encourages* the deployment of intelligence-gathering missions by the United Nations as an investigative commission to look into allegations of misconduct, human rights abuses, or violations of international law by PMSCs through:
 - a. Reinforcing the importance of impartiality, independence, and transparency in the conduct of fact-finding missions;
 - b. Ensuring Member States are facilitating access to information, witnesses, and affected populations for fact-finding missions equitably, which will ensure the safety and security of mission personnel internationally;
12. *Advocates* that Member States lacking the resources to maintain an independent military force may nonetheless engage PMSCs while respecting the sovereignty and right to self-determination of fellow Member States.



Code: HRC/1/2

Committee: United Nations Human Rights Council

Topic: Human Rights and the Use of Private Military and Security Companies

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations (1945) and the United Nations Sustainable Development Goals 3 and 16 which are Good Health and Well-being and Peace, Justice, and Strong Institutions, respectively,

Affirming articles 3, 28, and 30 of the Universal Declaration of Human Rights (UDHR) (1948), which outline the essential human right to life, security of person, and liberty, as well as the importance of self-determination, in recognition of social and international order,

Recalling the United Nations Human Rights Council (HRC) resolution 15/26 of 1 October 2010, establishing the open-ended intergovernmental working group (OEIGWG) to consider the possibility of elaborating an international regulatory framework on the oversight, monitoring, and regulation of the activities of Private Military and Security Companies (PMSCs),

Recalling further HRC resolution 36/11 of 28 September 2017, which established a new mandate for the OEIGWG for a period of three years, and its resolution 45/16 of 6 October 2020, in which the Human Rights Council renewed the mandate to elaborate the content of an international regulatory framework, without prejudging the nature thereof, to protect human rights and ensure accountability for violations and abuses relating to the activities of PMSCs,

Concerned by the international trend of Member States outsourcing the governmental duty of military and law enforcement to private professionals, such as PMSCs, to use coercive violence to achieve the goals of Member States,

Acknowledging the legitimate use of PMSCs throughout the world to conduct a variety of operations ranging from supplementing law enforcement, private security, cyber security and intelligence work,

Deeply disturbed by the actions of PMSCs when used to infringe on the sovereignty of Member States, which is in conflict with Article 2(4) of the United Nations Charter (1945) which entails the respect of sovereignty and territorial integrity,

Reaffirming Member States' commitment to respect the sovereignty, territorial integrity and political independence of other Member States and expressly prohibits the threat or use of force against other Member States,

1. *Authorizes* the extension of the OEIGWG for an additional 3 years upon the end of its mandate in 2026, and recommends the adjustment of the mandate of the OEIGWG to include the creation of a United Nations database of currently internationally operating PMSCs that abide by international law through;
2. *Encourages* that, in order to be placed on the United Nations database of approved PMSCs, all PMSCs must be bound and accept the existing legal framework of the Member State in which the PMSC is based in:

- a. Notifying the Member State considered the PMSCs' headquarters when operating in international waters/territories;
 - b. Alerting all Member States when a given PMSC commits human rights abuses;
 - c. Obey the laws of the current Member State they are stationed in;
 - d. Requiring the termination of any employees who break these regulations by committing human rights violations, and allow for the correct enforcement of applicable domestic laws;
 - e. Prohibiting the employment of formerly-terminated personnel who have committed human rights violations recognized by the HRC and recommended by the OEIGWG;
 - f. Requiring PMSCs to perform intensive background research of personnel prior to hiring in order to prevent the employment of previous human rights violators;
3. *Recommends* the OEIGWG to take into account the norms set in existing international treaties and agreements such as, but not limited to, the Montreux Document (2008), the International Code of Conduct for Private Security Service Providers (ICoC) (2013), and the UDHR;
4. *Endorses* the creation of a United Nations organization under the joint supervision of the HRC and Security Council, which would be engaged in a public-private partnership with PMSCs to monitor and ensure that PMSCs adhere to the established norms of the United Nations by:
 - a. Requiring yearly education of human rights abuses and how to properly act and conduct their operations;
 - b. Expanding the Universal Periodic Review (UPR) to allow PMSCs to provide a regular report of current personnel, as determined by the UPR;
 - c. Utilizing humanitarian practices by only using appropriately trained personnel and by not exploiting vulnerable groups such as underage combatants, those below the poverty line as currently established by the UN, the physically and/or mentally disabled;
 - d. Ensuring the human right to access to a clean, healthy, and sustainable environment as defined by General Assembly Draft Resolution A/76/L.75 (2022);
5. *Urges* Member States to only contract PMSCs which abide by the norms and standards of the United Nations and are included within the database of United Nations-approved PMSCs established by the OEIGWG.



Code: HRC/1/3

Committee: Human Rights Council

Topic: Human Rights and the Use of Private Military and Security Companies

The Human Rights Council,

Noting with deep concern the lack of clear international definitions and differentiation between Private Military and Security Companies (PMSC) from mercenary groups, which have been defined by Geneva Convention Additional Protocol 1, Article 47, paragraph 2,

Recalling General Assembly resolutions 3314 (XXIX) (1974) and 31/34 (1976), which criticized PMSCs for impeding the decolonization process, infringing on African states' sovereignty and peoples' rights to self-determination, and committed to avoiding any further interference with African, Latin American, and Middle Eastern states' sovereignty by developed nations through the employment of PMSCs,

Alarmed by the lack of information and information-sharing between Member States, the international community, and the private sector regarding PMSCs and mercenary group activity in the world,

Further alarmed by the need to resolve regulatory gaps in International Law for the establishment of PMSC accountability,

Reaffirms the human right to a clean, healthy, and sustainable environment as established by Human Rights Council (HRC) resolution 48/13 (2021), which is vulnerable to PMSC activities and requires continuous monitoring to ensure lasting environmental and human rights security,

Bearing in mind Human Rights Council resolution 36/11 (2017), which expanded and established the mandate of the Open-ended Intergovernmental Working Group (IGWG) to consider the possibility of elaborating an international regulatory framework on the activities of private military and security companies,

Acknowledging that the maritime security sector has evolved as a direct consequence of the challenges presented by the rise of piracy, militarized conflicts, along with the growing reliance on private security to protect maritime activity, as mentioned in HRC resolution 51/25 (2022),

Emphasizing the mandate of Security Council resolution 1325 (2000) which calls for the inclusion, consideration, and protection of women in the development of security measures,

1. *Establishes* that PMSCs are private companies that assist directly in a Member State's military and security activities and United Nationsited Nations peacekeeping missions with consideration that:
 - a. Mercenaries are defined within Article 47 (2) of the *Additional Protocol to the Geneva Conventions* (1977);
 - b. PMSCs are utilized by private companies and individuals as well as intergovernmental organizations like the United Nations;
 - c. PMSCs are increasingly complex and should operate:

- i. As defensive forces but not as offensive forces, actions not allowed include entering a Member State without express permission except in cases of self-defense using the principle of force proportional to the degree of danger as defined by the International Criminal Court, entering a Member State with intent to occupy, monitoring a Member State without express consent;
 - ii. Within peacekeeping missions as supplementary forces with the same rules of engagement as United Nations forces, military training forces, maritime security forces, police forces, police training companies, security for private entities with express permission from Member State(s) of operation, and other actions defined as defensive, with all other actions defining them as illegal mercenary groups;
2. *Appoints* a Special Rapporteur on the topic of PMSCs to keep HRC apprised on developments and use the communications procedure for Member States, non-governmental organizations (NGO's) and people affected to bring human rights violations to the attention of the Council based on:
 - a. Regular Country visits to territorial states in which PMSCs are employed and have been accused or are suspected of committing human rights violations as well as collecting verified data from local sources and compiling records on the conduct of PMSCs;
 - b. Reports submitted via the communications procedure to monitor the ongoing situation and verify accusations by conducting their own investigation, using United Nations country teams, and if necessary, provide recommendations on how to meliorate the ongoing abuses and protect affected populations, as well as refer the issue and gathered information to the domestic criminal justice system if an unbiased trial can be guaranteed, or the International Criminal Court if a fair trial cannot be guaranteed under the domestic criminal justice system;
 - c. Regular Reporting to HRC to highlight the topic of PMSCs at each session to ensure it receives the attention it deserves, as well as offering expert advice to affected states to supplement the recommendations received from other states during the Universal Periodic Review (UPR);
 - d. Monitoring the specific negligence of companies that use PMSCs as protection for various extraction purposes and perpetuate human rights violations against local populations;
3. *Urges* the need for relevant remediation of contract violations regarding breaches of contracts between PMSCs and their hiring entities, including in cases of PMSC personnel human rights violations through:
 - a. The International Court of Justice in the case of Member States contractually committing human rights violations and misuse of PMSCs in other Member States;
 - b. The International Criminal Court in the event of PMSC personnel human rights violations accusations;
 - c. The use of domestic enforcement of PMSC contractual agreement violations committed within Member States by means of;

- i. Temporary suspension or complete termination of the contractual agreements that hiring Member States may have;
 - ii. Prohibition of any and all future contracts for PMSCs with a proven record of human rights violation;
4. *Emphasizes* the need to hold PMSCs and hiring entities accountable for environmental degradation and related human rights violations through:
 - a. Delineating PMSC travel routes and related activities as needed, with specific case of the European Union (EU) border monitoring practices are only allowed within times of armed conflict and acting within the EU's consent, with the consultation of the United Nations Environmental Programme (UNEP) for the permission of PMSCs to travel by land through non-contracted Member States and with the consultation with the International Maritime Organization (IMO) for travel by sea with the purpose of reaching the operation location of contracted Member States by strongly suggesting that "travel" be confined to areas that would not interfere with sensitive ecological areas, such as but not limited to:
 - i. Crucial sources of freshwater such as lakes, rivers, reservoirs, canals, glaciers and aquifers;
 - ii. Farmland that provides vital food sources to local populations;
 - iii. Wildlife refuges that contain fragile ecosystems and are biodiverse;
 - iv. National parks that are important for tourism and recreational activities;
 - b. Encouraging Member States to report on environmental degradation caused by PMSCs globally to the Special Rapporteur when such environmental damage occurs and leaving it to the Member States to act upon this;
5. *Endorses* the extension of the mandate of the IGWG upon its expiration in 2026 and *requests* that the IGWG operate with the intention of:
 - a. Using the newly defined terminology of what a PMSC is when developing recommendations;
 - b. Acknowledging the need for Member States to report abuses and violations of human rights for accountability and legal enforcement purposes;
 - c. Encouraging the formation of a body with a focus on overseeing and regulating PMSCs with a rotating staggered membership lasting three years;
6. *Encourages* Member States to increase their collaboration with and contributions to the United Nations Office on Drugs and Crime (UNODC) Global Maritime Crime Programme, which assists in the reduction of PMSC human rights violations at sea through technological capacity-building and regional partnerships that facilitate contract transparency and maintain open communication between Member States, relevant United Nations bodies, and PMSCs that operate at sea;
7. *Further requests* the continued development of domestic national action plans that provide minority-focused policies and gender-sensitive monitoring of abuses for the protection and security of women and other vulnerable population including but not limited to displaced persons,

refugees, and children against PMSC human rights violations in partnerships with NGOs and civil society organizations, such as the Women's International League for Peace and Freedom.



Code: HRC/2/1

Committee: Human Rights Council

Topic: Human Rights of Indigenous Peoples

The Human Rights Council,

Acknowledging United Nations General Assembly resolution 74/135 (2020) proclaiming the International Decade of Indigenous Languages from the period of 2022-2032,

Further acknowledging that language is a fundamental human right, as determined by the Universal Declaration of Human Rights (1948), that is integral for transmitting the culture, traditions, values, religion, and beliefs of indigenous groups,

Deeply concerned with the loss of indigenous languages, with nearly 40% of all global languages being endangered, of which the majority are indigenous languages, according to the Permanent Forum on Indigenous Issues,

Recalling the need for Member States to begin the standardization, development, and preservation of all indigenous languages domestically,

Noting that the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) has emphasized that Indigenous women are more likely to experience intimate partner and domestic violence and unique obstacles when reporting such violence, further referenced in Human Rights Council resolution 50/26,

Further recalling the importance of specialized complaint mechanisms for indigenous communities to report and investigate cases of discrimination and violence, as addressed by the Special Rapporteur,

Deeply conscious that the World Conference of Indigenous Peoples has not met since 2014, signifying a lack of indigenous representation within the United Nations and a limited representation in the Expert Mechanism on Indigenous Peoples itself,

Bearing in mind the *Maputo Protocol* (1995), which highlights the prohibition of any forms of discrimination and violence as well as the effective access to legal and judicial services for vulnerable groups,

Reaffirming the legitimacy of the creation and approval at the international level of a protection mechanism for indigenous people who are victims of domestic violence, regardless of gender,

Lamenting that indigenous children are less likely to receive critical childhood vaccinations and other lifesaving healthcare,

Distressed that indigenous women face a disproportionately higher rate of maternal and infant mortality,

Further recognizing that Indigenous People don't have sufficient and decent access to healthcare, with over 50% of Indigenous adults over the age of 35 experiencing diabetes mellitus,

1. *Encourages* Member States to begin the standardization, development, and preservation of all indigenous languages domestically through the development of domestic language boards, similar to South Africa's Pan South African Language Board (PanSALB), which would advocate

for the effective implementation and creation of language policy and for the use of indigenous languages in all aspects of life, especially in the workplace and in the classroom;

2. *Calls upon* Member States to increase funding and relevant support for the United Nations Institute for Training and Research (UNITAR) *Indigenous Program*, which operates as a critical platform for the training and funding of indigenous representation on self-advocacy and conflict mediation within the UN and should be expanded to focus on cultural preservation;
3. *Requests* Member States to facilitate the creation and maintenance of indigenous cultural and tradition preservation centers in partnership with the United Nations Educational, Scientific and Cultural Organization's (UNESCO's) Local Indigenous Knowledge System (LINKS), Non-Governmental Organizations (NGOs), relevant domestic organizations, and academia;
4. *Further requests* the expansion of participants within the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) allowing for greater indigenous population representation and increased information sharing on disparities and issues that indigenous communities endure;
5. *Recommending* the implementation of National Sustainable Development Goal (SDG) citizen platforms to operate as domestic mechanisms for self-advocacy and focus particularly on SDG 10 which focuses on reducing inequalities for all people, particularly indigenous populations;
6. *Advocates* for support for infrastructure in indigenous communities through the development and implementation of:
 - a. Partnerships between Member States and the UN Population Fund (UNFPA) to finance the training of constituents of indigenous groups to become healthcare providers licensed in their Member State of origin with an emphasis on traditional healing methods;
 - b. Schools and health centers in remote indigenous communities developed through partnerships with UNICEF and provision of culturally appropriate teaching materials as well as culturally sensitive services;
 - c. Financial support and technical assistance to indigenous communities to develop sustainable economic initiatives such as ecotourism projects, handicrafts, and traditional agriculture;
 - d. Access to microfinance and credit for indigenous entrepreneurs and their business enterprises;
7. *Further Requests* Member States to increase partnerships and support of UN-Women's Women's Forum for Equal Opportunities to provide indigenous women with access to essential Gender-Based Violence services in their communities and operate violence-prevention training seminars for indigenous women and their communities;
8. *Suggests* Member States to use protection mechanisms for Indigenous People, especially in cases of domestic violence by:
 - a. Authorizing the use of local police authority in the proven case of domestic violence against an indigenous person, prohibiting the aggressor from appearing in the home, domicile or place of coexistence with the victim;
 - b. Guaranteeing care and monitoring of victims who require social assistance policies;

- c. Increasing access to legal assistance, psychosocial care and protection of the rights guaranteed to them (integrity, child custody, alimony), must be analyzed by the domestic judicial system;
 - d. Creating campaigns and training for police and judicial officers with the intention of raising awareness of the rights of Indigenous Peoples and diminishing prejudices;
9. *Endorses* the creation of Indigenous Cultural Exchange Networks to connect with indigenous counterparts around the world to celebrate cultural diversity and strengthen collective voices through digital platforms, virtual workshops, art exhibitions, and language exchange programs to facilitate cross-cultural exchange between indigenous communities worldwide and promote dialogue, understanding, and solidarity.



Code: HRC/2/2

Committee: United Nations Human Rights Council

Subject: Human Rights of Indigenous Peoples

The Human Rights Council,

Recalling the Declaration on the Rights of Indigenous Peoples (UNDRIP) (2007) clarifies that no action taken in the defense of Indigenous People shall dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States,

Guided by the UNDRIP (2007), the Charter of the United Nations (1945), and the Universal Declaration of Human Rights (1948),

Furthering the principles enshrined in the International Covenant on Civil and Political Rights (1966), which affirm the inalienable rights of all individuals, including indigenous peoples, to enjoy civil and political freedoms such as freedom of movement; equality before the law, and participation in public affairs without discrimination of any kind, and emphasizing the obligation of States Parties to respect and ensure these rights by the provisions of the Covenant,

Acknowledging the historical injustices, marginalization, and discrimination suffered by indigenous peoples, and the ongoing struggle for the recognition and protection of their human rights,

Affirming the rich cultural heritage, traditional knowledge, and spiritual connection to land and natural resources that Indigenous Peoples possess, and the importance of preserving and promoting these aspects of their identity,

Stressing the importance of fostering dialogue, cooperation, and partnership between states, indigenous peoples, and other stakeholders, based on principles of mutual respect, equality, and non-discrimination, to advance the realization of indigenous peoples' human rights,

Commending the work accomplished by Non-Governmental Organizations (NGOs) such as the Rainforest Foundation, which has fostered repatriation to ancestral lands in various Member States,

Recognizing the fundamental role of education in the empowerment, self-determination, and socio-economic development of indigenous peoples, and acknowledging the right of Indigenous peoples to culturally sensitive and quality education, as affirmed in international human rights instruments,

Stressing the urgency of addressing environmental challenges, including deforestation, pollution, and loss of biodiversity, in collaboration with indigenous peoples,

Recalling Article 7 of the Paris Agreement (2015), which stresses the need to integrate indigenous people's and overall vulnerable groups' knowledge when implementing climate action,

1. *Encourages the United Nations Environmental Program (UNEP) to establish an Indigenous Land Protection and Climate Resilience Program, which would:*

- a. Be financed by the Solitary Fund for Indigenous Peoples, a financial mechanism collecting contributions from Member States and private donors and transparently managed to ensure efficient resource allocation;
 - b. Safeguard the rights of indigenous peoples whose livelihoods depend on historical lands by financially supporting, through the Solitary Fund for Indigenous People, community-driven climate resilience initiatives;
 - c. Advocate for enhanced legal protections for indigenous land rights by promoting inclusive policies that address the challenges faced by indigenous people in the wake of climate change;
 - d. Foster global stability by empowering and protecting indigenous populations, thereby reducing the likelihood of conflicts and committing to upholding human rights;
 - e. Facilitate a transparent conversation with Indigenous People to implement their traditional and local knowledge when it comes to climate action being carried out in their native lands;
2. *Calls* upon States to engage with existing programs such as those conducted by the Rainforest Foundation that promote inclusive economic development for Indigenous Peoples, including targeted measures to address poverty, unemployment, and economic disparities within Indigenous communities by:
- a. Endorsing resource and expertise sharing between Member States who have identified similar needs among their Native populations;
 - b. Encouraging both the establishment and expansion of the efforts of various Member States, especially as it concerns ecotourism initiatives, which have bolstered the economic independence of indigenous communities by promoting their right to self-determination whilst encouraging repatriation to ancestral lands with increased economic opportunities as it relates to farming such as access to arable land and clean, fresh water;
 - c. Developing a Life Quality Enhancement Program, which would:
 - i. Implement targeted social and economic interventions aimed at improving the quality of life for indigenous communities in the healthcare, education, and economic fields;
 - i. Be designed in consultation with indigenous leaders and organizations to ensure cultural relevance and sustainability;
 - ii. Include tangible steps from Member States towards fostering a more inclusive landscape that respects human rights, recognizing the potential of these programs to enhance the quality of life for indigenous communities and contribute to global efforts towards sustainable development and peace;

- iii. Be financed by the Solitary Fund for Indigenous Peoples;
3. *Recommends* that Member States form "Council for Indigenous People" (CIP) institutions as an independent actor working together with other actors in the national and international arenas for indigenous people to voice their concerns and offer recommendations to their respective Member States, making certain to:
 - a. Respect the autonomy of the CIP institution in setting its agenda and prioritizing issues of greatest significance to Indigenous peoples;
 - b. Ensure a diverse representation of Indigenous groups to include all relevant Indigenous groups within a state;
4. *Encourages* the collaboration between CIP Institutions and the existing United Nations bodies in ways such as, but not limited to:
 - a. Offering expertise and guidance provided by the United Nations system, particularly regarding sustainable development goals, human rights mechanisms, and environmental conservation efforts;
 - b. Appointing a Special Coordinator by the Secretary-General for Indigenous Affairs, responsible for facilitating the establishment of Member State CIP institutions, coordinating its activities with existing UN bodies, and promoting its objectives within the international community;
5. *Recommends* partnership between the International Work Group for Indigenous Affairs (IWGIA) and the Human Rights Council to include:
 - a. Indigenous leaders, academics, climate actors, economists, and policy leaders recommended for membership by Member States and from any and all Member States, to create policies and programs to aid Indigenous communities, and Member States;
 - b. A forum for Member States and indigenous groups to request assistance in creating policies for issues relating to indigenous communities;
 - c. The promotion and awareness of Indigenous groups nationally and internationally via the Working Group;
 - d. The expansion of existing relevant databases for indigenous groups and Member States such as the United Nations Permanent Forum on Indigenous Issues (UNPFII), the International Work Group for Indigenous Affairs (IWGIA) or the Indigenous Peoples Major Group for Sustainable Development (IPMG);
 - e. Working alongside various NGOs and resources that would provide financial support such as the United Nations Voluntary Fund for Indigenous Peoples and the International Working Group for Indigenous Affairs (IWGIA) to:

- i. Fund higher education for indigenous students;
 - ii. Establish programs that allow Indigenous people to use their higher education to return to their Member States and educate their Indigenous youth;
- 6. *Emphasizes* the need for quality education of Indigenous peoples and the conservation of Indigenous languages through:
 - a. Making quality basic education available to all Indigenous people, especially those in rural areas who have been without access so far by creating schooling programs in rural areas in accordance with the needs of the affected Indigenous populations, especially the women and children, taking into account the technological access they have;
 - b. Creating an online verbal encyclopedia to allow for the maintenance and preservation of many spoken languages, while also:
 - i. Including a compilation of oral traditions, documentation of vocabulary and grammar used by indigenous people, idioms and proverbs, and language learning resources;
 - ii. Partnering with online platforms such as Duolingo and Rosetta Stone for the purpose of teaching and making both spoken and written native languages available.



Code: HRC/2/3

Committee: Human Rights Council

Topic: Human Rights of Indigenous Peoples

The Human Rights Council,

Recalling the Universal Declaration of Human Rights (UDHR) and the right to education according to Article 26, as well as all its relevant resolutions on indigenous people, and the fact that increased access to education has historically been a tool for combating inequality,

Reaffirming the United Nations Declaration on the Rights of Indigenous People (UNDRIP) of 2007, establishing the rights of indigenous peoples to survival, dignity, and well-being, as well as the principle of Free, Prior and Informed Consent (FPIC) to ensure that indigenous voices are heard and protected,

Noting with concern that according to the United Nations Forum on Ethnic Minorities, systemic exclusion of indigenous languages leads to restricted access to quality education, the loss and degradation of these languages, and a lack of opportunities for women and children,

Recognizing that indigenous women and girls face high rates of sexual and physical violence, including all forms of human trafficking,

Deeply concerned by the disadvantages and discrimination faced by indigenous peoples throughout the employment process, including the high rates of unemployment in indigenous populations,

Alarmed by the disproportionate impact of climate change and natural disasters on indigenous peoples,

Keeping in mind the detrimental impact of severe poverty caused by years of systemic racism on indigenous infrastructure and the importance of economic development within indigenous populations,

Emphasizing the need to balance development efforts and environmental protection in the Member States' National Programs using the Paris Agreement to use indigenous knowledge as a valuable resource when it comes to tackling climate change and strengthen pre-existing indigenous practices,

Reinforcing the need to promote and align with the Sustainable Development Goals (SDGs) and the exploration into deeper understanding of The 1989 International Labour Organization (ILO) adopted Convention 169, Indigenous and Tribal Peoples, to return freedom of development to indigenous peoples previously neglected by supporting or revitalizing a communicative system between the local, national, and international communities,

1. *Recommends* that Member States strengthen educational opportunities for indigenous communities and dialogue regarding indigenous knowledge transfer between generations by:
 - a. Using indigenous languages as a medium of instruction among indigenous communities to reduce the existing language barriers in those populations by:
 - i. Providing teaching materials and lesson plans in those languages;
 - ii. Utilizing data gathered by the "Education Cannot Wait" annual report to give funding to the most affected indigenous communities originating from both the

ECW established trust fund, and the 2022 International Finance Facility for Education to establish finite methods of incorporation for this policy;

- b. Creating classes that teach indigenous languages as a second language to nonindigenous students, determined as mandatory or elective by the individual Member State;
 - c. Providing classes teaching the local indigenous language to indigenous populations, alongside classes in the national language;
 - d. Establishing transitional programs from Primary education to Post Secondary for indigenous individuals that will provide information for further education and employment opportunity;
2. *Encourages* the formation of the Indigenous Peoples Educational Capacity-Building Program (IPECP), for the purpose of:
- a. Increasing educational opportunities, particularly for indigenous women and youth, while emphasizing the fields of healthcare, education, digital literacy, and engineering;
 - b. Working to partner with colleges, trade schools, and universities within neighboring regions and Member States to provide exchange and scholarship opportunities for indigenous communities;
 - c. Allowing indigenous populations access to basic and higher education so that they may participate in the infrastructure development within their own communities;
 - d. Identifying communities of greatest need for the IPECP;
 - e. Partnering with non-governmental organizations (NGOs) and other institutions to ensure that the program is a success;
 - f. Recommending that the IPECP is funded through voluntary contributions and NGOs;
3. *Solemnly affirms* the United Nations Permanent Forum on Indigenous Issues (UNPFII) as to further establish its role in representing Indigenous Peoples to implement SDG 4, 10, 11, and 16 Working with other United Nations bodies to address “The rights of indigenous peoples in Latin America and the Caribbean in the context of the exceptional measures adopted during the pandemic” (E/C.19/2021/9), which talks about Indigenous populations within the classroom setting by:
- a. Educating more people about the importance of an individual nation’s duty to help the remaining Indigenous populations and to understand and connect with those individuals within their own borders, which would help with groups with rich indigenous peoples or a groups with smaller populations of indigenous in the context of Caribbean;
 - b. Cooperation with the collaboration within the Working Group on Indigenous Populations (WGIP), to raise awareness via safe spaces, events and potential classroom education teaching why the human rights of Indigenous Peoples is so important in today's world as well as addressing racial discrimination in classroom settings;

4. *Emphasizes* that the Central Emergency Response Fund (CERF) should prioritize providing relief, especially through access to clean drinking water, food, and medical assistance, to indigenous people in conflict zones who are often the most vulnerable;
5. *Encourages* key actors within broader society to engage with peer reviews of the human rights records of indigenous rights appointed through the Universal Periodic Review;
6. *Strongly advises* the establishment of a channel such as national hotlines in member states where indigenous people are able to raise concerns when facing discrimination, human rights violations, or exploitation in their working environment;
7. *Recommends* organizations to be subject to random inspections issued by the Member States' respective government to formulate reports on their operations related to native land owned by indigenous people to foster transparency and, in case of not meeting the standards listed below, monetary compensation will be allocated to indigenous communities when:
 - a. The government issued threshold of usage of natural resources has been reached;
 - b. There is no clear collective ownership of the indigenous community of their native land;
 - c. Territorial rights of indigenous communities are violate;
8. *Recommends* that Member States employ individuals from local communities when using resources on indigenous land, providing minimal working standards which includes, jobs pay equivalent to at least the local minimum wage, limit working hours, annual leave, right to enter and exit job positions at one's own discretion;
9. *Encourages* that the General Assembly Committee on Conferences authorize a recurring World Conference in collaboration with the Human Rights Council and the International Work Group for Indigenous Affairs (IWGIA), headed by indigenous leaders and building on the resolution of the World Conference on Indigenous peoples (2014) to identify areas of high risk and discuss topics related to resolving Indigenous grievances such as:
 - a. Previous attempts by Member States to address Indigenous issues to provide an informed and comprehensive baseline for further legislation;
 - b. Information on best practices and methods to limit the impact of climate change on indigenous communities, including:
 - i. Establishing prevention measures for natural disaster scenarios;
 - ii. Strengthening indigenous community infrastructure;
 - iii. Adapting traditional indigenous practices and knowledge to the needs of the changing climate;
 - c. Ways to advance human rights of indigenous peoples by:
 - i. Improving working standards; ii.
 - ii. Increasing access to education; iii.
 - iii. Ensuring right to self-determination and traditional land; 10.

10. *Further reminds* Member States to continuously put effort in the realization of the goals of the UNDRIP by:

- a. Utilizing the productive capacity of their heritage lands and the implementation of assistance programmes regarding conservation and protection; b.
- b. Ensuring effective participation of indigenous communities at all levels of governance by:
 - i. Engaging in meaningful consultation and collaboration with Indigenous peoples in decision-making processes following FPIC;
 - ii. Conducting public awareness campaigns to educate both communities and stakeholders about their rights and responsibilities regarding FPIC;
 - iii. Establishing independent monitoring mechanisms to oversee FPIC processes and ensure compliance with established standards.