

United Nations Permanent Forum on Indigenous Issues

Recent Developments

The United Nations Permanent Forum on Indigenous Issues (UNPFII) continues to work in the field of indigenous rights. In his end-of-year message Edward John, chair of the UNPFII, looked back on the successes and challenges of indigenous people.¹ He pointed out how many states are starting to revise their constitutional provisions in order to better address the rights of indigenous peoples, redefine the relationship with them or find ways to deal with the injustice indigenous people had to experience in their countries.² The close collaboration with the Special Rapporteur on the Rights of Indigenous Peoples shall continue, and thus bring a further improvement of, the situation for indigenous people by fighting the discrimination against them.³

From December 19-22, 2012, the three UN mechanisms that address the topic of indigenous issues (the Special Rapporteur on the Rights of Indigenous Peoples, the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues) came together in Guatemala to discuss the World Conference on Indigenous People in 2014.⁴ It was a prime opportunity to meet and exchange views with civil society, indigenous peoples' organizations or representatives from various governments.⁵

Furthermore, the General Assembly (GA) at its sixty-sixth session adopted the draft resolution A/66/L.61 dealing with the organization of the World Conference on Indigenous Peoples in 2014.⁶ The resolution decides on the precise date for the conference which will be from September 22 - 23, 2014 and will take place in New York City.⁷ Further organizational questions are addressed such as round-tables, panel discussions and participation of various actors.⁸ The results of the conference shall become a concise and action oriented outcome document.⁹ The President of the GA has appointed two facilitators; on the one hand the Permanent Representative of Mexico, Ambassador de Alba and on the other hand John B. Henriksen, an indigenous representative of the Saami Parliament of Norway.¹⁰

However, as much progress as there might have been in recent years, the rights of indigenous people are still a major factor in many countries worldwide. Even Edward John, chair of the UNPFII and a Canadian himself, recalled in his end-of-year message the struggles indigenous people still have to face – even in Canada.¹¹ In Canada, a grassroots movement called “Idle No More” recently developed to protest against the government in order to bring more attention to indigenous peoples and strengthen their rights.¹² The initiative continues to receive increasing support, especially through social media, inciting people around the world to solidarity actions.¹³ The movement is a reaction

¹ United Nations Permanent Forum on Indigenous Issues, The Message Stick. Newsletter of the Secretariat of the United Nations Permanent Forum on Indigenous Issues, 2012.

² United Nations Permanent Forum on Indigenous Issues, The Message Stick. Newsletter of the Secretariat of the United Nations Permanent Forum on Indigenous Issues, 2012.

³ United Nations Permanent Forum on Indigenous Issues, The Message Stick. Newsletter of the Secretariat of the United Nations Permanent Forum on Indigenous Issues, 2012.

⁴ United Nations Permanent Forum on Indigenous Issues, The Message Stick. Newsletter of the Secretariat of the United Nations Permanent Forum on Indigenous Issues, 2012.

⁵ United Nations Permanent Forum on Indigenous Issues, The Message Stick. Newsletter of the Secretariat of the United Nations Permanent Forum on Indigenous Issues, 2012.

⁶ United Nations General Assembly, Organization of the High-level Plenary Meeting of the sixty-ninth session of the General Assembly, to be known as the World Conference on Indigenous Peoples, 2012.

⁷ United Nations General Assembly, Organization of the High-level Plenary Meeting of the sixty-ninth session of the General Assembly, to be known as the World Conference on Indigenous Peoples, 2012, operative clause 1.

⁸ United Nations General Assembly, Organization of the High-level Plenary Meeting of the sixty-ninth session of the General Assembly, to be known as the World Conference on Indigenous Peoples, 2012, operative clause 3.

⁹ United Nations Permanent Forum on Indigenous Issues. World Conference on Indigenous Peoples.

¹⁰ United Nations Permanent Forum on Indigenous Issues, The Message Stick. Newsletter of the Secretariat of the United Nations Permanent Forum on Indigenous Issues, 2012.

¹¹ United Nations Permanent Forum on Indigenous Issues, The Message Stick. Newsletter of the Secretariat of the United Nations Permanent Forum on Indigenous Issues, 2012.

¹² Amnesty International, Canada: Indigenous protest movement highlights deep-rooted injustices, 2013.

¹³ Amnesty International, Canada: Indigenous protest movement highlights deep-rooted injustices, 2013.

to the ongoing discrimination of indigenous peoples in Canada and the legislative agenda of the government that infringes the rights of indigenous peoples.¹⁴

Thus further actions are needed and already planned. From January 29 - 31, 2013 an International Expert Group Meeting will take place in New York City to discuss indigenous issues.¹⁵ Under the name “Indigenous Youth: Identity, Challenges and Hope: articles 14, 17, 21 and 25 of the United Nations Declaration on the Rights of Indigenous Peoples” representatives from different indigenous peoples organizations or NGOs as well as other actors in the field will meet to discuss the situation of the indigenous youth.¹⁶ The meeting is the result of an ECOSOC decision and its conclusions will be reported to the UNPFII at its twelfth session in May 2013.¹⁷

The 12th session of the UNPFII will take place May 20-31, 2013 in New York City and instead of having a special theme, the conference this year will be a Review Year.¹⁸ On the agenda, there will be topics such as health, education and culture.¹⁹ Furthermore, there will be a discussion on the African region, human rights and the future of UNPFII.²⁰ The World Conference on Indigenous Peoples will also be discussed.²¹ This will be another important meeting in order to continue the way of strengthening indigenous rights worldwide.

The Committee at the National Model United Nations Conference

The United Nations Permanent Forum on Indigenous Issues (UNPFII) is an advisory body to ECOSOC and deals with the rights of indigenous peoples, especially regarding the fields economic and social development, culture, education, environment, health and human rights. For the NMUN Conference, the Committee comprises of 16 Member States, which represent the UN regions (Africa; Asia; Eastern Europe; Latin America and the Caribbean; and Western Europe and Other States) and seven sociocultural regions (Africa; Asia; Central and South America and the Caribbean; the Arctic; Eastern Europe, the Russian Federation, Central Asia and Transcaucasia; North America; and the Pacific).

Format: The UNPFII is a Report Writing Committee.

Voting: In the UNPFII each member has one vote and it does not allow for special privileges of Member States. However, the UNPFII requires consensus, meaning decisions have to be agreed upon by all members. In procedural matters, all decisions are decided on by majority vote of members present.

¹⁴ Amnesty International, Canada: Indigenous protest movement highlights deep-rooted injustices, 2013.

¹⁵ United Nations Permanent Forum on Indigenous Issues, Meetings and Workshops.

¹⁶ United Nations Permanent Forum on Indigenous Issues, Meetings and Workshops.

¹⁷ United Nations Permanent Forum on Indigenous Issues, Meetings and Workshops.

¹⁸ United Nations Permanent Forum on Indigenous Issues, Twelfth Session of the Permanent Forum.

¹⁹ United Nations Permanent Forum on Indigenous Issues, Twelfth Session of the Permanent Forum.

²⁰ United Nations Permanent Forum on Indigenous Issues, Twelfth Session of the Permanent Forum.

²¹ United Nations Permanent Forum on Indigenous Issues, Twelfth Session of the Permanent Forum.

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Amnesty International. (January 4, 2013). *Canada: Indigenous protest movement highlights deep-rooted injustices*. Retrieved January 6, 2013 from <http://www.amnesty.org/en/news/canada-indigenous-protest-movement-highlights-deep-rooted-injustices-2013-01-04>.

This is an interesting source that will help delegates to better understand the current movement against indigenous discrimination in Canada. It highlights the legal situation and addresses the reaction of the Canadian government. For delegates it will be helpful to receive basic knowledge of the situation and especially get a better insight into the role of civil society and its position.

United Nations General Assembly. (September 13, 2012). *Organization of the High-level Plenary Meeting of the sixty-ninth session of the General Assembly, to be known as the World Conference on Indigenous Peoples*. A/66/L.61. Retrieved January 6, 2013 from: <http://www.un.org/Docs/journal/asp/ws.asp?m=A/66/L.61>.

The resolution of the General Assembly deals with the organizational aspects of the World Conference on Indigenous People that will take place in 2014 in New York. For delegates it is an important document they should be aware of in preparation of the conference as it offers them a better understanding of the work of UNPFII. The World Conference will be important for the committee and shall have an action-oriented outcome document.

United Nations Permanent Forum on Indigenous Issues. *Meetings and Workshops*. Retrieved December 27, 2012 from <http://social.un.org/index/IndigenousPeoples/MeetingsandWorkshops.aspx>.

This website gives an overview of all meetings and workshops the UNPFII will hold or has already held in past years. This is an important orientation on the work the committee is doing and shows clearly what has been achieved so far and what fields were especially addressed by UNPFII. It will help delegates to find information on various topics and will serve as a good preparation for the conference.

United Nations Permanent Forum on Indigenous Issues. (2012). *The Message Stick. Newsletter of the Secretariat of the United Nations Permanent Forum on Indigenous Issues*. Retrieved January 11, 2013 from <http://www.un.org/esa/socdev/unpfii/documents/Message%20stick%20-%20Special%20Edition%202012.pdf>.

This source will be very helpful for delegates as it gives a good overview of the actions and main initiatives the UNPFII has dealt with in the past year. It also gives an outlook on upcoming activities or meetings, which is important in order to better understand the work of UNPFII. As various topics are touched within the newsletter, it is a good preparation for the conference and offers valuable information on the development in different indigenous issues.

United Nations Permanent Forum on Indigenous Issues. *World Conference on Indigenous Peoples*. Retrieved January 6, 2013 from <http://social.un.org/index/IndigenousPeoples/WorldConference.aspx>.

This source can be helpful for delegates as it explains the background of the World Conference on Indigenous Peoples, which will be held in 2014. The Conference is of special importance to UNPFII and thus it is crucial for delegates to be informed about it. Besides the further preparations regarding the conference, this source also points out the different steps in the development and gives links to essential resolutions.

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United Nations General Assembly. (September 13, 2012). *Organization of the High-level Plenary Meeting of the sixty-ninth session of the General Assembly, to be known as the World Conference on Indigenous Peoples*. A/66/L.61. Retrieved January 6, 2013 from: <http://www.un.org/Docs/journal/asp/ws.asp?m=A/66/L.61>.

United Nations Permanent Forum on Indigenous Issues. *Meetings and Workshops*. Retrieved December 27, 2012 from <http://social.un.org/index/IndigenousPeoples/MeetingsandWorkshops.aspx>.

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United Nations Permanent Forum on Indigenous Issues. *Twelfth Session of the Permanent Forum*. Retrieved January 11, 2013 from <http://social.un.org/index/IndigenousPeoples/UNPFISessions/Twelfth.aspx>.

United Nations Permanent Forum on Indigenous Issues. *World Conference on Indigenous Peoples*. Retrieved January 6, 2013 from <http://social.un.org/index/IndigenousPeoples/WorldConference.aspx>.

I. Improving Access to Education for Indigenous Children

Recent Developments

Indigenous children continue to suffer from a lack of access to education, particularly secondary and higher education.²² Several United Nations structures, including the Permanent Forum on Indigenous Issues, are taking proactive steps toward addressing educational disparity.²³ States are also implementing strategies to preserve indigenous languages and provide culturally sensitive formal education for indigenous children.²⁴

Recommendations of the Permanent Forum

Although the Permanent Forum did not dedicate an agenda item to education during its 11th session, several discussion topics included educational components.²⁵ In response to the session's special theme: "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests," the Permanent Forum recommended that states include discussion of the doctrine of discovery/dispossession and its contemporary manifestations in education curricula.²⁶ During the regional discussion on Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia, the Permanent Forum noted that indigenous youth in the region are often forced to leave their home and lands to receive an education.²⁷

The importance of access to education for indigenous women was stressed in a report to the Permanent Forum by an international expert group focused on "Combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples."²⁸ The expert group stressed that violence against indigenous women and girls is compounded when they lack education, and that access to education must be addressed in order for indigenous women and girls to benefit from international human rights law.²⁹ The report also noted that a lack of access to education makes indigenous women susceptible to human trafficking as domestic workers and prostitutes.³⁰ The working group recommended that states work with indigenous groups to develop community-based programs that re-examine gender roles and conflict resolution.³¹

In preparation for its 12th session, which will address the issue of education anew, the Permanent Forum appointed two members to undertake a study on "how the indigenous knowledge systems and history and the contemporary social circumstances of indigenous peoples are embedded in the curriculum of education systems."³²

State and Regional Successes

Several countries in North America and Oceania took steps toward educational equality in 2012.³³ The Canadian government established the National Panel on First Nations Elementary and Secondary Education for Students On-reserves.³⁴ The United States developed programs for tribal energy education, as well as facilitated an indigenous-led partnership to bring science, technology, engineering, and mathematics education to tribal colleges and universities.³⁵ In Australia, the Department of Education, Employment and Workplace Relations (DEEWR) implemented a work preparation program designed to help indigenous job seekers.³⁶ New Zealand primary schools teachers began using the indigenous language and educational histories of the Maori people in mathematics programs, which significantly improved success rates.³⁷

²² UNPFII, Report of the eleventh session (E/C.19/2012/13), 2012.

²³ UNPFII, Information received from entities of the United Nations system (E/C.19/2012/9), 2012.

²⁴ UNPFII, Compilation: Information from Member States (E/C.19/2012/12), 2012.

²⁵ UNPFII, Report of the eleventh session (E/C.19/2012/13), 2012.

²⁶ UNPFII, Report of the eleventh session (E/C.19/2012/13), 2012.

²⁷ UNPFII, Report of the eleventh session (E/C.19/2012/13), 2012.

²⁸ UNPFII, Report of the International Expert Group Meeting (E/C.19/2012/6), 2012.

²⁹ UNPFII, Report of the International Expert Group Meeting (E/C.19/2012/6), 2012.

³⁰ UNPFII, Report of the International Expert Group Meeting (E/C.19/2012/6), 2012.

³¹ UNPFII, Report of the International Expert Group Meeting (E/C.19/2012/6), 2012.

³² UNPFII, Report of the International Expert Group Meeting (E/C.19/2012/6), 2012.

³³ UNPFII, Report of the International Expert Group Meeting (E/C.19/2012/6), 2012.

³⁴ Assembly of First Nations, Report of the National Panel, 2012.

³⁵ Human Rights Council, The situation of indigenous peoples in the United States of America (A/HRC/21/47/Add.1), 2012.

³⁶ A4e Group of Companies, Indigenous Job Seekers embark on new careers at prestigious university, [Press Release], 2013.

³⁷ Meaney, *One Size Does NOT Fit All: Achieving Equity in Maori Mathematics Classrooms*, 2013.

Asian states with a plurality of indigenous populations also took measures to incorporate indigenous knowledge into national education programs.³⁸ In November 2012, the Filipino government organized the Indigenous Peoples Children's Congress to discuss implementation of its National Indigenous People Education Policy Framework.³⁹ The Chinese Education Minister Chiang Wei-ling doubled the funding for indigenous language education, including teacher training and hiring programs that promote native language programs.⁴⁰ Nepal committed to distribute incentives to non-governmental organizations that attract indigenous persons to workforce training programs.⁴¹

Ongoing United Nations Efforts

The United Nations Children's Fund (UNICEF) is working with indigenous organizations and local governments in Latin America and the Caribbean to identify intercultural bilingual education policies and programs for collaboration, particularly textbook development in indigenous languages, teacher training, and development of indigenous alphabets and dictionaries.⁴² The United Nations Educational, Cultural, and Social Organization (UNESCO) facilitated the 13th celebration of Mother Language Day, an event aimed at promoting linguistic diversity and multilingual education.⁴³ In Panama and Nicaragua, UNESCO created primary school education materials on the interdependence of the Mayangna people with fish and turtles populations based on a previous publication on the indigenous relationship with the environment.⁴⁴ Culturally appropriate audio-visual materials on HIV/AIDS and human trafficking were produced by UNESCO in the indigenous Akha and Wa languages, spoken in Thailand and China.⁴⁵ UNESCO is also working with the Secretariats of the Convention on Biological Diversity and United Nations Environment Programme to publish information on environmental issues in indigenous languages.⁴⁶

At their 67th session, the UN General Assembly included a section on indigenous children in its annual resolution concerning the rights of children.⁴⁷ The section includes a clause calling on Member States to take all appropriate measures to safeguard the realization of the right to education for indigenous children, including the implementation of compulsory primary education and bilingual and native language education. The resolution also details specific policy initiatives and recommendations for satisfaction of this right by states and international actors, such as the development of common indicators for indigenous children in both rural and urban areas and the revision of school curricula to develop respect among all children for indigenous cultures, history, language and values. Furthermore, between January 29 and 31, 2013, the UN will host an international expert group meeting on the theme of "Indigenous youth: identity, challenges and hope: articles 14, 17, 21 and 25 of the United Nations Declaration on the Rights of Indigenous Peoples."⁴⁸

³⁸ UNPFII, *Compilation: Information from Member States (E/C.19/2012/12)*, 2012.

³⁹ Phillipine Information Service, *Pampanga holds IP Children's Congress*, 2012.

⁴⁰ *Indigenous languages to get cash boost from MOE*, The China Post, 2013.

⁴¹ *MoE to provide vocational trainings to youths*, My Republica, 2013.

⁴² UNPFII, *Information received from entities of the United Nations system (E/C.19/2012/9)*, 2012.

⁴³ UNPFII, *Information received from entities of the United Nations system (E/C.19/2012/9)*, 2012.

⁴⁴ UNPFII, *Information received from entities of the United Nations system (E/C.19/2012/9)*, 2012.

⁴⁵ UNPFII, *Information received from entities of the United Nations system (E/C.19/2012/9)*, 2012.

⁴⁶ UNPFII, *Information received from entities of the United Nations system (E/C.19/2012/9)*, 2012.

⁴⁷ UN General Assembly, *Report of the Third Committee: Promotion and protection of the rights of children (A/67/453)*, 2012.

⁴⁸ United Nations General Assembly, *Declaration on the Rights of Indigenous Peoples*, 2007.

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Assembly of First Nations. (2012). *Summary of the Report of the National Panel on First Nation Elementary and Secondary Education for Students On-reserve*. Retrieved January 15, 2013, from:

http://www.afn.ca/uploads/files/education/sr_summary_of_the_national_panel_report_feb_14_2012_final.pdf

Written by one of the oldest indigenous peoples' organization recognized by the United Nations, this report is the result of a collaborative effort between the Assembly of First Nations and Canadian government. The piece identifies basic areas of cooperation between national governments and indigenous peoples. Several recommendations for national initiatives are included within the report. Delegates should utilize the report to identify the potential for international measures to address the Assembly of First Nations' concerns relative to the diverse needs of the world's indigenous peoples.

Meaney, T., T. Trinick and U. Fairhall. (2013). One Size Does NOT Fit All: Achieving Equity in Maori Mathematics Classrooms. *Journal for Research in Mathematics Education*, 44 (1).

This article is the result of a research study on the incorporation of indigenous traditions and knowledge in formal educational practices. The study focuses how mathematics teachers in a primary education school in New Zealand used Maori educational traditions to form a partnership between students, parents and teachers. The experiment resulted in positive academic results for the students, leading to expansion of the program and greater funding to the school. Delegates should consider how similar strategies can be implemented on an international level to integrate indigenous culture with formal education.

Secretariat of the United Nations Permanent Forum on Indigenous Issues. (2013). *International Expert Group Meeting on the theme "Indigenous youth: identity, challenges and hope: articles 14, 17, 21 and 25 of the United Nations Declaration on the Rights of Indigenous Peoples" 29 to 31 January 2013, New York Concept Note (PFII/2013/EGM)*. Retrieved January 15, 2013, from:

http://www.un.org/esa/socdev/unpfi/documents/EGM13_concept_note.pdf

Although only an overview of work to come, this concept note includes a concise history of the issue affecting indigenous youth, including education. The document provides the scope of the international expert group and the goals set out by the Permanent Forum for its meeting. Delegates should pay particular attention to section C, which provides information about youth education and issues related to the failure of national governments to implement meaningful, successful programs.

United Nations General Assembly. (2012, December 5). *Report of the Third Committee: Promotion and protection of the rights of children (A/67/453)*. Retrieved February 5, 2013, from:

<http://www.un.org/Docs/journal/asp/ws.asp?m=A/67/453>

This report from the General Assembly Third Committee includes the draft resolution that was passed unanimously by the General Assembly to become A/RES/67/152, the omnibus resolution on "Rights of the child." Under Section III, "The rights of indigenous children," clauses 34, 37, 41 and 42 address access to education and clause 44, sections c, d, g, h, k, l, p and t detail the specific recommendations concerning education. Delegates should use these agreed-upon recommendations by the entire General Assembly to identify successful state initiatives and international programs that their Member State supports and seeks to further implement. Although only this report is available as of this publication, the resolution should be available in the coming months by accessing

<http://www.un.org/Docs/journal/asp/ws.asp?m=A/RES/67/152>.

United Nations Permanent Forum on Indigenous Issues. (2012, March 3) *Information received from entities of the United Nations system and other intergovernmental organizations (E/C.19/2012/9)*. Retrieved January 15, 2013, from: <http://www.un.org/Docs/journal/asp/ws.asp?m=E/C.19/2012/9>

This source is the collection of reports from UN bodies to the Permanent Forum regarding implementation of the Permanent Forum's recommendations. Delegates should initially focus on the reports of UNESCO and UNICEF as these UN mechanisms work on education and indigenous children's issues. However, it is important to review actions related to secondary issues affecting educational access, including poverty, environment and reproductive and maternal health.

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- United Nations Permanent Forum on Indigenous Issues, *Report of the Eleventh Session of the UN Permanent Forum on Indigenous Issues (E/C.19/2012/13)*. Retrieved January 15, 2013, from: <http://www.un.org/Docs/journal/asp/ws.asp?m=E/C.19/2012/13>

II. Protecting the Rights of Indigenous Peoples in Situations of Armed Conflict Update

Recent Developments

The United Nations and several of its bodies such as the United Nations Permanent Forum on Indigenous Issues (UNPFII) continued to discuss the protection of the rights of indigenous peoples in armed conflicts. The Third Committee of the General Assembly adopted at its 67th session a resolution on the promotion of the rights of the child, which especially mentions the situation of indigenous children.⁴⁹ The resolution highlights the importance of protecting indigenous children from all kinds of discrimination and violence.⁵⁰

However, indigenous peoples still suffer from discriminatory governmental policies and are often uprooted from their own lands.⁵¹ Defenders of indigenous human rights are also often victims of violence or intimidation, which makes it more difficult for them to stand up for their rights, especially in conflict regions.⁵²

In October 2012, the government of Guatemala reacted violently to the peaceful protests of the Maya K'iche' people, instead of trying to find a dialogue on such important topics as the proposed constitutional reforms or changes in the educational system.⁵³ At the end of the year, indigenous communities still had only limited access to clean water or appropriate health care.⁵⁴ Furthermore, there have been several attacks on human rights defenders such as the trade unionist Byron Arreaga, who fought against corruption and was shot in September.⁵⁵

The situation of indigenous peoples in Colombia remains difficult as shown by Universal Periodic Review Colombia's recently published report.⁵⁶ The report was composed by various international organizations and will be part of a further examination of the human rights situation in Colombia, which the United Nations Human Rights Council will organize from April 22 until May 3, 2013 in Geneva.⁵⁷ The Colombian government has still not implemented Ruling 004 of the Constitutional Court, which shall establish a National Guarantee Program in consultation with indigenous peoples.⁵⁸ Furthermore, the report points out that indigenous peoples are still more likely to suffer from displacement than other groups.⁵⁹ From January to September 2012, there have been 235 individual attacks on indigenous people in Colombia, which shows that they are still facing serious risks that need to be addressed by the international community.⁶⁰

For situations like this, it is important for the United Nations Permanent Forum on Indigenous Issues to be present and deal with the challenges resulting from it. For example, the UNPFII should try to put pressure on African governments in order to guarantee a better implementation of the UN Declaration for Indigenous Issues.⁶¹ The World Conference on Indigenous People that will take place in 2014 in New York will certainly deal with the human rights situation of indigenous people and will address conflict situations like the ones mentioned above in its action-oriented outcome document.⁶²

⁴⁹ United Nations General Assembly, Rights of the child, 2012, p.9-13.

⁵⁰ United Nations General Assembly, Rights of the child, 2012, p.9-13.

⁵¹ Amnesty International, Indigenous Peoples.

⁵² Amnesty International, Indigenous Peoples.

⁵³ Indian Law Resource Center, Center condemns violence in Totonicapan, Guatemala, 2012.

⁵⁴ Amnesty International, Annual Report 2012. Guatemala.

⁵⁵ Amnesty International, Annual Report 2012. Guatemala.

⁵⁶ Universal Periodic Review Colombia 2013, Report on the Human Rights situation in Colombia 2008-2013, October 2012.

⁵⁷ ABColombia, Human Rights in Colombia before the UN Human Rights Council – 2013 UPR process, January 2013.

⁵⁸ Universal Periodic Review Colombia 2013, Report on the Human Rights situation in Colombia 2008-2013, October 2012, p.11.

⁵⁹ Universal Periodic Review Colombia 2013, Report on the Human Rights situation in Colombia 2008-2013, October 2012, p.11.

⁶⁰ Oficina Internacional de los Derechos Humanos continue to increase, 2012.

⁶¹ United Nations Non-Governmental Liaison Service, UN Permanent Forum on Indigenous Issues focuses on human rights.

⁶² United Nations General Assembly, Organization of the High-level Plenary Meeting of the sixty-ninth session of the General Assembly, to be known as the World Conference on Indigenous Peoples, 2012.

Annotated Bibliography

Amnesty International. *Indigenous Peoples*. Retrieved January 13, 2013 from <http://www.amnesty.org/en/indigenous-peoples>.

This source will give delegates an insight into the work of amnesty international in the field of protecting indigenous rights. Beside a general overview of the challenges indigenous people have to face, it also points out the various ways of support the NGO is offering. Furthermore it offers links to current situations that will update delegates on indigenous challenges at the moment.

Galdu. (December 21, 2012). *Rising ethnic tensions threaten new violence in Mali*. Retrieved January 13, 2013 from <http://www.galdu.org/web/index.php?odas=5950&giella1=eng>.

This article gives a very profound overview of the current situation in Mali and will help delegates to better understand the conflict as well as the rising ethnic tension in the country. This is important in order to understand how history can still influence today's actions and how this affects indigenous peoples in situations of conflict.

Lutz, Ellen L. Cultural Survival. *Recognizing Indigenous Peoples' Human Rights*. Retrieved January 13, 2013 from <http://www.culturalsurvival.org/publications/voices/australia/recognizing-indigenous-peoples-human-rights>.

This source gives a good overview of the general situation of indigenous peoples and their rights. It describes the current status of indigenous rights and offers a detailed definition of indigenous peoples. Furthermore it discusses the aspect of indigenous lands and resources and gives certain country examples that will help delegates to prepare for the conference.

Minority Rights Group International. (June 2012). *State of the World's Minorities and Indigenous Peoples 2012. Events of 2011*.

This report will help delegates to get a better understanding of the situation of indigenous peoples worldwide. With detailed case studies, the report shows the difficulties and struggles of indigenous peoples in all parts of the world. Furthermore, delegates can find out what peoples are under threat in 2012 and learn more about indigenous land rights which are often reason for violent conflicts.

Universal Periodic Review Colombia 2013. (October 2012). *Report on the Human Rights situation in Colombia 2008-2013*. Retrieved January 6, 2012 from:

http://www.abcolombia.org.uk/downloads/121002_UPR_English_final_firmas_adicionales.pdf.

This report deals with the human rights situation in Colombia and will give delegates another overview of the situation of indigenous peoples in this country. The report points out the developments (or lack thereof) in the field of protecting the rights of indigenous people in situations of armed conflict.

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Universal Periodic Review Colombia 2013. (October 2012). *Report on the Human Rights situation in Colombia 2008-2013*. Retrieved January 6, 2012 from: http://www.abcolombia.org.uk/downloads/121002_UPR_English_final_firmas_adicionales.pdf.

III. Reconciling Indigenous Rights with Land Governance

Recent Developments

Pursuant to the session's theme, "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests," the Permanent Forum discussed the historical justification for the removal of indigenous peoples from their lands.⁶³ The Forum called upon states to reject the doctrines of discovery and domination and the concepts of "conquest," "discovery," and "terra nullius" (land belonging to no one) and to rectify past violations.⁶⁴ During discussion of World Heritage sites, the Permanent Forum expressed concern that this initiative's good intention of cultural preservation is being exploited to infringe on indigenous land uses.⁶⁵

Recognizing the rising number of transnational corporations engaging in resource exploitation, the Permanent Forum called for the implementation of social responsibility standards within corporate projects and stricter assurances of free and informed consent from indigenous peoples.⁶⁶ Regarding the impact of land use changes on Arctic reindeer herders, the Forum called for protection against eco-tourism and foreign exploitation.⁶⁷

Work of the United Nations Secretariat and Other Intergovernmental Organizations

In the Secretary-General's report on progress during the Second International Decade of the World's Indigenous Peoples, Secretary-General Ban Ki-moon declared the necessity of a development plan by 2015.⁶⁸ The Indigenous Peoples and Minorities Section of the Office of the High Commissioner on Human Rights prepared a compilation of international standards on land and indigenous peoples, in order to guide future international efforts.⁶⁹ The Expert Mechanism on the Rights of Indigenous Peoples recommended steps to ensure the participation of indigenous peoples in state decisions regarding resource extraction projects.⁷⁰

The International Fund for Agricultural Development held regional workshops on land rights in Thailand, Nicaragua, and Kenya, and will host the first global meeting of the Indigenous Peoples Forum in February 2013.⁷¹ The Asian Development Bank organized a regional workshop for the indigenous peoples of Bangladesh, the People's Republic of China, and the Philippines on safeguards in development projects.⁷² The UN Population Fund partnered with the Tanzania Gender Networking Programme (TGNP) to support a Gender Festival that provided a platform for Ngorongoro women to express concerns about land and natural resource rights.⁷³

Regional Developments

Thousands of First Nations members began protests in December 2012, in reaction to the Canadian government's attempts to allow mining and oil extraction on indigenous land.⁷⁴ As part of this "Idle No More" movement, eight First Nations opted out of land-related sections of Canada's Indian Act and expressed plans to develop their own land use laws in accordance with their 1996 Framework Agreement on First Nation Land Management.⁷⁵

Indigenous peoples in Chile also faced setbacks with the establishment of an anti-terror law created to protect foreign development on the Mapuche people's lands against armed opposition.⁷⁶ Peru similarly created a special police force to patrol mining zones and prevent organized indigenous resistance, despite known environmental

⁶³ UNPFII, Report of the Eleventh Session of the UN Permanent Forum on Indigenous Issues (E/C.19/2012/13), 2012

⁶⁴ UNPFII, Report of the Eleventh Session of the UN Permanent Forum on Indigenous Issues (E/C.19/2012/13), 2012

⁶⁵ UNPFII, Ongoing priorities and themes: a note by the secretariat (E/C.19/2012/2), 2012

⁶⁶ UNPFII, Analysis of the duty of the State to protect indigenous peoples (E/C.19/2012/3), 2012

⁶⁷ UNPFII, Report of the Eleventh Session of the UN Permanent Forum on Indigenous Issues (E/C.19/2012/13), 2012

⁶⁸ United Nations General Assembly, Report of the Secretary-General (A/67/273), 2012

⁶⁹ OHCHR, Information on recent activities of the Office of the High Commissioner for Human Rights, 2012

⁷⁰ OHCHR, Information on recent activities of the Office of the High Commissioner for Human Rights, 2012

⁷¹ IFAD, IFAD's Report to the XI Session of the UN Permanent Forum on Indigenous Issues (UNPFII), 2012

⁷² ADB, Report of the Asian Development Bank to the Eleventh Session, 2012

⁷³ UNPFII, Information received from entities of the United Nations system (E/C.19/2012/9), 2012

⁷⁴ United Nations News Service, Canadian authorities must start meaningful dialogue with aboriginal leaders – UN expert, 2013

⁷⁵ Horgan, The murky layers of aboriginal land rights, and the clear need to talk, 2013

⁷⁶ Associated Press, As a booming Chile hosts leaders of an ailing Europe, Pinera says 'Welcome to a better world!', 2013

contamination and human rights abuses in the zones.⁷⁷ In contrast, El Salvador and Paraguay created national registers of indigenous communities to recognize to assure the rights of their ancestral lands.⁷⁸ Argentina enacted changes to its national Civil Code to require indigenous communities to be consulted before developing their land.⁷⁹

The first Africa Land Forum, consisting of representatives of indigenous peoples from 28 states, took place in Yaoundé, Cameroon, with the theme “Securing the land rights of indigenous people and poor rural communities.”⁸⁰ The participants unanimously approved the Yaoundé Declaration, which include eight principles: sustainable and equitable land governance; legal recognition and protection of the land rights of all land users; wide participation in decision-making over land; end discrimination of women and minorities; use of widely adopted land governance guidelines; establishment of a primary place in discussions for small-scale producers; sufficient benefits and compensation to affected communities; and fair and accessible land conflict resolution mechanisms.⁸¹

Conclusion

Indigenous peoples continue to face an uphill battle in protecting their ancestral lands and conservation of their natural resources from discriminatory state governments and transnational corporations.⁸² The 12th session of United Nations Permanent Forum provides an opportunity to review previous recommendations and determine appropriate action to ensure all stakeholders are involved in equitable land governance.⁸³

⁷⁷ Boyd, Peruvian protesters face increased police brutality, 2013

⁷⁸ United Nations General Assembly. Report of the Secretary-General (A/67/273), 2012

⁷⁹ Godroy, Indigenous protection: implications of Civil Code reform for resources projects, 2013

⁸⁰ ILC, First Africa Land Forum: Challenging times for indigenous peoples and pastoralists in Africa, 2013

⁸¹ ILC, Yaoundé Declaration of the 1st ILC Africa Land Forum, 2012

⁸² UNPFII, Analysis of the duty of the State to protect indigenous peoples (E/C.19/2012/3), 2012

⁸³ UNPFII, Report of the Eleventh Session of the UN Permanent Forum on Indigenous Issues (E/C.19/2012/13), 2012

Annotated Bibliography

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This article on the need for standardized and consistent Canadian land governance of indigenous resources provides insight into the “Idle No More” movement. These protests focused international attention on the struggle of indigenous peoples for free and informed consent regarding use of their traditional lands. Delegates should research the steps taken by First Nations peoples to establish a functional framework for land rights.

International Land Coalition (ILC). (2012, November 9). *Yaoundé Declaration of the 1st ILC Africa Land Forum*. Retrieved January 16, 2013 from: <http://www.landcoalition.org/news/yaounde-declaration-1st-ilc-africa-land-forum>

The first International Land Coalition Africa Land Forum resulted in this declaration, which sets out principles for African land development. It lays out the concerns facing these groups, many of which are similar in nature to those facing indigenous groups across the world. This regional-specific approach provides a template for diverse indigenous groups across regions to establish a cooperative effort in relations with state governments and the international system.

United Nations General Assembly. (2012, August 8). *Report of the Secretary-General: Evaluation of the progress made in the achievement of the goal and objectives of the Second International Decade of the World’s Indigenous People (A/67/273)*. Retrieved January 16, 2013 from: <http://www.un.org/Docs/journal/asp/ws.asp?m=A/67/273>

Secretary-General Ban Ki-moon’s report to the General Assembly addresses the ongoing issues facing indigenous peoples. While the report is overall positive of the work done by the UN structure and Member States, the Secretary-General makes it evident that work is only beginning. Delegates should study this report to fully understand how far the system has come and how much more is left to be done.

United Nations Office of the High Commissioner for Human Rights (OHCHR). (2012). *Information on recent activities of the Office of the High Commissioner for Human Rights related to the rights of indigenous peoples: Contribution of OHCHR’s Indigenous Peoples and Minorities Section to the Eleventh session of the UN Permanent Forum on Indigenous Issues*. Retrieved January 16, 2013 from:

<http://www.un.org/esa/socdev/unpfii/documents/2012/session-11-OHCHR.pdf>

The OHCHR’s Indigenous Peoples and Minorities Section implements recommendations of the Expert Mechanism on the Rights of Indigenous Peoples. This report outlines their work, including initiatives to establish more equitable land governance. Delegates should analyze the work done by this body and determine if their state is addressing the land use concerns expressed by the Permanent Forum, Expert Mechanism and their respective implementing bodies.

United Nations Permanent Forum on Indigenous Issues (UNPFII). (2012, February 23) *Analysis of the duty of the State to protect indigenous peoples affected by transnational corporations and other business enterprises*. Retrieved January 15, 2013 from: <http://www.un.org/Docs/journal/asp/ws.asp?m=E/C.19/2012/3>

This report from the Permanent Forum’s eleventh session outlines the challenge facing indigenous peoples from foreign interests. It addresses the unique power structure between national governments, transnational corporations and indigenous peoples regarding the use of land for extractive industries and development. Delegates should pay particular attention to the case studies about indigenous peoples that created cooperative structures that protected their lands from unwanted development and national governments failed to receive their free and informed consent.

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