



Karlsruhe Model United Nations

17-19th November 2017

Human Rights Committee Study Guide

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THE UNITED NATIONS HUMAN RIGHTS COUNCIL

Committee Introduction

The Human Rights Council is the principal intergovernmental body responsible for strengthening the promotion and protection of human rights around the world within the system of the United Nations as well as taking action on human rights violations.

The Council held its first meeting in 2006 in the United Nations Office in Geneva, Switzerland with Mr. Luis Alfonso de Alba from Mexico being its first president. Currently the presidential seat is taken by Mr. Joaquín Alexander Maza Martelli from El Salvador since 1st January 2017. The place of meeting is unchanged since the formation of the body.

The Council is made up of 47 Member States (so-called Council Members), being elected by the UN General Assembly with simple majority voting procedure. Each member is elected for the term of three years, with one-third of the committee being renewed each year. Council membership is based on geographical distribution, with African States and Asia-Pacific States each being given 13, Latin-American and Caribbean States being given 8, Eastern European States owning 6 and Western European and other States owning 7 seats. The so-called Bureau consists of the president and the four vice-presidents, each of them representing one of the abovementioned regions. Bureau members serve for one year only, from January until December annually.

The Council can adopt texts with or without votes. During the voting procedure, only Council Members can vote. The decisions are not legally binding thus they are not enforceable. The Human Rights Council adopted over 1300 texts between 2006 and 2016 to address both thematic or country-specific human rights issues.

Apart from the abovementioned scope of duties, an important component of the council's work is the review of all United Nations member states about the current situation of human rights, called Universal Periodic Review.

The Council also has a vast group of independent experts who serve as the ears and eyes of the council, with the opportunity to examine, advise and report further information about human rights violation in specific countries and hot-spots. Furthermore, the Council is empowered to establish international commissions of inquiry, fact-finding missions and investigation in order to respond to human rights violations more effectively, help expose the violators and bring them to justice.

Notes from the Chairs

Committee Director – Hamza Naeem

Honored Delegates,

It is undeniably an absolutely heart-warming pleasure to welcome you to the United Nations Human Rights Council (UNHRC) at KAMUN 2017.

I am Hamza Naeem, a recent graduate of the National University of Sciences and Technology, Pakistan. I have completed my four years of bachelors in Electrical Engineering, majoring in Power Systems. I am currently operational at this French Multinational GDF Suez (now known as ENGIE) in the capacity of a Trainee Engineer. I have been a very active member of the Model United Nations circuit in the course of past 6-7 years. I have been part of 28 Model United Nations since 2006 and have won various awards as a Delegate as well as a Committee Director.

I am truly honored to serve as the Committee Chair for UNHRC at this year's edition of Karlsruhe Model United Nations. As a committee and a group of relentlessly hard-working individuals, UNHRC at KAMUN'17 shall undoubtedly become one of the most exhilarating and thought-provoking experiences of our lives.

The importance of the expression of your opinion, principally in the realms of foreign policy and global diplomacy carries immense value, irrespective of the level of diversity and the number of individuals that may be present to witness your opinion. The Model United Nations platform is not just limited to representing countries, participating in rhetoric and socializing, the objective essentially is to step forward and comprehend the complexities of decision-making and bilateral policy structures.

The success of this conference will not be defined by how much voice an individual raised, but the extent of knowledge and the level of understanding he established of as to why global leadership take enigmatic decisions, which may in fact be an essential step towards the survival and sovereignty of a Nation.

Within UNHRC, every single delegate must be well-prepared, not for their own progress and benefit, but for that of others as well. If each delegation is able to prepare themselves to become the true ambassadors of their allotted countries, not only will the entire gathering benefit from the vast knowledge flowing through the committee, but each individual shall be able to take a leap forward in becoming a more informed citizen of the global populace. Each of you, as delegates, is responsible for the success or failure of this conference; let us not find faults in each other, but seek to explore the positive aspects of the delegations that sit amongst us and of the platform that has been created for us. Let us congregate to make the KAMUN'17 experience worthwhile.

Yours,

Hamza Naeem

Committee Director UNHRC

Committee Director – Dóra Török

Honourable Delegates,

It is my pleasure to welcome you all to the Human Rights Council of KAMUN 2017. I am Dóra Török and I will be one of your chair members this year. I wish you all a delightful experience.

As for me, I study law in Budapest, Hungary. I am involved in the world of MUNs since 2012, starting to experience it in my high school. I am member of the International Diplomatic Student Association of Hungary since 2016, this year being member of both Professional and Human Resources Team.

I hope the sessions of our committee will be flourishing and everyone will be able to put their remarks on our final resolution(s). As a beginner committee, I acknowledge that expressing your opinion might be hard at first, but I would encourage every single one of you to prepare as much as you can and thus gain confidence for performances. Basic knowledge and rational opinion is the most welcomed combination in our committee.

However, my goal is not to push anybody beyond their limits and therefore cause uncomfortable situation. If you do not intend to speak up at first, please do not feel oppressed or threatened. Although I warmly suggest everyone to even step out of their comfort zone if necessary to experience every side of the MUN, I will not oblige you to act without your true will, I can promise you that.

Please feel free to contact me in case you need help with your preparation or further information about MUN related issues.

Sincerely yours,

Dóra Török

Topic A: "Protection of war affected relocated civilians in Iraq"

Introduction

The situation in Iraq remains extremely precarious for civilians, with additional thousands being displaced by violence and persecution even as refuge becomes harder to find — either internally or in neighboring countries. The relatively few refugees who have returned from Syria to Iraq consider legal and financial difficulties as their motivation for return more often than improved security within Iraq. More than 2 million refugees remain in Syria, Jordan, and other neighboring states, straining local resources and unprepared, under resourced governments. Nearly an equal number are internally displaced.

More than 4.4 million Iraqis were internally displaced and an additional of 264,100 were recorded seeking refuge abroad at the end of 2015. Recently, the liberation of Mosul and the Telefar operation left thousands of Iraqi families without food, water or shelter in a region where the temperatures go above 50 degrees in the peak season. Not only are these refugees forced to leave behind their most vulnerable (children, elderly, disabled) who are unable to undertake the arduous journey of survival, but these families are also often denied to access safe locations that have the capacity to absorb them. Today, UNHCR's humanitarian operations in Iraq remain critically underfunded while reports of harassment, revenge attacks and abuse of the displaced people are on an exponential growth. The Human Rights Council, together with the Iraqi authorities needs to escalate the efforts to safe guard these relocated civilians and grant them, least of all the basic human rights.

Background

Iraqis were forcibly displaced and fled their country in large numbers during the years of Saddam Hussein's regime. The U.S.-led invasion of Iraq in 2003 produced less displacement than initially anticipated, but the wave of ethnic violence, wanton criminality and lawlessness almost immediately pushed tens of thousands of Iraqis from their homes and communities. The present displacement and refugee crisis is transformative and it is far larger in scale than those that occurred previously. By far the largest took place in a two-year period from 2006 to 2007, in the wake of reprisals related to the bombing of the al-Askari mosque in Samarra in February 2006. Approximately 1.55 million to 1.68 million people—5.5 percent of the population—were displaced during those two years. At present, at least 1 million Iraqis are living as refugees in Syria, Jordan, Lebanon, Egypt, and other countries in the region. They are tolerated, but for the most part, are without firm legal status or means of livelihood. About one-third of the IDPs are concentrated in slums in 8 the larger cities of Baghdad, Diyala, and Salah ad-Din. Among the IDPs are a number of refugee returnees from Syria, identified by Refugees International in 2010, who could not recover homes or land and found security to be too precarious in their home villages. They opted for the urban slums instead. The dramatically improved security situation in Iraq over the past two years is undeniably good news. Although the relative calmness is tragically broken on almost a daily basis somewhere in the country, Iraqi citizens are finally able to venture out for activities associated with normal life. It is thus reasonable to suppose that there should be an increase in the number of refugees who are returning or contemplating returning to their homes in Iraq. However, the refugees in neighboring countries have barely responded to the clearly more peaceful conditions, and those who have returned—about 127,000 since 2006, according to UNHCR data—affirm that they were more driven by their dire living conditions outside the country than attracted by the potential opportunities of rebuilding their lives in Iraq. IDPs were returning to their original homes in larger numbers in 2007 and 2008, but current International Organization for Migration (IOM) surveys have found smaller rather than larger numbers seeking return in 2009 and 2010, despite improved security. The obstacles and deterrents to homecoming are sometimes monumental. The IOM reported in 2009 that while nearly half the Iraqi IDPs expressed the wish to return to their geographic homes, 43 percent of the IDPs lacked access to their homes. These and others would not return for a variety of reasons.

First, while security has improved measurably (not taking into consideration the incidents of assassinations, bombings, and other forms of armed violence toward civilians), families are still afraid to return to the places they were forced to leave. This fear also has a strong logical basis: The massive ethnically driven flights from locations across the country have created religiously homogeneous neighborhoods and towns. This forced homogeneity is undoubtedly a factor in present stability, and people going back to places where they would constitute a religious minority might well generate violent responses. Of course, the opposite logic may also prevail, but many are unwilling to gamble on it. Moreover, insecurity in Baghdad and other cities obliges some urban families to settle down in rural areas despite fewer economic opportunities. Second, throughout the country, Iraqis encounter lack of food, water, health care, sanitation, and electricity. Conditions for the displaced are likely to be worse in their places of origin than in the places where they have found shelter, and access to employment and services in the more remote home communities tends to be worse. Employment is a first priority. Lacking the expectation of an improved quality of life and still concerned about insecurity, refugees and IDPs are not strongly motivated to rebuild their lives in the communities they have abandoned. Whether they return or try to build their lives elsewhere, the IDP populations desperately need continued humanitarian aid—food assistance in particular—that the Iraqi government has provided in painfully low amounts. The lack of adequate government response, according to Refugees International, has led sectarian groups such as the Sadrist movement to rise to the occasion and help families of their own persuasion with basic needs. This phenomenon does not bode well for minority returns and sectarian harmony. Third, sorting out property claims has proven extremely difficult, even where there is good will and no corruption.

Government instruments, one of which involves the Iraqi army, have been created for this purpose, but they do not operate in a uniform manner and their effectiveness is dubious. In addition to current property disputes, some claims go back to the Baathist period, and it will take years of judicial improvement to rule fairly on multiple situations in which people are occupying homes and land belonging to others and titles are poorly documented. Problems obtaining restitution and compensation impede property owners from achieving integration elsewhere. The international community has invested heavily in reconstruction projects and improvements are visible, especially in infrastructure. The international contributions that affect IDPs and returning refugees have been targeted primarily to build national ministries and assist the vulnerable. Both forms of assistance are needed, but as the U.S. Government Accountability Office (GAO) concludes, “Clearly defined and agreed upon strategic goals and intended outcomes for reintegration have not been specifically developed. “The newly installed government of Iraq has pledged to prioritize making it possible for refugees and IDPs to return and recover property or receive compensation. The government officially recognizes that it is urgent to help the vast number of Iraqis living miserably in ad hoc arrangements, both inside and outside Iraq. Because their problems are widely shared throughout the country, it is hoped that resources will flow to social and economic improvements across the borders. At the same time, the IDPs and returning refugees must have access to viable mechanisms for restitution and compensation for losses.

One of the most recent and dramatic consequences of the world's conflicts has been the growth in numbers of refugees seeking safety through dangerous sea journeys. Many perish while attempting to escape from danger.

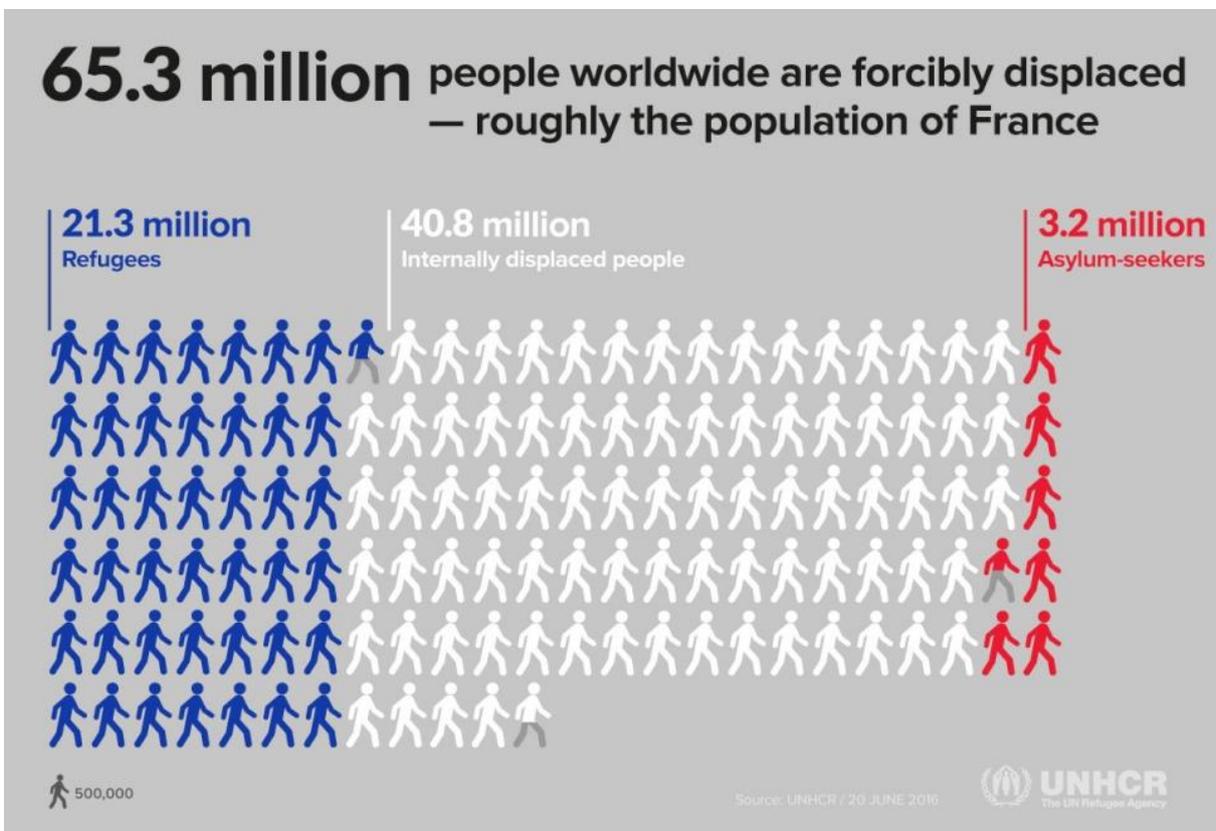
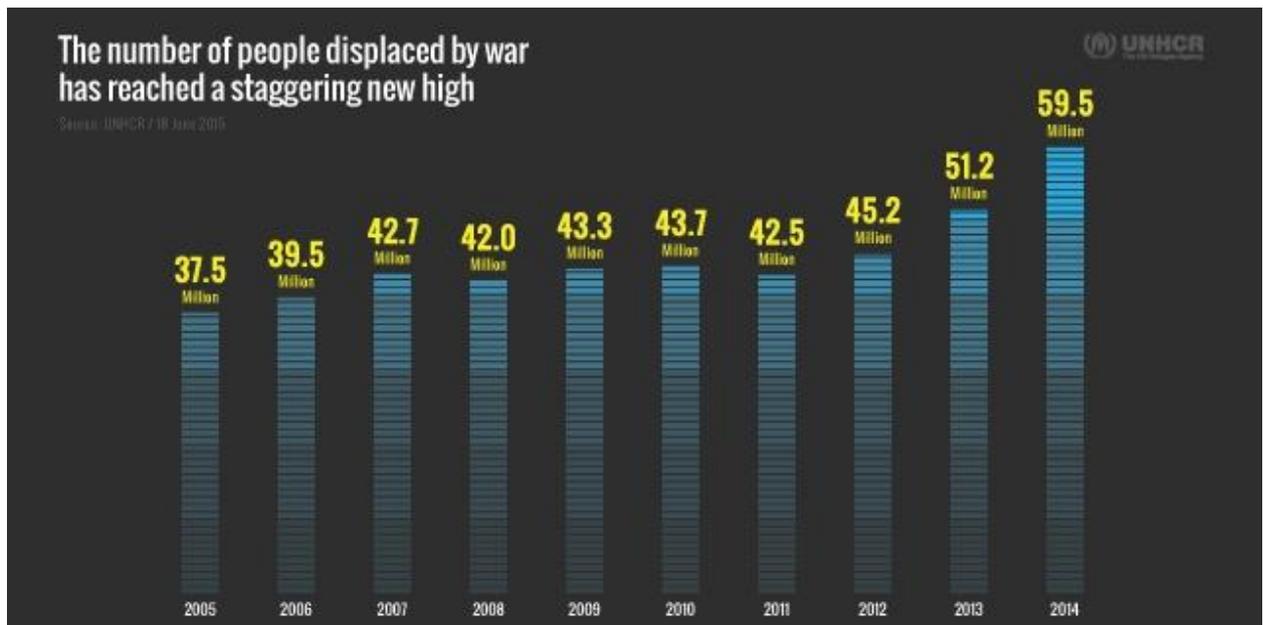


Figure 2: Overview to world refugees crisis

Current Situation

War in Iraq has left thousands dead and many civilians homeless. The current liberation flow of the major Iraqi cities like Mosul and Telfer by the Iraqi forces is a sign towards progress for the region but at the same time the locals are still facing violation of basic human rights by the anti ISIS forces as well as insecurities of various other forms as well as settlement crisis.

The United Nations Human Rights Council adopted a resolution in Geneva, on the Iraq conflict by consensus on March 27, 2015, that condemns atrocities by the extremist group Islamic State (also known as ISIS), but failed to condemn the abuses by militias, volunteer fighters, and Iraqi forces.

“No one questions the Human Rights Council's attention to the widespread atrocities by ISIS in Iraq, but ignoring abuses by Iraqi militias and security forces is not only indefensible, it's dangerous,” said John Fisher, Geneva director.

Human Rights Watch followed an investigation of abuses in the wake of the ISIS retreat from the town of Amerli in September. Militias looted property of Sunni civilians who had fled the fighting, burned their homes and businesses, and destroyed at least two entire villages, all in violation of the laws of armed conflicts.

After the liberation of Mosul and Telfer, Iraqi militias and security forces are currently engaged in an offensive in Tikrit. The United States has conducted airstrikes in Tikrit to support Iraqi security forces. Further military operations in the city of Mosul, controlled by ISIS since June 2014, may follow, placing large numbers of civilians at risk from all warring parties.

Relocated Masses

Eleven of Iraq's 18 governorates have limitations on development inside Iraq, and Internally Displaced people (IDP) are frequently compelled to come back to their areas after tormented by the bigoted brutality while they were attempting to escape. Among the 2.3 million IDPs members of religious minorities and previous representatives of the US and other coalition governments are especially in danger.

Syria, Jordan, and Lebanon, the top refugee-receiving countries, are not signatories to the 1951 UN Convention relating to the Status of Refugees. Refugees in those countries have limited means of legal protection, and they are continually subject to changing requirements for entry and stay.

Syria presented visa limitations on October 1, 2007, even though a few reports from the field demonstrate that numerous Iraqis who approached the outskirts obtained visas there. Jordan shut its fringes toward the end of 2005, and Saudi Arabia is building a 560-mile fence along the Iraq fringe to keep out unlawful vagrants and insurgents from Iraq.

According to the Iraqi Red Crescent Association (IRCO), amongst September and December 2007, 45,913 Iraqis came back to Iraq from Syria. Just 14 percent of those reviewed by the United Nations High Commission for Refugees (UNHCR) said they returned due to enhanced security conditions. Right around 70 percent known not being ready to manage the cost of living in Syria, combined with stricter visa arrangements and the powerlessness to work, as their inspirations for coming back to Iraq.

The ability of Iraqis to seek asylum outside the region is constrained by both the cost of the journey and restrictive administrative practices in receiving countries. Nonetheless, Iraqi asylum claims in the 36 industrialized countries that report data to UNHCR more than doubled in the first six months of 2007 compared to the first six months of 2006. Sweden received the largest number of claims and accepted most Iraqis as *prima facie* refugees.

By the start of December 2007, less than 5,000 Iraqis had left for different resettlement nations through composed resettlement programs. In financial year (FY) 2007 (October 1, 2006, to September 30, 2007), just 1,608 were admitted to the United States as refugees although the US Refugee Resettlement Program had allocated space for 7,000 Iraqis and UNHCR had referred over 10,000 to the United States.

First-asylum countries are fearful of Iraqi refugees settling permanently as Palestinians displaced in 1948 and 1967 have done. Iraqi evacuees, dreadful that their host nations will expel them, are often too afraid to venture outside their homes to access the few services available. Lodging is their biggest

expense, and huge numbers of them have drained their money and assets — some to pay release for abducted relatives amid the partisan clash, under the administration of previous Iraqi tyrant Saddam Hussein.

Education of children is also matter of great worry, with Iraqis expecting that a whole age of Iraqi youngsters are left unschooled. In Jordan, the administration has affirmed that Iraqis will be permitted to get to all levels of state funded instruction. In Syria, the number of kids selected in school expanded from 24 percent in May 2007 to 68 percent in November. Furthermore, from the 1,109 youngsters reviewed by UNHCR, 46 percent dropped out. The majority of Iraqis cannot find employment, either because they are treated as illegal immigrants or because jobs are not available. Resentment among local populations soars as the competition for resources rises.

The Iraqi displacement is unlike many refugee crises because of the dispersed, urban settlement patterns of most of the refugees. While the concentration of refugees in camps often produces pathologies, such as domestic and criminal violence, militarization, and radicalization, it does simplify the distribution of aid through humanitarian agencies. Because of the urban living arrangements of most Iraqi refugees in Syria and Jordan, they blend in with the local culture, making it more difficult for aid agencies to identify, register, and assist them, and for Iraqis to access assistance. As Iraqis are forced to move to the peripheries of urban centers due to the cost of living, they are even further removed from assistance.

The Unified States, Australia, Sweden, and Greece, among others, have acknowledged few outcasts for resettlement, yet third-nation resettlement choices could not hope to compare to the more than 2,000 Iraqis evaluated to escape every day in the start of 2007.

The number of displaced Iraqis climbed significantly after the February 2006 bombarding of the Al-Askari Shia mosque in Samarra gratified partisan and ethnic clash throughout Iraq. Before the end of the monetary year, UNHCR evaluated that 4.5 million Iraqis had been displaced both before and after the 2003 US invasion — 2.2 million crossing the border and 2.3 million remaining internally displaced within Iraq. “In February 2007, UN High Commissioner for Refugees António Guterres declared the exodus of Iraqis the largest population shift in the Middle East since the displacement of Palestinians following the establishment of the state of Israel in 1948.”

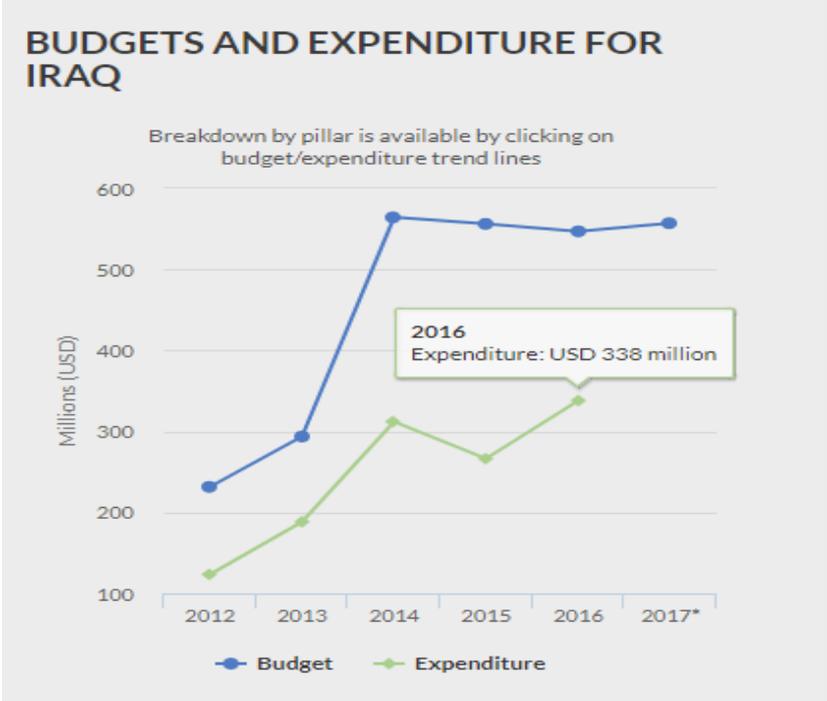


Figure 3: Budget for Iraq

Key Issues to Consider

- Protecting the Iraqi IDPs

After facing the brutal torture of ISIS and other terrorist groups in various regions of Iraq, the Iraqi civilians have very few options to find shelter and safe havens for themselves and their loved ones. After the liberation of the two major terrorist captive regions, the locals of Telfer and Mosul face discrimination when seeking refuge in stable regions of the country. Their widowed women are often harassed and children are not paid attention to.

In this phase of rehabilitation of the destroyed cities and regions, the locals are under immense pressure insecurity and various domestic threats from the surrounding civilians. The United Nations needs to devise strategies to safeguard these innocent individuals and at least grant them basic human rights.

- Rehabilitation of the homes of the relocated

Importance of offering backing and funding in order to support the right of Iraqi refugees and migrants to return to their homes and create appropriate circumstances for them.

- Eco-financial assistance programs for the Iraqi IDPs

The crucial necessity of monetary support to cover the cost of providing services to Iraqi refugees in Syria and also to build the capacities of governmental and non-governmental organizations such as the Syrian Red Crescent should be put under light.

Necessary financing strategies should be put under discussion by the global community which are required for UNHRC and other humanitarian agencies functioning to aid migrants and refugees in the bordering countries in order to strengthen them.

- Implementation of Law and Order in the liberated regions

The Iraqi authorities and the foreign troops present on Iraqi territory must immediately shoulder responsibilities under international law to guarantee protection, security and services to all residents of Iraq, including those groups that are weakest and most unprotected to danger and persecution, such as the relocated Iraqis of regions like Mosul Telfer.

- Reviving the life and culture of the displaced Iraqi community

Settling the displaced is another major concern. Reviving the lives of those who come from the rich culture of Iraq may take several years as the armed conflict did not let it flourish further. Strategies to revive their lives starting from the clean and hygienic living environment for their survival, food and shelter and education for the children is what needs to be brought to spotlight.

- Distribution and support to the Iraqi refugees host states

These civilians have no place in specific to start their new lives. Some of them are willing to go back to their liberated homes but the remaining does not consider it their home anymore. As so many displaced civilians are fleeing their regions, strategies should be devised to settle them in their desired regions through proper funding and making that area livable.

Conclusion

The human rights of refugee crises far exceed the boundaries of nation-states. These crises are not national, but regional and even global in scope. The current devastating situation in Middle East is increasing the number of people fleeing the area. The massive influx of refugees from Iraq has been a challenge for the entire global Community. The wealthy donor states across the globe must take necessary actions to provide effective humanitarian and financial aid to the refugees fleeing Iraq.

Host states are working day and night to curb the issues of millions of refugees who have recently fled the war zones and give them basic human rights. From giving them shelter and food to resettling numerous families, the European states are playing a vital role in reducing the international refugees' crisis. This is the first time ever, after the World War 2 that so many people are making their way to Europe and other close regions to seek refuge.

The United Nations should work on devising strategies that will help the current financial crisis being faced by the foreigners seeking refuge in other states, as well as to neutralize the eco-financial effects of this massive influx of refugees on the host states.

The initiatives taken by the European states to host various displaced persons and families from the war affected region is undoubtedly becoming a ray of hope for the displaced to relive their lives, but it must also be noted that several unanticipated issues like sexual harassment of women, increased fear of security threats and street crime are also becoming evident in several parts of Europe as a result of this influx. These issues may not immediately affect a state's eco-financial state, but may have some long term negative effects.

Key Concepts and Definitions

Refugees

People escaping armed conflicts zones or persecution are normally referred to as Refugees. It was estimated that there were 19.5 million of them worldwide at the end of 2014. Their situation is often so perilous and intolerable that they cross national borders to seek safety in nearby countries, and thus become internationally recognized as "refugees" with access to assistance from States, UNHCR, and other organizations. After fleeing from their home, it becomes too dangerous for them to return, and they need sanctuary elsewhere. To these people the denial of asylum has potentially deadly consequences.

Asylum Seeker

Someone who claims to be a refugee, but his/her claim has not yet been definitively evaluated is referred to as an 'Asylum Seeker'. About 1 million people seek asylum on an individual basis every year. By the middle of 2014, there were more than 1.2 million asylum-seekers.

The host country's national asylum systems decide whether the asylum-seeker merits the international protection or not. Those judged through proper procedures not to be refugees, nor to be in need of any other form of international protection, are sent back to their home states.

Internally Displaced People (IDP)

Internally Displaced People, unlike refugees, have not crossed an international border to seek refuge but have been relocated to a safer place inside their homes countries from the conflict struck regions. IDPs are among the world's most vulnerable people.

Having fled for reasons as refugees (armed conflict, generalized violence, human rights violations), IDPs legally remain under the protection of their own government – even though that government might be the cause of their flight. As citizens, they retain all of their rights and protection under both human rights and international humanitarian law.

Externally Displaced People

Externally displaced people are who have left their homes temporarily, crossed an international border, and who are expected to return to their homes eventually. Depending on their ability to return, and whether they are subject to persecution in their home country, externally displaced persons may be

entitled the recognition as refugees under the United Nations High Commissioner for Refugees' (UNHCR) mandate.

War Zone

A region where armed conflict occurs is known as War Zone. The term 'War Zone' is ordinarily used in the context of international laws. In the context of international laws, the term War Zone refers to a specific designated area, on land or sea, within which the rights of neutral nations are not respected by belligerent nations.

Stateless People

Described by Article 1 of the 1954 Convention relating to the Status of Stateless Persons, the international legal definition of a stateless person defines them as "a person who is not considered as a national by any State under the operation of its law". This means that a stateless person is someone who does not have a nationality of any country. Some people are born stateless, while others become stateless over the course of their lives.

Economic Impact

By definition, the effect that an event, policy change, or market trend will have on economic factors such as interest rates, consumer confidence, stock market activity, or unemployment in a state or a region. Events such as regulatory changes, supply shortages or natural disasters can have a significant economic impact due to the way they affect business activities. Massive influx of refugees in European and other states may result in pure economic and socioeconomic impacts on the host states.

Questions a draft resolution should answer

- How can the basic human rights be given to the increasing number of refugees spreading in Iraq?
- Is Iraq stable enough to handle the additional stress of the Refugees influx?
- What measures must be taken to reduce the Economic stress on Iraq?
- Does Iraq have satisfying resources to accommodate the projected number of refugees in future as a result of liberation of Iraqi cities?
- What additional measures must be taken in order to give full financial support to Iraqi ISIS struck regions?
- Are the current living standards good enough to support the lives of refugees?
- How can the current living environment of the refugees be improved?
- Are there enough infrastructures to host the increasing number of refugees?
- Can the talents and skills of refugees benefit the economies of the host states?
- How can the War affected Iraqis be given financial assistance?

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TOPIC B: “RIGHTS OF INDIGENOUS COMMUNITIES”

Introduction

Indigenous communities live throughout the whole world, from Canada to Australia, from Argentina to India. They live in over 70 countries worldwide, making a group of over 370 million people. However, the definition of 'indigenous' is still not adopted by the United Nations due to the complexity of this term. As commonly accepted, an indigenous community is a particular locality, being a non-dominant group of the society originating from pre-colonial or pre-settler ages, which developed its distinct language, culture and beliefs, with individuals identifying themselves as members of the community and trying to maintain or re-establish their ancient circumstances of living.

Struggling to define this term, the United Nations concluded that it would be more appropriate to identify indigenous people rather than try to define them. Although self-identification is a basic human right, oppression and negative connotations often lead to denial of origins. Apart from the term 'indigenous', the following expressions can also be used to refer to groups meeting the abovementioned criteria: tribes, first nations, aboriginals, ethnic groups, hunter-gatherers, peasants, nomads and hill people.

Losing their dominance during history, many indigenous tribes have to face inequality in the country they live in. Although their ancestral land plays a fundamental role in their cultural and physical survivor, many of them face growing territorial limitations and outsourcing. Also, these communities are often the neglected segments of societies, not having given the opportunity of self-determination, political representation and participation, or access to social services. Furthermore, both their individual wealth and life-expectancy are usually below average and they often face severe discrimination.

UN and Indigenous Communities

The United Nations has already stepped on the path of seeking equality between indigenous and non-indigenous peoples. The United Nations Permanent Forum on Indigenous Issues (UNPFII) was established in 2000 with the mandate to handle indigenous issues related to (mostly) social and economic development, human rights, health and culture. The forum is gathered once in every year since 2002. The next, 17th session of UNPFII will be held in New York in April 2018, with the special topic of 'Indigenous peoples' collective rights to lands, territories and resources.'

UNDRIP and First World Conference on Indigenous People

In 2007, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly. It was voted in favor with 144 states supporting the resolution. However, the United States of America, Canada, New Zealand and Australia voted against the document and 11 states abstained, such as the Russian Federation, Nigeria and Colombia. However, not being legally binding, the declaration only sets a standard for the treatment of such tribes and encourages its member states to follow it while focusing on basic human rights, such as the right to culture, identity, language, employment, education and health.

Following this path, the first World Conference on Indigenous Peoples was held in New York in 2014. The meeting was preceded by an informal interactive hearing with representatives of indigenous peoples and UN entities, as well as academic institutions, human rights institutions civil societies and non-governmental organizations. Keeping this informal meeting in mind, the General Assembly submitted a draft resolution during the World Conference. This draft welcomes the Global Indigenous Preparatory Conference (held in Norway in 2013) and recall the major achievements in building an international framework for the advancement of the rights and aspirations of the world's indigenous people. Although strong commitment to future cooperation with aboriginal tribes is reaffirmed, the draft resolution also encourages its member states that not yet ratified or acceded to the International

Labor Organization Indigenous and Tribal Peoples Convention (1989) to do it so, as common understanding is extremely important within member states to develop coordinated and systematic action to protect the rights of indigenous peoples.

Core Issue

Unfortunately, expectations of improvement in cooperation are not fully met. Despite having signed or even ratified all the above mentioned agreements, human rights of indigenous communities are still oppressed by some governments. According to the 'Foreign Agent' Law of the Russian Federation, many groups have been given the accusative title of being a 'foreign agent' as they have received funding from foreign sources while showing political activity. Along with over 80 other organizations, the interregional public organization Center for Assistance to Indigenous Peoples of the North and the non-profit organization International Foundation for Development of the Indigenous Peoples of the North, Siberia and the Far East 'Batani' have been given this discriminative legal title.

According to a study delivered in 2010, an estimated 45 million indigenous people live in Latin America, accounting for over 8% of the region's population. They are officially present in most countries but their ratio in society differs vastly: in Bolivia, they made up 62% of the whole population in 2010 while in Brazil an estimated 0.5% of the society referred to themselves as indigenous, the total of 900,000 individuals. Most of the indigenous communities in Latin America face massive degradation as their territories are taken away by the local governments to outsource the natural resources of the lands, especially at the Amazonas. Some of the conflicts led to aggression, for example in Peru, where the Interethnic Association for the Development of the Peruvian Rainforest (AIDSESEP) denied access to their territories to local authorities and claimed to protect themselves against the government with weapons if necessary in 2010. AIDSESEP leader Alberto Pizango was sentenced to expulsion to Nicaragua after the deadly clash between indigenous communities and local authorities, ending in the death of 10 indigenous individuals and 23 police officers.

Unfortunately, such happenings do not tend to stop. In September this year, 10 members of an uncontacted indigenous tribe have been found murdered at the Jandiatuba river, the Amazonas state of Brazil. This has been the largest mass execution of aboriginals in Brazil since 1993. The situation is tense at the border of lands currently controlled by indigenous tribes, as the government's budget cuts leave gold miners in an unbearable position. Due to this, the number of invasions in the indigenous lands of Vale do Javari has been increasing. Apart from the economic crisis, this situation is also due to the fact that this vast territory of indigenous people is secured only by 10 officials. It is no doubt that the incoming miners mean huge risk to uncontacted tribes, as they are more vulnerable to violence and diseases.

Human rights of first nations are often disrespected Africa as well. In Namibia, a state report claimed to try to „civilize” indigenous communities within the borders. After this derogatory wording has been condemned by many international organizations such as the African Commission, the Namibian government handed out a new statement in 2014, which reaffirmed the use of „civilize” although it has been completed with a note stating that the use of term is unfortunate and the message is to improve the quality of life of the so-called San community. In Algeria, Amazigh tribes are not recognized as indigenous by the government, although they have been living in 5 major territories in the country since ancient times, speaking different language and following unique traditions and lifestyle. Anti-Amazigh laws are still in force, such as the Law of Arabization from 1992. Officially, Algeria ratified the abovementioned international agreements on the treatment of ethnic tribes, however, the text is still not accessible by the majority of Algerian citizens, thus it is not applied.

Sadly, Algeria is only an example of how many African governments treat indigenous tribes living within the countries' borders. In general, it can be stated that many ethnic tribes are not recognized by the state or if so, they tend to live in oppression and deep poverty. Also, the lack of statistics and basic data about African first nations makes it extremely tough for international organizations to make

estimations about the amount of such tribes, as well as the number of individuals claiming to belong to these. Unfortunately, without the help of the local governments it is almost impossible to efficiently improve the life-quality of aboriginal individuals in the African continent.

However, some African countries stepped on the path of peaceful discussion and agreement between local authorities and indigenous tribes. In Rwanda for example, the formal distinction between groups according to their origins was realized to have been unproductive and vastly discriminative, thus the government adopted a new policy, according to which, there is only one Rwandan community, composing of all Rwandans.

History of Strategies and Measures instigated

In the USA, the status of indigenous tribes became again more insecure after the futurization of President Donald Trump who has not dealt with any indigenous-related issues during his campaign, thus it remained unclear what the change can bring to first nations. However, aboriginal tribes can only hope that the new President will step in the path of his predecessor, Barack Obama, who enacted two important measures in order to save the indigenous landscapes from energy development: Chukchi territories and the Beafort Seas were closed to off-shore drilling and the Bears Ears area (Utah) was declared a National Monument. Hopefully this path will not be abandoned by future presidents of the USA, although the current situation is rather terrifying: Ryan Zinke, the current leader of the Department of Interior promotes the export of Montana coal, much of it from indigenous reservation. Similar cases are not rare in the USA.

In April 2016, the Standing Rock Indian Reservation protests started against the planned Dakota Access Pipeline, which would have carried oil from North Dakota through South Dakota and Iowa until Illinois. Although the route would have not crossed the territory of the Indian Reservation, locals and supporters worried about the safety of the close burial sites. In July, the Standing Rock Sioux Tribe sued the US Army Corps of Engineers for ignoring laws requiring consultations with tribes over sacred sites. More tribes and individuals joined the case and eventually, thousands of people started camping on Corps lands. Seeing this movement as threatening presence, the local authorities were sent help from other states. Regular conflicts were carried out with human rights being oppressed. Indigenous people were attacked by police dogs and were beaten up severely. After all, the Standing Rock tribes with other aboriginal supporters appeared before the Inter-American Commission on Human Rights to call the United States to prevent further irreparable harm to Tribes and their members. The outcome of this situation is still not clear.

In Australia, new studies found that aboriginals have been living on the continent for over 50.000 years, ruling the majority of livable territories. Today, however, almost 50% of them lives in the bigger cities, contributing in every area of public, social and community life. Despite their close co-operation with non- native people, the gap in life-expectancy, education, health and employment between the indigenous and non- indigenous remains unacceptably wide.

BROADER THAN BORDERS

Solutions to such issue as human rights violations can never be reached by single states, they require international cooperation. The United Nations Declaration on the Rights of Indigenous Peoples stated in Articles 41 and 41 that the already existing organs and bodies of the United Nations (such as PFII and HRC) should contribute to the realization of the declaration's provisions. Fellow contribution has been proposed by the recently-established Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples. Apart from these UN-based bodies and organs, several international organizations have been founded in the last decades. One of the most diverse community is the International Work Group for Indigenous Affairs (IWGIA) which is dedicated to promoting, protecting and defending native tribes' rights. This work group mostly concentrates on land rights, climate actions and human

rights violations. Every year, the IWGIA announces a global report on the current rights of indigenous tribes, called the Indigenous World which closely follows the human rights issues in several states.

Apart from indigenous-focused organizations, several commissions take action in promoting native peoples' rights and contribute to the prevention or restraint of human rights violations. The African Commission on Human and Peoples' Rights closely follows the UN-based discussions about the situation of native tribes in the African continent.

Conclusion:

Although the situation of indigenous communities has been discussed for decades already, even international declarations and work groups were not effective in curbing the human rights violations in this matter. As the social gaps and aggression tend to grow exponentially in many regions across the globe, aboriginal groups become the target of hatred once again and its severity grows everyday as the time passes. In the light of current devastating situation, it is the duty of the Human Rights Council to oppress the inhumane attitude and push stronger cooperation within states in favour of indigenous peoples, in every possible manner.

Questions a Draft Resolution must answer:

- What basic human rights should be given by all means to indigenous communities?
- How can these rights be secured by the United Nations?
- What measures can be taken against states that do not respect the above mentioned human rights?
- Which tribes or groups should be given particular attention?
- How should the member states preserve the lifestyle of uncontacted tribes?
- How can the UN member states cooperate with international work groups regarding indigenous issues?
- What national and international measures and acts should be declined and advocated by the UNHRC?
- What measures should be taken in order to achieve a more prosperous future for indigenous people?

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