**Forum:** Human Rights Council

**Issue:** Improving the Rights of Indigenous Populations in Post-Colonial Societies

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Introduction

Colonialism has left countless scars on societies around the world. With forced assimilations, brutal relocations, and the absolute neglect of human rights, it is important for an emphasis to be placed on how indigenous populations are treated in today’s day and age.

The rights of indigenous populations, even past the ages of colonialism, remains apparent and harmful. For example, the abuse of land right laws, or, in other words, the government forcibly taking their sacred land; and there is systematic discrimination against them in terms of economic and educational opportunities.

There often is a problem regarding underrepresentation within post-colonial countries towards the indigenous population. For example, there are currently only 4 Indigenous Americans in the House of Representative out of the 435 members and none of the 50 United States Senators are Indigenous Americans. Their representation within major bodies, or perhaps lack of, is concerning. Their lack of representation can equate to a lack of representation within policy-making and within the legal process. Their interests are oftentimes not represented in that circumstance. The four Indigenous American representatives represent over five million Indigenous Americans living in the US.

Globally, indigenous populations suffer from injustices within the criminal justice system, higher rates of poverty, illiteracy, and internal displacement. They are often marginalized within their country and face injustices within many aspects of their life.

Besides poverty rates and evictions from native lands, many indigenous populations around the world also face cultural repression as their stories remain repressed, journalism remains invisible, and art remains shunned. This makes them unable to tell the story of their oppression.

Definition of Key Terms

Post-colonial

The state of a nation that was *once* occupied by another nation through the act of colonialism. Examples of post-colonial states include but is not limited to Canada, United States, India, and Namibia.

**Colonialism**

The forced takeover of a country with the establishment of a colony/dominion with the aim of economic and at times cultural domination. Colonialism is often used a synonym for imperialism, but the two are ever so slightly different. Colonialism is more so the act of people moving and colonializing a country. Examples of colonialism include but is not limited to the India and the UK, Namibia and Germany, and Canada and the UK.

**Indigenous population**

The native populations living in a particular area before colonialism. Examples of this includes Native Americans in America and First Nation in Canada.

History & Developments

Colonialism and the stretches of European empires

Modern colonialism started when European monarchs started funding more expeditions around the world. Colonialist powers forcibly took land from native populations that already inhabited the region. Examples of this include: the British colonization of the Americas, the German colonization of Namibia, and the British colonization of South Africa. The Scramble for Africa, when European monarchs colonized Africa in a rapid pace, and the rapid colonization of America led to brutal repressive regimes that oppressed the native indigenous populations. The Trail of Tears in America, where native populations were pushed out of their sacred native lands for rapid economic development of the country is just one example.

Modern day impacts of colonialism

The scars that colonialism have left on society can still be seen today. An example is the systematic discrimination of indigenous populations within the criminal justice system and the education system. In recent years, a scandal has resurfaced in which the Catholic Church seems to have assaulted and killed many Indigenous children in Canada, also known as First Nation. Around the world, political representation of the indigenous population in post-colonialist nations are lacking. Their inability to get representation inside political bodies means that potential issues that are only faced by them might never be solved. When representation of indigenous populations is low in both the government and across industries, their voices and concerns are often not heard. They are also systematically excluded to certain opportunities like access to education. With the recent apology from Pope Francis, the leader of the Holy See and Catholic Church, on the treatment of indigenous Canadians by the Catholic Church, it is undeniable that reparations and the improvement of indigenous populations is highly important.

Geopolitics

**Office of the United Nations High Commissioner for Human Rights (OHCHR)**

The OHCHR has, in recent years, increased interest and efforts on the rights of indigenous people through actions and funding. It is one of the main UN bodies that concerns the protection of human rights. They, for example, supported national legislative changes that would aid in the protection of indigenous populations.

Amnesty International

Amnesty International is an international non-governmental organization (NGO) which focuses on the protection of human rights around the world. Amnesty International aides Indigenous populations regarding land rights, protecting culture, and much more. They were awarded the Nobel Peace Prize in 1977 for their contribution to nonviolence and to peace.

Post-colonial nations

Post-colonial nations will be the main subject of this topic and colonialism is often the root of the problems that many indigenous populations face today. Although post-colonial nations may not directly and blatantly discriminate against indigenous populations, they often have systematic neglect and repression of indigenous populations (like how the New Jim Crow, a form of repression through the criminal justice system, is not as blatant as Jim Crow yet still racially discriminating — for example, per a OHCHR review, indigenous populations in Canada faces poorer health response due to systematic racism and the lack of access to quality of healthcare, an issue which stems back to colonialism).

Previous Attempts to Solve the Issue

The United Nations created the United Nations Declaration on the Rights of Indigenous People (UNDRIP) in 2007 to protect and line out the rights of indigenous populations around the world. In recent years, Amnesty lnternational has also been paying more and more attention towards the rights of indigenous populations around the world and often how the rights aren’t respected. And the OHCHR has given progressively more attention towards the rights of indigenous people.

The New Zealand government has done extensive policy work pertaining to the lives of indigenous New Zealand populations. Edits are being made upon the Treaty of Waitangi — a cornerstone treaty in the history of New Zealand. New edits plan to establish negotiation processes that will give recognition to the wrongdoings by the New Zealand and the British government. The New Zealand government also plans to support initiatives that revitalizes the Māori language.

Section 35 of The Constitutional Acts in Canada works to establish frameworks for living together in harmony with native populations as well as the recognition of their right to self-government. Furthermore, the Canadian government is attempting to recognize the native population’s previous ownership and governing of what is now Canadian territories.

In the Central African Republic, nomadic herders known as the M’bororo Fulani faced major issues after an insurgency in 2013. Rebel groups primarily attacked regions inhabited by the M’bororo Fulani populations. Nowadays, the majority of the M’bororo Fulani population are Internally Displaced Persons (IDPs), and lack employment. Though much more action needs to be taken by the Central African Republic government when it comes to indigenous rights, progress has been made. For example, the Wildlife and Protected Areas Management Code, which included the protection of indigenous rights, was passed.

Relevant UN Treaties and Events

* United Nations Declaration on the rights of Indigenous Peoples (UNDRIP)
* Enhancing the Participation of Indigenous Peoples’ Representatives and Institutions in Meetings of Relevant United Nations Bodies on Issues Affecting Them (A/RES/71/321)
* Rights of indigenous peoples (A/RES/76/148)

Possible Solutions

Enshrining laws that protect the land right of indigenous people and prevent the eviction on lands that the indigenous populations hold as sacred by private corporations and/or the government. This will make sure that a main issue today which is that land rights laws become less vague and more specific.

Educating the wider public on the histories of indigenous populations will increase awareness on the issues they face. Access to educational resources that reveals to the issues that native population face is oftentimes limited. For example, the acclaimed novel *The Absolutely True Diary of a Part-Time Indian* by Sherman Alexie, a candid look into the life of Native Americans, was the 5th most challenged book in America. Issues has also been identified regarding misinformation and lack of information within the American education system when it comes to Native American history. The improvement of curriculum pertaining to indigenous population history will greatly help awareness of the issues.

Including native populations within political bodies and discussions can prove hugely beneficial. Their beliefs surrounding nature makes them care for them deeply. For example, Brazilian indigenous populations have greatly opposed plans to mine and extraction of oil on indigenous lands. The need for their voice in political organs then becomes hugely beneficial. Quotas in political organs may prove greatly beneficial towards political representation. Encouraging native populations to actively participate in local politics or town halls also could be ways to increase political representation.

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