BACKGROUND

GUIDE

SOCIAL, CULTURAL, AND HUMANITARIAN

COMMITTEE

AGENDA: **THE PROTECTION OF THE RIGHTS OF NATIVES IN CONFLICT ZONES.**

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LETTER FROM THE EXECUTIVE BOARD

Greetings members,

It is our utmost honour to serve as the Executive Board of the Social, Cultural, and Humanitarian Committee at the Nath Valley Model United Nations 8.0. The agenda for this session is "The protection of rights of the Natives in Conflict Zones." We as your Executive Board promise to deliver our very best in facilitating you. We hope that you have a fruitful debate with healthy competition. In this simulation, we expect your debate to be backed by facts and accurate research and analysis. We would recommend you to keep in mind your portfolio's stance as this holds utmost importance in this committee.

To give you a brief overview of this topic, this guide serves as a starting point for your research. This document should serve as a reference to further research, not as an end in itself. The most important part of your preparation will be analyzing your research. Make sure you understand the larger context of world events related to the theme. Take notes on your research. This guide will provide you with a background that will form the basis for your research. Apart from the topics covered, delegates must understand the perspective of the allotted country and weave their research based on both- the given agenda and foreign policy.

We look forward to a fruitful discussion and a wholesome exchange of ideas during the proceedings in the upcoming meeting of this association, with a strong emphasis on decorum and diplomatic etiquette. Don't be afraid to observe, and don't be afraid to try. We wish you all the best and we hope that we can provide you with a rewarding experience. We will be available to you at all hours. Please don't hesitate to contact us in case of any queries. We hope to have a fruitful debate and an unforgettable session with you.

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INTRODUCTION TO THE COMMITTEE

The Social, Humanitarian, and Cultural Committee (SOCHUM), formally the Third Committee of the United Nations General Assembly, was established in 1946 to address global social issues and promote human rights. It operates under the principles outlined in the UN Charter, particularly focusing on advancing social progress, safeguarding human rights, and fostering cultural cooperation among nations. As a pivotal body, SOCHUM plays a crucial role in shaping policies and international norms regarding social and humanitarian matters.

SOCHUM's mandate includes a broad spectrum of issues such as the promotion and protection of human rights, gender equality, social development, and the cultural integration of diverse communities. The committee deals with critical concerns like the eradication of racial discrimination, the support and protection of vulnerable groups including refugees and internally displaced persons, and the advancement of global health and education standards. By addressing these issues, SOCHUM aims to build a foundation for sustainable social development and inclusive societies.

Distinguished from other UN bodies, particularly the Security Council, SOCHUM's resolutions are advisory rather than binding. This distinction allows SOCHUM to operate with a unique focus on consensus-building and collaboration, involving a broad representation of the 193 member states. Its non-binding recommendations often influence national policies and international treaties, thereby shaping the global social agenda.

Despite its advisory role, SOCHUM works in conjunction with other UN entities and international organizations, leveraging its recommendations to address global social challenges effectively. Entities under SOCHUM include specialized subcommittees and task forces that focus on specific thematic issues such as the Working Group on the Right to Development and the Task Force on Cultural Rights.

These entities assist in the detailed examination of complex topics and facilitate the implementation of SOCHUM's recommendations through focused research and policy development. This collaboration has led to significant contributions to international conventions such as the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination Against Women. In contemporary times, SOCHUM continues to address emerging issues such as the social implications of digital transformation and climate change, adapting its agenda to meet the evolving needs of global society.

INTRODUCTION TO THE AGENDA

The Social, Humanitarian, and Cultural Committee (SOCHUM) convenes to address an urgent and deeply impactful issue: the protection of the rights of indigenous people in conflict zones. Indigenous populations around the globe often find themselves on the frontlines of geopolitical conflicts, suffering disproportionately from violence, displacement, and the erosion of their cultural heritage. These communities, with their rich traditions and deep ties to ancestral lands, are particularly vulnerable during times of armed conflict, facing not only physical threats but also the loss of their identity and way of life.

The agenda for this session focuses on recognizing and reinforcing the fundamental rights of indigenous people, ensuring their protection and empowerment in the midst of conflict. We aim to examine the multifaceted challenges they face, from forced displacement and loss of lands to violations of their civil and political rights. This discussion will also highlight the vital role of international law, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and other relevant human rights instruments, in safeguarding these communities.

Various Impacts on Indigenous Populations Due to Conflict:

- **Forced Displacement:** Conflicts often lead to the uprooting of indigenous communities from their ancestral lands, resulting in the loss of homes, livelihoods, and cultural sites.
- **Loss of Land and Resources:** Indigenous lands, rich in natural resources, are frequently expropriated during conflicts, depriving these communities of their economic base and spiritual connection to the land.
- **Cultural Erosion:** Warfare and displacement disrupt the transmission of traditional knowledge, languages, and cultural practices, threatening the very identity of indigenous peoples.
- **Physical Violence and Human Rights Violations:** Indigenous people are frequently subjected to violence, including massacres, sexual violence, and other atrocities, as part of the broader conflict dynamics.
- **Political Marginalization:** Conflicts exacerbate the political exclusion of indigenous communities, limiting their participation in peace processes and decision-making forums.
- **Environmental Degradation:** Military activities and resource extraction during conflicts often lead to significant environmental damage, further harming indigenous communities that rely on the land for their sustenance.
- **Health Crises:** The disruption of healthcare services and the introduction of new diseases can severely impact indigenous populations, who may already have limited access to medical care.

● **Economic Hardship:** Conflicts destroy infrastructure and disrupt local economies, plunging indigenous people into deeper poverty and economic instability.

Delegates should explore strategies for enhanced international cooperation, stronger legal frameworks, and practical measures to mitigate the impact of conflicts on indigenous populations. As we embark on this critical discourse, the committee calls upon all member states and stakeholders to reaffirm their commitment to upholding the dignity, rights, and well-being of indigenous people, particularly in regions beset by conflict. Through collective action and a steadfast dedication to justice and equity, we can pave the way for a more just and peaceful world for all.

WHY ARE THE NATIVES SO VULNERABLE TO DAMAGE BY CONFLICT

Avoiding harm to indigenous people during times of conflict is particularly challenging due to a combination of historical, structural, and situational factors. Here are several reasons why it is so difficult:

1. **Historical Marginalization**
   Indigenous communities have often faced centuries of marginalization, discrimination, and dispossession. This historical context has left them with limited political power, making it difficult for them to influence decisions during conflicts that affect their territories and lives.

2. **Geographical Location**
   Many indigenous populations live in resource-rich areas or strategic locations that are highly coveted during conflicts. These lands are often at the center of military operations, resource extraction, and territorial disputes, making indigenous communities collateral victims of broader strategic goals.

3. **Lack of Recognition and Legal Protections**
   In many countries, indigenous peoples' rights to their lands and resources are not fully recognized or protected by national laws. This lack of legal recognition makes it easier for conflicting parties to encroach upon their territories without accountability.

4. **Political and Economic Exclusion**
   Indigenous people are often politically and economically marginalized, limiting their ability to participate in peace negotiations or to access resources that could help them protect their communities during conflicts. This exclusion makes them more vulnerable to exploitation and violence.

5. **Cultural and Linguistic Barriers**
   Cultural and linguistic differences can hinder effective communication between indigenous communities and external actors, including government forces, NGOs, and international organizations. This communication gap can lead to misunderstandings and insufficient protection measures being implemented.

6. **Disproportionate Impact of Military Operations**
   Military operations often have a disproportionate impact on indigenous communities due to their reliance on the land for sustenance, culture, and identity. Destruction of the

environment, forced displacement, and disruption of traditional lifestyles can be devastating for these communities.

7. **Targeted Violence and Human Rights Abuses**
   Indigenous people are sometimes specifically targeted by armed groups or state forces either because of their perceived allegiance or to displace them from valuable lands. They may face extreme violence, including massacres, sexual violence, and forced recruitment into armed groups.

8. **Limited Access to Humanitarian Aid**
   In conflict zones, indigenous communities may have limited access to humanitarian aid due to remote locations, security concerns, or discrimination by aid providers. This can exacerbate their vulnerability and hinder their ability to recover from the impacts of conflict.

9. **Erosion of Social Structures**
   Conflict often leads to the breakdown of social structures and governance systems within indigenous communities. This erosion can undermine traditional conflict resolution mechanisms and community cohesion, making it harder for these communities to cope with and recover from conflict.

10. **Environmental Degradation**
    Conflict-driven environmental degradation, such as deforestation, water contamination, and wildlife depletion, directly impacts indigenous ways of life that are closely tied to nature. The resulting ecological damage can be long-lasting and detrimental to the survival of indigenous cultures.

Given these complex and interrelated factors, protecting Indigenous people in conflict zones requires comprehensive, context-sensitive approaches that address their unique vulnerabilities and involve them directly in peacebuilding and conflict resolution processes.

UNITED NATIONS STRATEGY AND PLAN OF ACTION ON THE PROTECTION OF INDIGENOUS PEOPLE

The protection of the rights of indigenous people in conflict zones represents a critical global challenge. The United Nations has developed a comprehensive plan of action to safeguard their rights.

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
Adopted in 2007, UNDRIP outlines rights for indigenous peoples, including protections in conflict situations. Articles 7, 8, 10, 26, and 30 emphasize the rights to life, security, and protection from displacement.

Special Rapporteur on the Rights of Indigenous Peoples
The Special Rapporteur monitors and reports on indigenous human rights, providing targeted recommendations to prevent and address violations.

United Nations Permanent Forum on Indigenous Issues (UNPFII)
UNPFII advises on indigenous issues, facilitating dialogue among indigenous peoples, member states, and UN agencies. The Forum plays a crucial role in bringing indigenous voices to international policy-making.

Human Rights Council and Universal Periodic Review (UPR)
The UPR process reviews human rights records, ensuring accountability and encouraging states to implement protective measures for indigenous communities.

Office of the United Nations High Commissioner for Human Rights (OHCHR)
OHCHR promotes and protects indigenous rights through monitoring, reporting, and advocacy. It also provides technical assistance to help states align with international human rights standards.

International Labour Organization (ILO) Convention No. 169
This legally binding instrument addresses indigenous rights, emphasizing protection during conflicts. The Convention underscores the rights to land, natural resources, and self-governance.

UN Peacekeeping and Humanitarian Assistance
UN missions and agencies, such as UNHCR and UNICEF, ensure indigenous communities receive protection and support during conflicts, mitigating immediate and long-term impacts.

Collaboration with Civil Society and Indigenous Organizations
The UN collaborates with indigenous organizations and civil society to empower indigenous advocacy and participation in decision-making processes.

Capacity Building and Education
Education programs raise awareness about international human rights standards and provide tools for effective indigenous advocacy.

Integrating Indigenous Perspectives in Peace Processes
The UN encourages indigenous involvement in peace negotiations, recognizing their valuable contributions to sustainable peace and conflict resolution.

United Nations Declaration on the Rights of Indigenous Peoples Act, 2021
On June 21, 2021, the United Nations Declaration on the Rights of Indigenous Peoples Act received Royal Assent and immediately came into force. This legislation advances the implementation of the Declaration as a key step in renewing the Government of Canada's relationship with Indigenous peoples.

The UN's plan integrates legal frameworks, monitoring mechanisms, capacity-building, and collaboration, aiming to protect indigenous rights during conflicts. Through these concerted efforts, the UN seeks to uphold the dignity, rights, and well-being of indigenous people, promoting a just and peaceful world for all.

CASE STUDIES

The Impact of the Colombian Conflict on the Nasa Indigenous Community:

Background

The Colombian armed conflict, spanning over five decades, involved government forces, paramilitary groups, and guerrilla organizations such as the Revolutionary Armed Forces of Colombia (FARC). This conflict severely affected indigenous communities, including the Nasa in the Cauca region, an area rich in natural resources and crucial for drug trafficking routes.

Incident Overview

In July 2019, the Nasa community in Toribío was attacked by FARC dissidents, part of a broader pattern of violence. The attack resulted in multiple deaths, including key indigenous leaders defending their land and rights.

Impact on the Nasa Community:

- **Displacement**
  - Internal Displacement: Many Nasa families fled their homes, leading to loss of homes, livelihoods, and community support networks.
  - Impact on Daily Life: Displaced families faced harsh living conditions, often lacking access to basic necessities.

- **Loss of Leaders**
  - Leadership Vacuum: The deaths of leaders weakened the community's ability to organize and advocate for their rights.
  - Community Cohesion: The loss of leadership affected the community's social cohesion.

- **Cultural Erosion**

  - Displacement of Cultural Activities: Traditional practices were interrupted, threatening cultural continuity.

  - Impact on Younger Generations: Disruption hindered the transmission of cultural knowledge to younger generations.

- **Psychological Trauma**

  - Pervasive Fear and Insecurity: Persistent fear affected the mental health and well-being.
  - Long-term Mental Health Issues: High levels of stress and anxiety were prevalent.

- **Economic Hardship**

  - Agricultural Disruption: The conflict affected their ability to farm and produce food.
  - Economic Instability: Loss of land led to economic instability and food insecurity.

- **Response and Recovery Efforts**

  Humanitarian Aid

  - Provision of Essentials: NGOs and international organizations provided food, shelter, and medical assistance.

  Legal Advocacy

  - Pushing for Accountability: Human rights organizations worked for justice and accountability.

  - Raising Awareness: Advocacy efforts raised awareness about the Nasa's plight.

- **Community Resilience Programs**

  - Sustainable Agriculture Programs: Support for sustainable agricultural practices helped regain livelihoods.
  - Mental Health Services: Programs addressed psychological trauma.
  - Cultural Revitalization: Efforts promoted cultural practices and knowledge transmission.

The case of the Nasa community highlights the severe impact of armed conflicts on indigenous populations. The targeted violence, displacement, and cultural erosion underscore the urgent need for comprehensive protection measures. Collaborative efforts from international organizations, NGOs, and national entities are essential to ensure the safety, rights, and well-being of indigenous communities in conflict zones. This case study emphasizes the importance of sustained and coordinated action to address the unique vulnerabilities faced by indigenous peoples in times of conflict.

SOME OTHER STEPS

Protecting the rights of indigenous people in conflict zones requires a concerted effort from various sections of society. Each group plays a unique role in supporting and safeguarding these vulnerable communities. Here's how different sectors can contribute:

Governments:
1. Policy and Legislation:
  - Enact and enforce laws that protect indigenous rights, particularly in conflict zones.
  - Ensure compliance with international treaties, such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and International Labour Organization (ILO) Convention No. 169.
2. Security and Protection:
  - Provide security and protection to indigenous communities during conflicts.
  - Prevent and address violence against Indigenous people, including ensuring accountability for human rights abuses.
3. Inclusion in Peace Processes:
  - Ensure indigenous representation and participation in peace negotiations and post-conflict reconstruction efforts.

Non-Governmental Organizations (NGOs):
1. Grassroots Support:
  - Work directly with indigenous communities to provide immediate support and advocacy.
  - Implement projects that protect and promote the rights of indigenous people.
2. Awareness and Advocacy:
  - Raise awareness about the plight of indigenous peoples in conflict zones.
  - Advocate for stronger protections and policies at national and international levels.
3. Capacity Building:
  - Provide training and resources to indigenous communities to strengthen their ability to advocate for their rights and manage conflicts.

Academia and Research Institutions::
1. Research and Documentation:
  - Conduct research to document the impacts of conflicts on indigenous communities.
  - Provide evidence-based recommendations for policy and program interventions.
2. Education and Training:
  - Develop and offer educational programs that raise awareness about indigenous rights and issues.
  - Train future leaders and policymakers on the importance of protecting indigenous rights.

Media:
1. Reporting:
  - Cover stories on the situation of indigenous people in conflict zones to raise public awareness.
  - Highlight both the challenges and the resilience of indigenous communities.
2. Advocacy:
  - Use media platforms to advocate for the protection of indigenous rights.
  - Hold governments and organizations accountable through investigative journalism.

Private Sector:
1. Corporate Responsibility:
  - Ensure that business operations do not infringe on indigenous rights, especially in conflict zones.
  - Adopt and implement corporate social responsibility policies that support indigenous communities.
2. Partnerships and Support:
  - Partner with NGOs and indigenous organizations to support projects that protect and promote indigenous rights.
  - Provide financial and in-kind support for initiatives benefiting indigenous communities.

Indigenous Communities
1. Self-Advocacy:
  - Advocate for their own rights and engage in peacebuilding efforts.
  - Form coalitions and networks to strengthen their collective voice.
2. Cultural Preservation:
  - Promote and preserve their cultural heritage and traditional knowledge.
  - Use cultural practices as tools for conflict resolution and community resilience.

General Public
1. Awareness and Solidarity:
  - Educate themselves about the issues facing indigenous peoples in conflict zones.
  - Show solidarity by supporting advocacy efforts and respecting indigenous rights.
2. Advocacy:
  - Advocate for stronger protections for indigenous rights through petitions, campaigns, and public discourse.
  - Support organizations working to protect indigenous communities.

By working together, these various sections of society can create a robust and comprehensive network of support that effectively protects the rights of indigenous people in conflict zones. This collaborative approach ensures that indigenous communities receive the protection, respect, and resources they need to thrive even in the face of conflict.

SOCIAL, CULTURAL, AND
HUMANITARIAN COMMITTEE

SCOPE OF DISCUSSION IN THE COMMITTEE

- How can international laws, such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), be strengthened and better enforced to protect indigenous people in conflict zones?

- What measures can be taken to ensure that member states comply with international standards and conventions protecting indigenous rights into their legislation?

- What role should UN bodies, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Special Rapporteur on the Rights of Indigenous Peoples, play in monitoring and protecting indigenous communities in conflict zones?

- How can international cooperation be enhanced to provide more effective protection and support to indigenous people during conflicts?

- How can humanitarian aid be better tailored to actually help indigenous communities in conflict zones?

- What strategies can be implemented to ensure that humanitarian assistance reaches indigenous populations in all areas?

- What protection mechanisms can be established to safeguard indigenous leaders and activists who are targeted during conflicts?

- How can early warning systems and preventive measures be developed to protect indigenous communities from becoming "COLLATERAL DAMAGE" in conflicts?

- What measures can be taken to preserve the cultural heritage and traditional practices of indigenous people?

- How can education and awareness programs be designed to highlight the importance of cultural preservation in conflict zones?

- How should the issue of forced displacement of indigenous people be addressed, and what resettlement policies should be adopted?

- How can the right of indigenous people to return to their ancestral lands post-conflict be ensured?

- What steps can be taken to ensure the meaningful participation of indigenous people in peace negotiations and post-conflict reconstruction processes?

- How can mechanisms for accountability be strengthened to ensure justice for human rights violations against Indigenous people in conflict zones?

- What role should international judicial bodies play in addressing crimes against indigenous communities in conflicts?

FURTHER READINGS

- https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2019/01/UNDRIP_E_web.pdf

- **"International Legal Protection of Human Rights in Armed Conflict"**: This comprehensive publication provides legal analysis and guidance on the application of international human rights law and international humanitarian law during armed conflicts. It addresses the complementary nature of these legal frameworks.

- **OHCHR: Protecting Human Rights During Conflict Situations**: The United Nations Human Rights Office (OHCHR) monitors human rights principles and international humanitarian law in conflict zones. They investigate complaints and work to prevent violations. This resource sheds light on their efforts.

- **International Legal Protection of Human Rights in Armed Conflict" (Full Document)**: A detailed study covering legal sources, principles, and actors related to human rights and humanitarian law in armed conflict.

- **International Committee of the Red Cross (ICRC)**: The ICRC provides valuable information on humanitarian law, including resources specific to conflict zones and indigenous populations.

- **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**: This landmark declaration outlines the rights of indigenous peoples, including those living in conflict zones. Read UNDRIP.

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