

Committee: Special Committee on the Protection of Minorities

Topic: The question of guaranteeing the rights and welfare of uncontacted peoples in the Amazon basin, New Guinea, and other remote locations

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Summary

Across all continents there are over 100 tribes of uncontacted peoples living isolated from modern society. Due to chosen isolation these individuals live what most would consider a primitive lifestyle unaware of modern advances in technology, education, language religion, governance, and all other feature of the world as we know it. While our society is completely foreign to these tribes our actions directly affect their welfare and rights to live in solution. rapid deforestation and desertification as well as climate change are causing change in the environment that these individuals live in, causing decline in their water quality and food availability, or destroying tribes' entire villages completely. Protecting these individuals may come with many challenges due to the fact they should remain uncontacted and all efforts to protect their welfare should be done without making any detrimental decisions for these tribes.

Definition of Key Terms

Uncontacted peoples - communities or groups of indigenous peoples living without sustained contact to neighbouring communities and the world community, and includes "indigenous peoples in voluntary isolation".

Welfare - statutory procedure or social effort designed to promote the basic physical and material well-being of people in need.

Culture - the ideas, customs, and social behaviour of a particular people or society

Tribes - a society consisting of families or communities linked by social, economic, religious, or blood ties, with a common culture and dialect, typically having a recognized leader

The Amazon Basin - a part of South America drained by the Amazon River and its tributaries.

The Amazon drainage basin covers an area of about 6,300,000 km², or about 35.5 percent of the South American continent.

Remote areas - far away from cities and places where most people live, and are therefore difficult to get to.

Indigenous peoples - also referred to as first people, aboriginal people, native people, or autochthonous people, are culturally distinct ethnic groups who are native to a place which has been colonised and settled by another ethnic group.

Background information

There are over 40 tribes of uncontacted people living in the western Province of the new Guinea island, also known as Papua or West Papua. This portion of the island has been under the control of the Indonesian government since 1964. The region is heavily covered by rainforest which covers almost one quarter of the total land mass of the island. The Mambo river is the largest river that runs through the low lands of the Province, the lowland lakes and swampland is where the home villages of the Asmat people are situated, the population of these tribes are estimated to be around 70,000 people (2004), the river basin is extremely important to these populations due to the fact they rely on fishing as a large food source. Oppositely the Belim valley, or the grand valley, in the central region of the province is located in the middle of a large mountain range and is home to the Dani people, with a population of over 200,000, this one of the most populated tribes in the highland and participate in many agricultural practices for food, particularly sweet potatoes which are of extreme cultural significance to the tribe. The Indonesian government have put strict laws on foreign journalists and NGOs entering the province, however there is, as of yet, no government body overseeing the protection of the tribes in the Province from contact from outside individuals.

In the Amazon basin of Brazil there is an estimated 200,000 uncontacted peoples distributed among over 200 tribes this is the highest population of uncontacted tribes than anywhere else in the world. The population of indigenous peoples in Brazil is estimated to have declined from upward of 3,000,000 in the 1500s. The Indian Protection Service (IPS) was a Brazilian federal government agency established to combat the genocide of indigenous tribes in Brazil. The agency was founded in 1910 to focus on the protection of tribes from violence. In 1967 the IPS was accused of being corrupt in the Figueiredo report, this report detailed the abuses tribes had suffered due to the agency including murder, torture, sexual abuse and land theft. After the abuses were uncovered the IPS was replaced by the Fundação Nacional do Índio (FUNAI) or the National Indian Foundation in English. The goal of the FUNAI in the 1970s was to integrate these uncontacted peoples into society so that the Amazon basin could be used to economically benefit the Brazilian government. In 1988 the goal of the organisation changed, the Brazilian constitution of 1988, recognises indigenous peoples right to cultural practices without forced integration into Brazilian society. In 1991 the FUNAI released decree number 22 which outlines the 5 steps they must follow they are as follows;

1. FUNAI's president is responsible for establishing an anthropological team to identify the lands to be demarcated.
2. The team must then prepare a report of their findings.
3. The team must publish the report to the Diário Oficial da União and submit it to the Minister of Justice, who will review the report and issue an Administrative Decree outlining the area's boundaries.
4. The FUNAI is responsible for physically demarcating the lands, checking with the Minister of Justice and the President for continuous approval.
5. Finally, FUNAI registers the property with the Federal Property Department.

In 1996 the Brazilian government passed Decree 1775 which counteracted decree 22 in the interest of financial gain. In 2009 the FUNAI statute was put in place which closed hundreds of FUNAI offices once again putting indigenous tribes in danger and decreasing the effectiveness of the FUNAI to this day.

Located in the Bengal bay south east of India is the North Sentinel Island is the Sentinelese tribe, also known as the Sentinelese or North Sentinel islanders. The island is covered by a dense evergreen tropical forest. And has an area of roughly 23 square miles. The population of the tribe is estimated to be roughly 20 to 200 individuals but it has been said that the population could be as small as 15 individuals. The Particularly vulnerable tribal group (PVTG) a government of India classification created with the purpose of enabling improvement in the conditions of certain communities with particularly low development indices, have classified the Sentinelese tribe as vulnerable due to declining population, lack of development in language, technology and absence of written information surrounding the individuals. The North Sentinel islanders are likely hunter gatherers likely using bows and arrows to hunt sea food and local wild life. The sentinel people are known to be extremely aggressive individuals to outsiders and have killed multiple people who have approached the island. Due to this in 1956, the Indian government has declared it illegal to approach the island, within three nautical miles of the coast. The island is under constant patrol of the Indian armed military preventing outsiders from entering, however, this has failed to prevent many individuals in the past.

Major Countries and Organizations Involved

Countries where uncontacted tribes are known to be located,

Bolivia; has 3 uncontacted tribes that are known the Toromona who live along the basin of the Madidi river in the western region of the country. The Ayoreo people a group of nomadic hunters living in the Kaa-ly-a del Gran Chaco National Park and Integrated Management Natural Area. And the Pacahuaras living in the Pando Department.

Brazil, has the largest current known population of uncontacted people, see above sections for more information.

Colombia, the Nukak people are a group of nomadic hunters living in the Amazon basin in Colombia. Colombia is regarded as one of the safest countries for indigenous peoples due to their creation of gigantic tribal reserves and strict patrolling

Ecuador, is currently known to have 2 groups of uncontacted tribes in the amazon basin Tagaeri and the Taromenane. These groups are both semi nomadic and live off hunting as well as arming small agricultural cultivations,

Paraguay, is home to the Ayoro people who are also nomadic. This tribe is the last known uncontacted tribe south of the amazon basin. There are approximately 100 individuals living in this tribe and due to rampant deforestation, they are under extreme threat.

Peru, The Mashco-Piro are nomadic hunter-gatherers who are known inhabit Manú National Park. They are the largest group of uncontacted peoples in Peru and

Venezuela, some groups from the Hoti, Yanomami, and Piaroa tribes live in relative isolation in Venezuela however there is not much known about these tribes

India, is home to North Sentinel tribe see above sections for more information

New Guinea, there is known to be over 40 tribes located in the western province of new guinea once again see above sections for more information

UN Sub-Commission on the Promotion and Protection of Human Rights (sub body of the UNHRC) the goal of the Sub-commission was to "To undertake studies, particularly in the light of the Universal Declaration of Human Rights, and to make recommendations to the Commission concerning the prevention of discrimination of any kind relating to human rights and fundamental freedoms and the protection of racial, national, religious and linguistic minorities". The sub-commission had eight working groups which aimed to ensure that racial, national, religious and linguistic minorities were protected by law. The investigated both cultural and physical genocides and published the Ruhashyankiko Report 1973 and Whitaker Report 1982.

Timeline of Events

Date	Description
1900-1967	Over 80 indigenous tribes were destroyed in the Genocide of Indigenous Peoples in Brazil, in this time the indigenous populations declined by over 80 percent. Individuals who survived were forced to uproot and move to plantations, many of these individuals starved to death leading to a further decline in indigenous populations.
1967	The end of the genocide of indigenous peoples in Brazil when The <i>Figueiredo</i> report was published by public prosecutor Jader de Figueiredo Correia detailing abuses carried out by the indigenous protective services numerous incidents of genocide, torture, abduction, enslavement, biological and chemical warfare, sexual abuse, and land theft against tribes in Brazil,

1960s	Rapid Deforestation of the Amazon rainforest began for coal extraction, wood and rubber, causing destruction of many settlements of uncontacted peoples, tampering with wildlife for their food and destroying water sources causing the death of thousands.
September 13, 2007	The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly.
October 2010	After a video emerges online showcasing two members of the Papuans tribe being brutally tortured, the Indonesian government are forced to make a statement admitting that the two men in the video shown to be committing the crimes were Indonesian soldiers.
November 13, 2012	the Articulation of Indigenous Peoples of Brazil (APIB) submitted to the United Nations a human rights document with complaints about new proposed laws in Brazil that would further undermine the rights of tribes living in Brazil if they were passed.
November 17, 2018	The American Christian missionary John Allen Chau dies on the north sentinel island on the coast of India. Due to the extremely aggressive nature of the tribe living there and for their protection, by law the north sentinel island is forbidden to enter. The nature of this man's death brought worldwide media attention to the issues with contacting these uncontacted peoples.

Relevant UN Treaties and Events

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP or DOTROIP) aims to promote the rights of indigenous peoples to carry out cultural and ceremonial practices, identity, language, employment, health, and education as well as encouraging member nations to recognise indigenous individuals' rights to ownership of land. Articles 1-8, 33-34, detail the rights of indigenous individuals to self-identification as well as distinction from other indigenous groups. Articles 9-16 as well as 25 and 31 detail indigenous individuals' rights to cultural practices, i.e., religion, language, rituals, etc. Articles 17 - 21, 35 – 37 detail indigenous rights to self-governance separate from governance of member nations as well as economic development. Article 23 – 24 states the rights of indigenous individuals to seek medical assistance should they wish to and also to carry out their own forms of medical treatment should it be applicable to their cultural practices. Article 26 - 30, and 32 give guidance to land ownership as well as protecting indigenous lands from infrastructure that may cause harm environmentally such as, oil drilling or deforestation. As of current, all member nations who had voted against the UNDRIP have reversed their positions leaving 148 member nations in favour of the document and 11 abstaining. Note that the UNDRIP is not binding under international law.

Indigenous and Tribal Peoples Convention, established 1957. Is a UN international labour organisation convention. It is a major binding international law surrounding the rights of tribes and indigenous peoples, with goals to "protect the cultural, religious, civil and social rights of indigenous and tribal populations within an independent country, and to provide a standard framework for addressing the economic issues that many of these group's face." the document provided from the convention is 27 articles divided into 8 parts. Articles 1-10 is general policy,

articles 11 – 14 is the rights to land, article 15 is rights to employment, articles 16- 18 is the rights to vocational and craft training, 19 – 20 is protection of social security and right to health services, articles 21 – 26 details the right to education and communication to groups outside of tribe and articles 27 – 37 detail administration of the document and general provisions. The document in 1957 was ratified by 27 member nations, most of which were denounced when a second convention was held in 1989 which added 2 new parts to the document and 5 new articles which include communications between member nations and final general provisions. This document was then ratified by a further 20 nations.

Previous Attempts to solve the Issue

The United Nations Declaration on the Rights of Indigenous Peoples and the Indigenous and Tribal Peoples Convention both have made legally binding and non-legally binding strides towards solving the issue at hand, however many nations who have ratified the treaties are yet to follow through with on the promises they have made. For example, Brazil who have both voted in favour for the United Nations Declaration on the Rights of Indigenous Peoples and have ratified the Indigenous and Tribal Peoples Convention, both of which acknowledge the issue with industries impeaching on tribal land continue to allow the rubber industry to cut down rubber trees in the areas they have agreed to protect.

Possible Solutions

When writing a resolution on this topic there are many factors that must be considered. You might include protection on areas in which uncontacted tribes are living from deforestation, coal mining, oil drilling or any other activities which may cause a decline in any natural resources that may be useful or used by groups of uncontacted peoples. There are also viable solutions that are needed that involve preventing any physical, emotional, or sexual harm to individuals in these tribes from government bodies of nations where tribes of uncontacted peoples are found. As well as this you may wish to resolve the issues that come with contacting these individuals such as, influxes of diseases that these tribes have not yet experienced that may cause deaths among these communities. While writing a resolution you must also remember that these individuals are also protected by the UN international Declaration of Human Rights including their rights to religious freedom, so you may also want to consider solution that involve preventing outside individuals from attempting to convert these tribes to modern religions such as Catholicism.

Bibliography

<https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312314

<https://humanrights.gov.au/our-work/un-declaration-rights-indigenous-peoples-1#:~:text=The%20United%20Nations%20Declaration%20on,on%20Thursday%2C%2013%20September%202007>

<https://www.bbc.com/future/article/20140804-sad-truth-of-uncontacted-tribes>

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/Indigenous.aspx>