Introduction

There are approximately 370 million indigenous people in the world, belonging to 5,000 different groups, in 90 countries. Indigenous people live in every region of the world, but about 70 percent in Asia. They tend to have small populations relative to the dominant culture of their country. In some countries, notably Bolivia and Guatemala, they make up more than half the population. They speak some 4,000 languages.

The rights of indigenous peoples has been a pressing issue in the post-colonial era. The practice of drawing borders by imperial powers undermined the historical territorial claims of indigenous populations across the globe. The rise of sovereign states and the power of democratic memories further erode the ability of indigenous peoples to assert collective rights.

It also is a tricky issue for many UN Member States. Most want to see their people prosper, but some resent special treatment of particular groups, even groups that have long been discriminated against, marginalized and impoverished. Many UN Member States welcome assistance for social problems, but resent foreign meddling their domestic affairs. A growing number of indigenous groups seek greater political power, fair representation, and regional autonomy to pursue their traditional ways of life. But what to do when those traditions clash with contemporary ethical standards, such as pressure to educate women or ban female genital mutilation?

The basis for action is a key UN document. The basic rights and freedoms which indigenous populations are entitled to are enshrined within the United Nations Declaration on the Rights of Indigenous Peoples.1 Those include:

- The right to unrestricted self-determination
- The unalienable right to the ownership, use and control of lands, territories, and other natural resources
- The rights to maintain and develop political, cultural, religious and educational institutions
- The requirement for prior & informed consultation, participation and consent in activities that impact indigenous peoples
- The requirement for fair and adequate compensation for violations of the rights in the Declaration

The Declaration has been a symbol of triumph and hope for indigenous populations across the world and carries a considerable moral force. Regardless of the moral force the declaration carries, the United Nations is not a global police force. Each Member States that recognizes the UNDRIP must push for their own policies to better protect the rights of indigenous populations.

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2 'Pressure Rises at U.N. on Myanmar Over Rohingya Crisis', New York Times, 28 September 2017; and '370,000 Rohingya Muslims have fled...
The figure above is a glimpse of the process for progress in minority groups gaining improved representation and equality in their standards of living with the top of the pyramid highlighting the ultimate goal of achieving personal or territorial autonomy for an ethnic minority. The Roma minorities through Eastern Europe have made some gains in improved representation in their governments decision-making bodies, but even now in 2014, the Roma are quite severely under represented by numerous Eastern European nations and on a transnational level with 1 out of 736 members of the European Parliament being of Romani origin. The discourse expressed by numerous Roma and pro-Roma organizations has shifted from a message of self-determination that was prevalent through the 1970s and 80s, to raising awareness of human rights violations against Roma from the 1990s to the early 2000s. From the late 2000s to now, the focus of these organizations has been aimed at social and economic integration of Roma under the current EU Framework Strategy.

Issues with regards to the proper representation of minority groups in a given polity and additional concerns over human rights violations are prevalent all across the globe. The Tibetan Autonomous Region and progress under the Dalai Lama’s “Middle Way” policy with Beijing has allowed the Tibetans within the Tibetan Autonomous Region (TAR) a level of autonomy to continue traditional localized governance of the territory while still under Chinese sovereign authority.

Though Beijing’s policies for economic development in Tibet have been seen by Tibetans as a legal attempt at resource extraction while opening migration into the region by various migrants and business interests. The policy has given rise to numerous protests and riots while increasing Tibetan extremism and
national calls for full autonomy from Beijing, citing inadequate representation in decision-making under the People’s Republic of China’s top down authoritarian rule.

The debate around economic development and integration in various nations across Southeast Asia has put into question the rights of indigenous nations all across the region. Accusations of land grabbing measures by state governments in indigenous lands for resources within the given countries are a serious matter for the UN.

Figure 2. Example of minority groups with autonomy: Tibet, Uyghur and Mongolian regions of China

Background

The need for the United Nations to form a declaration that reflected and protected the rights of indigenous groups and ethnic minorities in the world began to gain momentum in 1983 by the Working Group on Indigenous Populations who began the formation of the draft that would be the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). The working group consisted of experts on the subject of human rights and indigenous peoples, government delegations, and representatives of indigenous populations who had adopted the text of the declaration in 1993 where the text was then sent to the Sub-Commission on the Promotion and Protection of Human Rights. Following its adoption by the Sub-Commission in 1994, the draft was sent to the Commission on Human Rights.

Starting its works on 3 March 1995, the High Commission was able to establish an Intersessional Working Group within Resolution HR 1995/32 which authorized a decade-long mandate. A draft declaration of the text was to be drawn up and eventually adopted by the UN General Assembly. This procedure additionally made it possible for the active participation of indigenous peoples’ organizations in the drafting process. When the vote on the text came in September 13th, 2007, the UN General Assembly adopted the UNDRIP by an overwhelming majority of 143 votes in favor of the declaration. Canada, New Zealand, Australia and the United States were a few member states who cast negative votes.

A second key piece of background information in regards to indigenous peoples’ rights is the outcome document from the Global Indigenous Preparatory Conference in June 2013 held in Alta, Norway. The Alta Outcome Document contained a number of recommendations for the High-Level Plenary Meeting of the UN General Assembly and World Conference on Indigenous Peoples which reviews the instrumental role of indigenous populations in advocating for human rights. It contains an emphasis on how self-determination is a prerequisite for the realization of all rights and reaffirmed the norms of international law as a basis for upholding all matters of human rights. The attending
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delagations consisted of 200 indigenous
delegates and roughly 400 observers who
correlated to the four overarching themes in the
Outcome Document; those themes being:

- Indigenous People’s land, territories,
resources, oceans and waters;
- Implementation of the rights of
indigenous peoples;
- The UN system for action in
implementation of the rights of
indigenous peoples; and
- Indigenous peoples’ priorities for
development with free, prior and
informed consent.

The Alta Gathering is important because it
allowed for indigenous delegates to be actively
involved in preparation for the upcoming 2014
High Level Plenary Meeting of the UN General
Assembly. The North American Indigenous
Peoples Caucus (NAIPC), which represented the
more than 566 Native American tribes across the
United States of America, expressed its concern
with the UNDRIP in regards to incorporating
indigenous peoples into the body of politics of
the state. Debra Harry of the Numu tribe
explained that the NAIPC reserves all rights to
decision making with regard to future work in
relation to the World Conference. The NAIPC
also do not empower anybody or entity to speak
for, represent, or negotiate any position on our
beliefs and is committed to sharing a historical
context and update that includes the outcomes of
the Alta Conference with their region and
improve upon their communications to their
indigenous peoples and nations affected.

The statements from the NAIPC came in
opposition to statements made by a spokesmen
on behalf of the US federal government’s
position on the UNDRIP, in which they stated
that, “the US government’s view that self-
determination, as expressed in the Declaration,
is different from self-determination in

international law.” The position of the United
States in this regard was rejected by delegates of
the NAIPC as well as the Indigenous Law
Institute and the International Indian Treaty
Council.

The acceptance of the Alta Outcome Document
by the NAIPC and various indigenous
delagations at the conference was due in part to
the reaffirming of indigenous peoples inherent
and preeminent right of self-determination not
only in international law, but in the inherent
sovereignty and free exercise of indigenous
populations as protected in the UNDRIP.

Current Situation

The progress made by indigenous populations
across the globe have enshrined the legitimacy
these populations and ethnic minorities carry in
international affairs. One of the key issues
prevalent in today’s affairs in regards to
indigenous and minority rights are economic
development plans by central governments to
integrate indigenous regions into the industrial
sectors of the economy. While economic
development initiatives by these countries may
seek to better the standards of living of
indigenous populations while meeting the
growing demands for the abundant resources in
these regions, many indigenous groups and
human rights organizations criticize these efforts
as an infringement of indigenous peoples’ right
to ancestral lands.

The Southeast Asian region of the world has
seen a sharp rise in land grabbing by a number
of states which has led to widespread
placement of indigenous populations. The
placement of these indigenous groups in
nations like Bangladesh, Vietnam, China,
Cambodia, Malaysia, Indonesia, the Philippines,
Thailand, India, and Laos have brought
questions of land use, ownership and settlement
into the international stage in need of resolution. These instances also can raise questions in regards to proposed economic projects in North American nations like the US and Canada’s transnational oil pipeline, Keystone XL Pipeline, which would cut through traditional territories held by Native American tribes and tribal resources both in Canada and the US. The need for improved access to justice and recognition of the rights of indigenous peoples to land and resources are a fundamental part of the agenda here at the UN.

On the issue of protecting the rights of minority groups, both ethnic and indigenous minorities, has also come to center stage in countries where these minorities may not even have citizenship in the their state of residence. This is case for the Rohingya Muslim minority within the Rakhine area of Myanmar, where the 1.2 million Rohingya have been stripped of their citizenship since the 1982 Citizenship Act by the Myanmar government. Rather than acknowledge their rights, the government insists they are not true residents, arguing the arrived only in the early Twentieth Century. Extensive efforts by UN Agencies to help the Rohingya collapsed in August 2017, when the government of Myanmar began using its army to force the Rohingya out of the country. Over 400,000 had been forced in neighboring Bangladesh as of this writing (October 2017), effectively made stateless, completely depend on international assistance.  

Figure 3: Myanmar and Rakhine State, home of the Rohingya

Source: The Economist

Indigenous population’s right to self-determination and autonomy is also a pressing matter for the Tibetan Autonomous Region of China and the Palestinian territories of the West Bank and Gaza Strip. Beginning with China, the Tibetan Autonomous Region was established following the invasion of the region by the People’s Republic of China in 1950 which was ended through the diplomatic relations between

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2 ‘Pressure Rises at U.N. on Myanmar Over Rohingya Crisis’, *New York Times*, 28 September 2017; and '370,000 Rohingya Muslims have fled Myanmar to safety in Bangladesh in face of 'textbook' ethnic cleansing: UN', *Straits Times*, 12 September 2017
the central authority in the PRC and the Dalai Lama, representing the Tibetan population, where the Seventeen Points Agreement granted Tibet special status and autonomy which allowed Tibet to continue its traditional self-rule while under Chinese sovereignty. Following a popular rebellion in the region after China displayed little regard for its commitments, the TAR was established under China’s Law of National Regional Autonomy; the law divided half of traditional Tibetan areas into twelve lesser autonomous areas that highlighted central control outweighing the notion of autonomy as well as a view of national security instead of indigenous rights by the Chinese central government.

The failure of the Seventeen Point Agreement and China’s policies of economic development, which are seen by Tibetans as self-serving efforts to facilitate resource extraction and open up Chinese migration to Tibet while suppressing opposition, have been seen as falling short of the promises in the UNDRIP. A key moment in the experience of Tibet’s struggle for autonomy came on the heels of the 2008 Beijing Olympics with the Tibetan Memorandum which outlined eleven policy areas of hoped for autonomy enshrined in the PRC Constitution. In addition to the request for more robust autonomy in the sectors of language, culture, religion, education, environmental protection, natural resource utilization, economic development & trade, public health, and internal public security, the memorandum also sought to unify all contiguous Tibetan autonomous areas into one state. The Chinese central authority, however, was dismissive of the UNDRIP requirement of negotiating with freely chosen representatives of the indigenous population and in turn shifted down the discussion to only the Dalai Lama’s demands to control any unrest that may have ensued with the arrival of the Beijing Olympics.

As with virtually everything else at the UN, there is a major Middle East dimension to any debate over the rights of indigenous peoples. The conflict between Israel and Palestinians, has its roots in the two indigenous peoples with conflicting claims to ancestral lands.
The changes in the demographic landscape of Israel and Palestine has been altered since the 1967 Israeli occupation in the West Bank through the transferring and settling of Jewish civilian populations on to land confiscated from the Palestinian territory. Currently, the swelling number of settler movement into the West Bank over the past 20 years stands at some 344,799 settlers within 130 settlements that were authorized and protected by the Israeli state with another 200,000 setters that have moved into East Jerusalem. These efforts by the Israeli state are seen by the Palestinians as efforts to prevent an emergence of a contiguous Palestinian state by altering the demographic composition of these territories through policies that undermine the indigenous claims the Palestinians hold in the West Bank and Gaza. The root of this issue is that the border lines of 1967 seem to be constricting around the Palestinian minority within West Bank and rending those Palestinian communities stateless through negating the populations’ right to property and historic affinity to the land. This negation is evident by the authorization by the Israeli cabinet for the demolition and removal of Umm al-Hiran in November 2013. The reasoning behind the order was that the settlement in the Negev Desert was unauthorized and the lack of permits was cause for the demolition and forced eviction in order
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for the building of a Jewish community named Hiran which was planned and approved eleven years prior in 2002. This ongoing contestation of Palestinian land rights and the Israeli government using its authority to define policies to favor the Jewish population promote segregation along ethnic affiliation lines through what Hatem Bazian of the Harvard International Review labels as a “biblical theology of dispossession”. This ultimately is the process of utilizing religious texts as the means of gaining legitimacy to the efforts at collectively displacing and silencing of the indigenous Palestinians and to address this crisis without accounting for the textual manipulations and theologically-sanctioned dispossession of the Palestinians will only delay future instances of violence directed at the indigenous population.

North and Central America

The regional dynamic in regards to indigenous and minority rights is rather sound in North and Central America, yet several factors aim to threaten indigenous rights. Several Native American tribes within the United States and Canada have protested and denounced economic development programs such as the Keystone XL pipeline which aims to compromise the territorial integrity of Native American reservations the pipeline is projected to pass through. This project also risked indigenous communities access to natural resources such as water in the Ogallala Aquifer in the Midwestern US.

In Central America, there are over 6 million indigenous residents in the region and the issues facing these groups vary. The 2003 Law 445 of Communal Property System of Indigenous Populations and Ethnic Communities in Nicaragua allowed for the right of self-government in territories designated as indigenous lands. Additionally, a 2006 General Education Law further recognized the cultural foundations in these communities and recognized a Regional Autonomous Education System (RAES). Nicaragua also created the Autonomous Regions of the North and South Atlantic following indigenous resistances by members of the Miskitu in the Caribbean against the Sandinista National Liberation Front which came to power in 1979.

Furthermore is places like Guatemala, efforts are needed to bring indigenous populations out of poverty throughout the state and region as a whole. Indigenous populations in this region are seen to be 2.8 times poorer than non-indigenous persons and have 13 years less in life expectancy. In 2008, 73 percent of indigenous groups were classified as poor, with another 26 percent classified as extremely poor in spite of the fact that these populations participated in the economy at a 4.6% higher rate than non-indigenous populations. Means of better securing the foundations of indigenous populations right to autonomous governance and mechanism of bringing these communities out of states of poverty will be this committee’s task.

South America

Indigenous populations can be found all throughout the regions of the Amazon within South America and their right to territorial integrity and collective rights must be secured. The Kichwa in Ecuador have seen a series of political and institutional reforms accompanied by enforcement of guarantees within the Constitution of Ecuador.

Recent policy reforms aimed at opening up extractive industries such as oil, copper, and gold to foreign investment from China, Belarus, Brazil, Chile, and Argentina have caused disagreement between the government and indigenous social organizations. These groups have highlighted the risk towards the territorial and cultural integrity of these indigenous populations and further build on the uncertainty
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around the broad collective rights across the continent.

Africa

The situation regarding indigenous rights on the African continent highlights the urgent efforts needed to ensure that the principles of the UNDRIP are truly universal. Indigenous rights are not fully recognized or protected on the continent as a whole and this presents a number of problems. The Berber are found across Northern Africa, yet in countries like Algeria, the population is not recognized except as citizens. In 2002 Algeria recognized the Berbers Tamazight language, but they continue to be marginalized by state institutions, best evident in the 1992 Law of Arabisation, which remains in effect.

In sub-Saharan African countries like Central African Republic, the pastoralist Mbororo and the forest-dwelling Aka (Pygmie) indigenous groups have faced dangers brought on by insurrection from neighboring countries which spill over into CAR. An insurrection originating from Chad took hold of the north-western region of CAR in the pastoralist community within the Ouaka prefecture, which resulted in robbery of Mbororo cattle and abductions for ransom by the foreign rebels.

Figure 5. Major language groups of Democratic Republic of Congo

Source: Royal Museum for Central Africa, Belgium
Democratic Republic of Congo has a 600,000 Pygmie (also known as Bambenga or Bayaka) population concentrated in the forests of DRC, which account for 65% of land in the country. The historic and ongoing expropriation of indigenous lands for industrial logging and conservation operations has compromised land access of the Pygmie population. While the government in DRC has created protected areas for the Pygmie, heavy policing in conservation areas like national parks have caused additional problems for the indigenous group. The situation for indigenous population in the country is far worse than those faced by the national population, with inferior living conditions, poor access to health and education serves, low participation in social and political affairs accounting for only a fraction of the issues around indigenous rights. Various forms of discrimination such as stereotyping and systematic rights violations further highlight the urgent need for efforts aimed at alleviating the struggles facing the indigenous Pygmie.

The historically marginalized Batwa population, which like the Pygmie are characterized as a hunter-gather group concentrated in forests designated as national parks, are the poorest and most marginalized population in Rwanda. After the establishment of national parks in 1973, the Batwa were expelled from traditional lands without any means of subsistence or compensation, let alone a warning. Data from 2004 showed that 77% of the Batwa population was illiterate with 44% without any farmlands. Without farmlands, 95% of the population took up pottery that was sold at a price far lower than the cost of production and most striking of all the statistics showed that 85% of the Batwa barely ate once a day. The complete lack of representation and recognition of indigenous rights is evident in Article 82, paragraph 2, revision 2 of the Rwandan Constitution which secures 8 seat in Senate to historically marginalized populations; however, only a single seat is held by a member of the Batwa community today. Following the 1994 genocide in Rwanda, ethnic identities had been banned and thus there is no recognition of indigenous or minority language of the Batwa and regardless of the governments support for the UNDRIP, no laws exist specifically protecting the rights of the Batwa.

**Eastern Europe/Middle East**

Minority rights and protection of minorities in regions dealing with a recent acceleration is extremist ideologies have brought this issue to the forefront. The vastly diverse population of Iraq, composed of Sunni and Shia Arabs, Kurds, Turkmens, Armenian Christians, Yazidis, Mandaeans, and Shabak, face a very real threat from the rapid rise of the extremist-Sunni group known as Islamic State which has declared a caliphate currently occupying a third of western Iraq and a third of eastern Syria. The strict interpretation of Sunni Islam aims to run the risk of reshaping the territorial integrity of the Iraqi state; furthermore, the rate of expansion the group has undertaken has led to numerous reports of heinous rights violations and acts of genocide against the numerous minority groups within IS-controlled Iraq.

Dealing with the rapid rise of the Islamic State group requires all states in the Greater Middle East to boost efforts at both containing and dismantling the group that has crossed state border as well as protecting the most vulnerable groups such as Christian, Yazidis and Kurds. Gulf States such as Saudi Arabia, Kuwait, Qatar, and the United Arab Emirates all have contributed to efforts at containing IS from expanding further north or south, but face criticism for broad support given to Sunni opposition groups in the Syria’s civil war, that arguably has led to Islamic State’s manifestation. The three yearlong ongoing conflict in Syria has given rise to IS and has led
to the worst humanitarian crisis in recent history with minority groups fleeing the country with little assurances that rights they may have held in Syria will be protected in their country of asylum.

The situation of the Palestinians within the Occupied West Bank further adds to the issues of indigenous rights. Historical territory given to the Palestinians following the 1967 War continues to struggle with settlement projects reshaping the demographic makeup of the West Bank and the persistent state of apartheid in the Palestinian territories. Recent escalations by the Israeli military and Hamas militants in the Gaza Strip has further illustrated the need for honest, humane, and appropriate representation of the Palestinian state as Israel faces condemnation from a number of global organizations. The Arab Bedouin in Israel-proper additionally continue to face discrimination and second-class status of citizenship, but this should not be a surprise given the fact Israel has not signed on to the UNDRIP.

In Eastern European, calls for independence by the Russian-speaking minorities in Eastern Ukraine have been used by the government of Russia to support its claim to much of the territory of Ukraine, supporting the civil war there. This has caused panic among Russia’s other neighbors, especially small countries like Estonia, Lithuania, and Latvia. In this way the claims of indigenous populations can be used to serve contemporary political goals.

This process has also been attributed to the peace deal that settled the conflict between Armenia and Azerbaijan over Nagorno-Karabakh which escalated to a full conflict following the calls of the Armenian minority in Nagorno-Karabakh for full autonomy and closer relations to Armenia in 1988. Following the peace deal in 1994, sparse incidences of violence along the Line of Contact have broken out as recently as August 2014. The uncertainty and fragility of the peace risks compromising the territorial integrity of Azerbaijan and the protection of the Armenian populations within Nagorno-Karabakh.

**Central Asia**

The former Soviet states of Central Asia all have had to deal with establishing their individual polities in the wake of the Soviet Union’s collapse. Kazakhstan, Tajikistan, Kyrgyzstan, Uzbekistan, Turkmenistan and Afghanistan all saw their economies suffer in the post-Soviet era and ethnic tensions have been persistent more in some states than others. In Afghanistan following the withdrawal of Soviet forces and the Afghan Civil War, Uzbeks, Turkmen and Hazara all sought to attain adequate representation in the government. Prior to the defection of General Dostam from the Najibullah regime in the northern provinces, the Uzbek population in Afghanistan had no political organization and Dostam was seen as the spokesman of Uzbeks in Afghanistan. When the Uzbeks in the Northern Alliance took up the fight against the Taliban later on, Uzbeks developed influence within the military and political structure of the northern regions of the country.

Like the Uzbeks, the Turkmen lacked any political representation or leaders in the post-civil war rebuilding process in addition to being historically excluded from decision making processes within the administrative structure. In 2004, the Turkmen were first represented by Nur Muhammad Qargin who was appointed Minister of Education. In this post, Qargin introduced projects pushing for school textbooks written in the Dari language, which is the language of other small ethnic groups in Afghanistan as well as the Turkmen.

In the Northern regions of Asia, Russia’s multiethnic society recognizes 41 indigenous groups in the North, Siberia and the Far East
including the Evenks, the Saami, the Yupiq, and the Nenets. Other more populous groups like the Sakha, Buryat, Komi and Khakass have traditionally inhabited territories from the Kola Peninsula to the Bering Strait but lack recognition as indigenous peoples despite inhabiting nearly ⅔ of Russian territory.

In 1990, the Association of Numerically Small Indigenous Peoples of the North, Siberia, and Far East was established by a number of indigenous activists. Representing 42 indigenous populations, the organization aimed at protecting rights of these populations both at the national and international level. Though Russia’s Constitution has protections for indigenous communities in Article 69 regarding cultural, territorial and political rights, these efforts are complicated by recent legislation aimed at utilizing natural resources in the North. The natural resources of oil, gas and minerals within indigenous territories risk instigating conflict through energy projects such as oil pipelines and hydroelectric dams.

In China, the government recognizes 55 ethnic minorities and prides itself on being a unified multiethnic society. In 2010, the ethnic minority population was measured at 113,792,211 which made up 8.49% of the population. However, 734,438 ethnic minority members are unrecognized by the government and reside mostly in Guizhou, Sichuan, Yunnan and Tibet. The PRC’s constitution does have protections for recognized minorities including autonomous regions, local administrative governance and the right to language and cultural practice. Despite protections in the Constitution, Amnesty International have reported an asymmetric enforcement of these protections most evident in the regions of Xinjiang and Tibet. Reports of tight control of religious practice and numerous abuses and persecutions by authorities against Uyghur Muslims which exploded during violent riots in 2009 between Uyghur and Han Chinese. The lack of meaningful political representation, restrictions on cultural and religious practices and loss of land in Xinjiang has drawn international pressure against China for its double standard in the province.

Furthermore, the Dalai Lama called for an international probe of China’s treatment in Tibet which he accused the central government of “cultural genocide” against his people. Programs introduced by China aimed at expanding economic development in the Tibetan Autonomous Region have faced criticism from Tibetans, who see the initiatives as facilitating natural resource extraction and allowing easier migration of non-Tibetans into the province to shift the demographic makeup of Tibet in hopes of future generations resembling more Han and Sino Chinese traits to quell tensions by the indigenous Tibetans.

Southeast Asia/Pacific

A number of states in the Southeast Asia and Eastern Pacific region all have vastly diverse ethnic populations and accommodations for their indigenous rights have been made in some areas. Nations such as Bangladesh, Vietnam, Cambodia, India, Phillipines and Thailand all have seen protests by indigenous communities primary as a result of economic development plans taking place in lands historically inhabited by the indigenous communities.

Indigenous rights in Bangladesh take the forefront in the Chittagong Hill Tracts (CHT) which was declared a tribal inhabited region following the eviction of thousands of tribal families and conflict instigated by the Kaptai Hydro Electric Project in the 1960s. A government initiative to transfer nearly 400,000 non-indigenous persons into the CHT worked reshape the demographic makeup of the region and displaced an additional 100,000 indigenous people. Land dispossession in the CHT by
numerous state agencies and corporate business interests in 2013 amounted to 3,792 acres of land seized, totalling at 1,279,003 acres in the tribal region. Furthermore in 2014, an additional 242.03 acres were seized by paramilitary forces in the Khagrachari and Bandarban districts.

The displacement of indigenous populations through economic development projects in Vietnam occurred with the approval of the Son La Hydropower Plant in 2010. In preparation for the project, over 90,000 ethnic minority Thais were relocated and left without access to indigenous agricultural lands and resulted in strained relations between the groups and the central Vietnamese authority. In Cambodia, the Kui people of the Prey Lang forest region faced additional loss of ancestral land. Between 1996 and 2013, numerous land grants for tens of thousands of forest for mineral extraction, timber and rubber plantation forced Kui communities to give up their traditional lands. In total, the Cambodian government had granted land concessions totaling 1.5 million hectares (half the arable land in Cambodia) to at least 117 companies.

Tribal groups like the Dongria in India have had tense relations with the Indian government following the approval of mining projects to the Vendanta company. A 2011 ILO India Report highlighted the criticism the Dongria expressed with their claims of more than half the country’s minerals obtained by the Vendanta company had violated tribal rights. These grievances were addressed in 2013 with the Supreme Court ruling which required community consultation prior to proceeding with proposed mining operations. This move forward does fall in line with principles enshrined in the UNDRIP regarding free, prior and informed consent from indigenous peoples.

In the Philippines, the biggest deposits of untapped minerals are underneath lengthy swaths of indigenous land and has cause tension to arise from indigenous communities over mining operations. In the Cordilleran indigenous region, 60% of the land is covered by mining operations or applications. Responding to opposition towards the mining operations, the government in the Philippines engaged in repression and militarization of the region resulting in spiking tension between indigenous communities and the military following 44 extrajudicial killings of indigenous leaders opposing mining operations.

While numerous nations in the region have had strained relations with their indigenous and minority communities, Thailand has made some positive gains. In 2010, a number of cabinet resolutions were passed focusing on restoring traditional livelihoods of the indigenous Chao Ley and Karen groups. Aside for the reforms passed in 2010, no real improvements have occurred but the foundations for change have been put in place for organization both national

**Figure 6. Major ethnic groups of the Philippines**
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and international to further advocate for and implement.

**Country Issues**

For most countries, the rights of indigenous people raise tricky issues of balance. How to balance issues like:

- Indigenous autonomy vs. central authority
- Indigenous identity vs. national coherence
- Indigenous needs vs. central funding
- Indigenous poverty vs. majority demands
- Indigenous rights vs. majority pressure

There are no easy answers to these dilemmas. All countries come up with their own choices. *Australia* and *New Zealand* are international leaders in education rights for indigenous populations, and especially outspoken on the issue. Both aggressively fund, provide legislative and regulatory support for indigenous education, with the most authority for implementation granted to indigenous authorities.

They also support and fund education and other services for indigenous populations in Pacific island countries. These policies are partially based on basic norms about universal human rights, they also promote development within Pacific Island countries, reducing pressure for residents to immigrate to countries like Australia and New Zealand.

*African countries* are probably the most aggressive and fixed on the idea of educational rights for the indigenous. Indigenous populations in Africa, specifically Sub-Saharan Africa, are the most diverse in the world. Namibia and the Democratic Republic of the Congo previously cooperated to acknowledge the pace and cooperation necessary to implement provisions for the rights of indigenous people through the United Nations' policies. Many African nations almost prefer a trial an error policy that is tested through different indigenous groups so that the people feel included like their voices are heard. The policies for an indigenous education are thoroughly outlined by the people through the government, to the United Nations. But African governments also are very jealous of their sovereignty, hesitant to sign away rights to their many groups, always afraid of worsening ethnic conflict.

*China and Russia*: China and Russia both give indigenous peoples constitutional protections and emphasize equal funding by the central government in Beijing and Moscow, respectively. The major issue both face is separatists and secessionist movement among indigenous populations, such as Tibet and Uyghurs areas in China, and Chechnya in Russia. Central government refuses to share political authority with these regions and uses military force to suppress separatist tendencies. Russia fought two major wars in Chechnya in the 1990s and 2000s.

*European Union*: Most of the 28 member states of the European Union lack significant indigenous populations with independent identities from the majority populations. The largest indigenous populations in Europe are the Sami (Laplanders) of northern Norway, Sweden and Finland. Sami educational rights are assured and actively supported in all three countries. But the European Union routinely uses its aid and development funds for projects aimed to improve the situations and rights of indigenous peoples around the world. A major controversy for many European countries is the rights of Roma (Gypsies), who emigrated to Europe from India and Egypt in recent centuries. They are not indigenous, but live indigenous life styles, often
on the periphery of society, lacking rights, mired in poverty. The EU and its 28 Member States have been willing to use their foreign aid to support the needs of indigenous populations around the world.

*India and Pakistan* inherited policies of *benign neglect* from their colonial rulers, and largely perpetuated these policies. Tribal areas, as they are known in both countries, are largely ignored by the central government. Some are bitterly unhappy and want better provision of government services, including education, health services and electricity. Others have developed strong independent traditions and resist government encroachment, becoming centers for anti-government insurgency and violence. Their goals are increasingly about taking control of the government to better address their needs. Well know examples are Waziristan in Pakistan and India’s tribal belt, where Maoist guerrillas are increasingly active.

*Latin American* governments emphasize these issues vigorously, since indigenous peoples often constitute a large proportion of their populations. In some countries—Bolivia is the best known example—indigenous political parties have won control over the national government. All of these countries face funding limits that weaken education for much of their populations, especially indigenous peoples who tend to live in remote areas where government services are poor. Some like Honduras, El Salvador and Costa Rica, have laws but lack the means to consistently fund special schools or programs. Especially because the need for more food or jobs is just as important, if not more vital which doesn't help the cause to focus on supplying education. This region of the world like Africa will need the most incentives and monitoring from the United Nations to even begin serious improvement for indigenous people.

In *Southeast Asia* indigenous rights are often seen in terms of separatist disputes. Governments must balance pressure to act decisively—often by deploying their militaries and sometimes fighting insurgent wars—while acting to promote regional economic development and civil liberties, to reduce tensions. Indonesia, Malaysia, and Philippines all struggle with these extreme tensions. They tend to welcome foreign aid to indigenous peoples, but are very suspicious of anything that increases their political autonomy.

*United States*: A major role of the UN process is insuring countries with greater consistency within their territory, insuring greater fairness in treatment of all indigenous peoples, so some do not benefit greatly while others are deprived. An extreme example is the United States, where most authority over indigenous peoples belongs to Indian tribes through sovereignty-sharing arrangements, some based on international treaties. This leaves indigenous groups largely responsible for their own funding. Some are very wealthy—especially those lucky enough to control gambling industries near major cities or petroleum exploitation—while others are impoverished. No other country has followed the American example, most preferring policies aimed at greater revenue sharing and equality. Many also stress the importance of bi-lingual education, to preserve indigenous identity and facilitate their integration in the majority community.

**Country and Bloc positions**

*Arab League* countries are sensitive to the rights of their minorities, including indigenous minorities. But they tend to be skeptical of policies that stress particular groups, greatly preferring measures that embrace all their people. This makes them vulnerable to charges of majority domination, but they are more
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worried about anything that would weaken the powers of their often fragile states.

China is typical of many UN Member States who strongly support adherence to international law, but are wary of interational commitments that reduce state sovereignty or freedom of action. China takes pride in a well-designed UN resolution, but like to keep the term general, even weak, to minimize tensions and conflicts, and avoid undermining the authority of the state. Above all, China will fight any resolution seen to meddle in its domestic affairs, such action that affects Tibet.

European Union’s 28 Member States are very supportive of international action to aid opposes indigenous peoples. It also is willing to shift funding from other programs to support aid to indigenous peoples, although any such financial arrangement must be very specific. And Europe is careful to avoid antagonizing other greater powers, such as China, Russia and the United States. Some EU Member States take a special interest in anything affecting their former colonies in Africa, Asia and Latin America.

Latin America is sensitive to the problems of indigenous peoples and usually works to assure them a strong place in their societies, often including regional autonomy and self-rule. Land set asides and assistance programs are well received by most Latin American governments.

Non-Aligned Movement (NAM): the 120 Member States of the UN’s largest voting bloc strongly support new aid programs that help their people. They prefer, though, to keep full control over such programs in the hands of their own governments, rather than allow donors to dictate how the money can be spend. The NAM also is sensitive about international assistance that affects domestic power balances, and would turn indigenous peoples into serious rivals for domestic power. So they favor lots of aid, but little or no conditionality on that aid, and limit to its political effects.

Russia strongly support measures to help indigenous peoples, often by assuring them autonomy or self-rule. But is wary of measures that weaken the power of Member States’ governments to make basic decisions about the nation as a whole. Russia expects indigenous peoples to support the state, and will fight against action that reduces the authority of a sovereign state.

The United States support UN efforts to establish universal global norms and principles to ensure proper treatment and rights for indigenous peoples. Under President Trump, however, American policy has shifted. In the UN, the United States tends to prefer measures that maximize obligations on its enemies. The United States also is less willing to help with financing, even of relatively small initiatives, and even if that means ceding authority to smaller competitors in the international community.

Future Role of the UN

The United Nations supports the rights and welfare of indigenous peoples and minorities, coordinating with the governments of Member States to ensure that countries retain domestic authority, while serving indigenous minorities. It is a difficult path sometimes, especially when Member States are accused of attacking indigenous minorities or treating them as a second class citizens. No one doubt the UN can do more. But no one can be sure the UN will be allowed to do more.

Some paths for action to be considered include:
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- Focus on general principles for all indigenous peoples and all UN Member States.

- Focus instead on recommendations for specific conflicts and situations, such as the Middle East. Potentially any country and indigenous rights situation is fair game for the General Assembly.

- Create new monitoring institutions, such as regional observatories, to watch the situation of indigenous minorities and report to the United Nations about recent events and trends. Three practical problems to be addressed are: assuring observers access to indigenous peoples, finding governments willing to host such intrusive organizations, and finding the money to pay for them.

- Create centers to promote education in indigenous languages and culture. Again, the UN would have to establish the rules for such centers, the activities they are authorized to lead, what can they do, and what can they not do? Where are they to be hosted and how to be financed.

- Authorize international intervention to aid oppressed indigenous minorities, including assistance by local authorities or from neighboring states.
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