

Committee: 3rd GA Committee (Social, Humanitarian and Cultural)

Issue: Protecting indigenous people during conflict in Africa

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INTRODUCTION

Nowadays our world is facing one of the most complex periods in history. Lots of conflicts are taking place all over the globe. Distinct cultures are fighting for miscellany interests, creating a variety of wars or civil wars and causing great problems in the regions they leave behind. Among other parts of the population conflicts have an impact on indigenous people of the regions as well. Indigenous people are large groups of people having a set of specific rights based on their historical ties to a particular territory, and their cultural or historical distinctiveness from other populations that are often politically dominant thus being dedicated on their goal to protect their culture, their land and their

struggling to retain and protect their territories from any danger that may arise. Obviously a conflict can easily be considered as a danger by which indigenous people are being threatened. During a conflict indigenous people are not in the position of reacting to the attacks of the military leading to the loss of large numbers of them which could cause their total distinction.

The issue that concerns this study guide is the protection of indigenous people during conflict in Africa. Consequently, one needs to focus on those regions. In Africa lots of wars and civil wars are taking place at the moment. Such conflicts are the civil war in Libya, Boko Haram in Nigeria, the civil war in South Sudan and many others. Due to this fact many people die daily as a consequence of those conflicts; among them indigenous people as well.

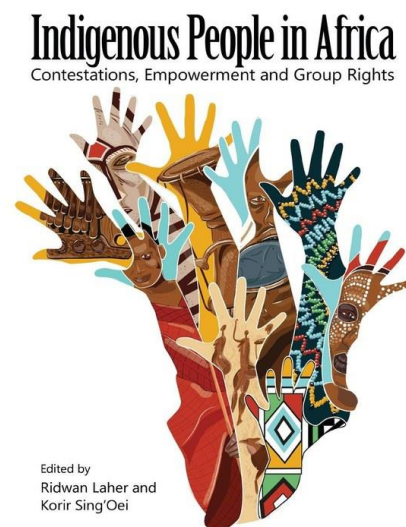


Image 1: Indigenous People in Africa

DEFINITION OF KEY TERMS

Indigenous People

“Indigenous people are people defined in international or national legislation as having a set of specific rights based on their historical ties to a particular territory, and their cultural or historical distinctiveness from other populations that are often politically dominant.”¹ Some examples of those “indigenous” people are the Pygmies in the Republic of Congo, the pastoral communities in Somalia and the Fula people in Mali. As mentioned above indigenous people are people that possess some specific rights and that have some specific practices in comparison with the rest of the population of a country. Such practices could be different religious beliefs, different appearance features or altered customs.

Conflict

“A serious disagreement or argument, typically a protracted one.” *Oxford Dictionaries*

As far as this topic is concerned armed conflicts are those that are important and that could cause consequences to the indigenous people. To be more specific some examples of those conflicts are the conflicts taking place in Libya, Nigeria and the Democratic Republic of Congo.

Terrorism

“The unlawful use of violence and intimidation, especially against civilians, in the pursuit of political aims.” *Oxford Dictionaries*

Guerilla warfare

“The use of hit-and-run tactics by small, mobile groups of irregular forces operating in territory controls by a hostile, regular force.” *Dictionary.com*

BACKGROUND INFORMATION

As mentioned above a conflict harms extremely the regions where they are taking place in. Buildings and cities are destroyed, political instability is caused, and people lose their lives. Among those people who die unreasonably many indigenous people lose their lives as well. Indigenous people represent the history of the places where the wars are taking place and by killing those people their existence is directly threatened.

Indigenous people

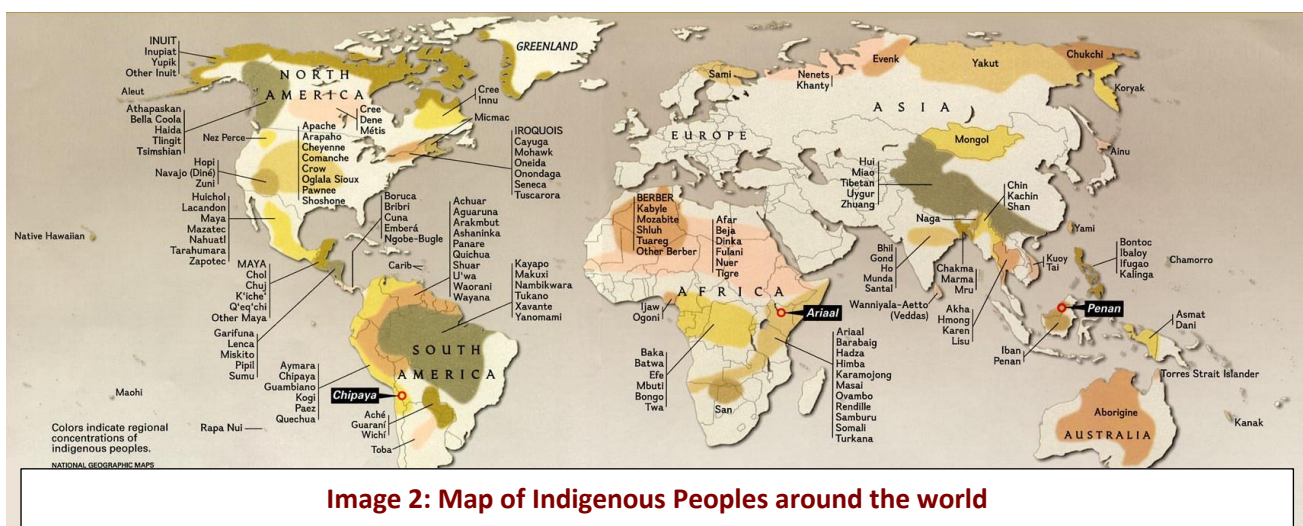
¹ Indigenous Peoples Literature <<http://www.indigenouspeople.net/>>

In the world there are estimated to be more than 370 million indigenous people divided in 70 countries all around the world. Those indigenous people are retaining their own and unique traditions, economic, political and cultural characteristics that differ from those of the dominant populations in the regions where they live. According to a study they are the descendants of the people who founded and owned a geographical region before the ethnic origins arrived and before those regions were put into a country. The population that later arrived became dominant in the region through ways such as occupation, settlement and others. Some examples are the Mayas in Guatemala, the Aymaras in Bolivia or the Lakotas in the United States of America.

There are parts of the world where there are very few indigenous people while in others there are thousands and millions of them. There are also some groups that have been wiped out throughout the years due to diseases or through strict policies and genocides. However, those indigenous societies that remain until today are in great danger and should be protected.

To emphasize on the importance of the indigenous societies it should be mentioned that indigenous people are the reason why some unique languages, beliefs and knowledge systems still exist. Those people also possess extended knowledge on practices in order to manage the natural resources of their origin land. They have personal and special relations to the use of their land because their land is very important for them to survive. Last but not least, indigenous peoples have their own way of development based on their beliefs, visions, values and priorities.

Despite the fact that indigenous people are very important they are being dealt with as neglected segments of the society. As a result they do not possess political representation and participation, they face poverty, they lack access to social services and discrimination is



also an extra difficulty that they have to face. Their rights are constantly violated and they fight for recognition of their way of life, identity, traditional land, natural resources as well as territories.

Conflict

When referring to conflicts we mean some kind of disagreement that may arise within a group of people. More specifically this disagreement is caused because of the ideas or actions of one part of the group that are unacceptable by other parts of the same group. Conflicts may arise between members of the same alliance or it can be caused among members of two or more alliances. Furthermore, a conflict can include violence, military and psychological tension. There are a lot of different kinds of conflicts caused by different motives and leading to very harsh consequences

Motives leading to conflicts

To begin with, the causes of a war could be numerous therefore they can easily be divided in groups according to their type. Some of the main groups of causes are the religion, ethnic cleansing and world/regional dominance or other ideological mass killings.

Religion

Such wars are defined as wars between states or groups led by people that represent different beliefs and different religions or between two theocracies. However, these conflicts might have a rational explanation. A war could have as a goal to increase the population representing one religion or to decrease the population of another religion. Therefore it is not easy to find an agreement even with cooperation and full commitment. An excuse that helps the leader to escape rationality is that they are following the orders of a higher being or of a religious code. The religious difference of indigenous people puts them in most of the cases at the position of victims in the potential religious conflicts.

Ethnic cleansing, world dominance and other ideological mass killings

As mentioned before one could rationalize the motives in order to decrease the amount of the population of another group or minority with a goal to obtain world dominance. Such wars can also be described as mass killings. An example of this category is Adolf Hitler, who started a war aiming at the dominance of his race. This type of war can have a huge impact on indigenous people as they are often victims of the ethnic cleansing. The lack of technological development and natural resources puts the indigenous tribes in a minor position towards their enemies.

Types of armed conflicts/wars

After the division of the causes of wars we should also divide the wars in different types according to their aim, causes and extent.

First of all, war can be generally divided in two large categories, the total war and the limited war. The total war is a war during which leaders use all the information they possess and all of their resources. Such types of war cause loss of many lives and global destruction. An example of this war type is the World War II. On the other hand, the limited war is a war that includes less information and resources and has certain and limited aims e.g. Korean War.

More specifically war can also be divided in some further particular categories, the conventional warfare and the unconventional warfare.

Conventional warfare

Conventional weapons and more war tactics are used. With the use of conventional weapons side-effects and severe consequences to the targets of the war are prevented. Furthermore, only the enemy is considered to be a target which prevents the unreasonable losses. By the end of the war every state - part of the war should acknowledge the result.

Unconventional warfare

This type of war ignores any convention that has to do with wars and as a result more deaths and negative effects do occur. More unreasonable losses are part of those wars as well, while traditional outcomes of the war are not recognized. This fact leads to the loss of indigenous people as well.

Genocide

The genocide is a type of war aiming at weakening the power or the existence of another population or large group of people by using violent illegal practices that include the killing of large numbers of people in order to reach the extinction of the other population. This type of war aims usually at the extinction of indigenous people and therefore the genocide can be considered as a huge threat for these groups.

Consequences of conflicts

A war does not only affect the countries and their economy but also the civilians of the war areas and the military personnel. Firstly, wars affect the economy of the states participating in it, specifically the defeated state should pay the winning part and land might be given to the victorious country. This fact affects the country's economy and the country as

a whole. Furthermore, many wars can also have an economic character because they are mainly based on economic motives.

Last but not least, harms are also caused to civilians. People unreasonably lose their lives, cities are destroyed and people are left without families and children. Indigenous people are disappearing or are forced to immigrate to other countries and their national artifacts as well as other buildings of utmost importance are destroyed. Hunger rates increase. And those are only some of the consequences that a war causes to the civilians of a country.

Influence of war on the indigenous people

Like every other part of the population of a country indigenous people are also threatened and influenced by war. Except for discrimination, extreme poverty, lack of social development and political marginalization, indigenous people are very vulnerable during conflicts as well. In a battlefield they can be trapped or they can be forced to represent one country. Furthermore, they are being victims of abuse, disappearances, displacement, executions and harassment by rebel groups or they are forced to be a part of a rebel group and fight for it. There are also some conflicts where indigenous people remain neutral. However, they usually end up fighting after being forced to do so. This leads to loss of land, cultural heritage, natural resources and the violation of their cultural, political and economic rights.

Due to their vulnerable position indigenous people should have access to peaceful organizations, mechanisms and conflict resolution. However, peacekeeping efforts and negotiations take place in high political levels, in which indigenous people are very rarely represented. Most of the times the measures voted upon fail to meet the indigenous people's interests and needs which actually are the root of the problem. This is caused mainly due to priorities of political actors in post-conflict situations in combination with the inadequate representation of the indigenous people in the negotiations.

Situation in Africa

In Africa lots of wars, civil wars, conflicts and violence are currently taking place causing the destabilization of the region and the disorder as far as the population is concerned. Some examples of those wars are following:

Nigeria: The ongoing war in Nigeria is threatening the stability of the most populated state in Africa. The war started in 2011, when Boko Haram one of the biggest Islamist groups in the region increased its terrorist's attacks on local police, military as well as political and

religious groups. It also discriminated civilians by violating their rights and enforcing strict religious rules (Sharia Law).

Libya: Since the death of Colonel Muammar al-Qaddafi in October 2011 the rebel groups of militias have been strengthened and approximately 1,700 armed groups have gained power in the region, including some militias working for the Islamic State. This situation has led to the civil war in Libya and Libya has been trying to solve the problem since 2011.

Democratic Republic of Congo: The violence taking place in the Democratic Republic of Congo at the moment started in 1994 when the genocide in Rwanda caused a massive refugee crisis which forced numerous armed groups to enter the Congolese borders. The Congolese government was not in the position of controlling those groups, which directly threatened the population of the country. Some important steps have been taken towards solving the issue, however, the situation continues until today.

Other conflicts include the Al-Shabab in Somalia, the conflict in Mali, violence in the Central African Republic, the civil war in South Sudan and the political crisis in Burundi.

As mentioned before wars have influence on the indigenous people of a region as well. That's exactly what happens in Africa. There are specific indigenous societies all around the continent that are highly under threat. For example the pastoral communities, the Pygmies and the Fula people. Those who consider themselves to be indigenous in Africa are basically nomadic/semi-nomadic pastoralists or hunter-gatherers. Hunter-gatherers are mainly situated in Central Africa, in Southern Africa, Tanzania and Kenya. While on the other hand the nomadic and semi-nomadic pastoralists are mostly situated in Kenya, Tanzania, Uganda, Sudan, Somalia, Ethiopia, Mali, Niger, Burkina Faso, in West African countries, Cameroon, Chad and Namibia.

All those indigenous people are fighting every day to survive the harsh phenomena and at same time to gain recognition from the other domestic groups. Despite their struggle they face discrimination each and every day due to their different way of living. In combination with the consequences of the conflicts they face indigenous people in Africa also face the following problems:

- There are no legislations regarding indigenous people and their safety.
- Indigenous people are not being represented in international negotiations and they do not participate in such negotiations.
- They face discrimination
- Indigenous land dispossession

- Indigenous people are victims of violent conflicts
- Violation of women's rights
- No access to justice

To conclude, all the above mentioned problems are either results of conflicts or do not allow the indigenous people to take precautions and be prepared for any of them. Therefore the international community has to find ways to allow the indigenous people to have a normal life like every other part of the population.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

Republic of Congo

The Republic of Congo is a state which belongs to Central Africa. In Central Africa the majority of indigenous people are named Pygmies. However, in the ROC they represent 2% of the population making them important for the country. Pygmies are mainly hunter-gatherers, depending partially but not fully on their products. They trade with neighboring countries in order to have better living conditions and there are estimated to be between 250,000 and 600,000 in the Republic of Congo. In the past the Congolese Pygmies were highly threatened while lots of them died in a genocide during the Congo Civil War in 2004. Furthermore, lots of the Pygmies are still threatened and most of them are slaves of other populations.

Somalia

The pastoral lifestyle is slowly reaching its extinction. However, pastoral communities represent 60 per cent of the Somali population and the majority of them live in the Haud as well as in the Sool Plateau. They mainly depend on pasture, good rains and herding livestock. However, their kind is highly under threat because of the environmental problems that the region is facing. On the other hand another factor that is threatening them is the Al-Shabab in Somalia. Al-Shabab is a jihadist terrorist group linked to the Al-Qaeda. The members of the group are threatening the lives of the rest the Somali populations and especially of the pastoral community as they build the majority of the population.

Mali

Mali is facing a destabilization due to the uprising of some militant groups that continue to ask for territorial claims in the north of the country, fighting against the government and threatening to harm the neighboring countries. Consequently, those militant groups threaten the lives not only of the general population but the lives of the indigenous people as well. In Mali there are estimated to be 2.5 million Fula people. Fula people are ca. 20 million all around the world and are one of the most spread indigenous tribe in Africa. The

Fula language is the reason that keeps the Fula people bounded together in combination with other cultural elements and codes. To, conclude Fula people are a pastoral nomadic group that is highly threatened due to the destabilization in Mali.

Indigenous people are similarly being threatened in Sudan, the Central African Republic and in Nigeria.

United Nations Working Group on Indigenous Populations

The United Nations Working Group on Indigenous Populations is one of the most important charter-based UN bodies that is working on the protection of the indigenous people's rights and share their interests with the United Nations. After the adoption of the UN Declaration on the Rights of Indigenous Peoples by the General Assembly in 2007 the Working Group was entered into force and finally gained the importance they asked for. The working group was firstly established in 1982 as an additional organ to the Sub-Commission on the Promotion and Protection of Human Rights. It consists of 5 members of the Sub-Commission, one representing each geographical region. Its proposals should be recognized and accepted by the Sub-Commission, by the Commission on Human Rights and the Economic and Social Council before entering the General Assembly. Its goal is to encourage international debates between states and the protection of the fundamental freedoms of the indigenous people.

Indigenous People of Africa Co-Ordinating Committee (IPACC)

IPACC is a network of 135 organizations (21 of them are located in Africa) dealing with indigenous people, which makes this network the largest indigenous peoples network in the world. IPACC was legally created in 1997 when a draft constitution was voted upon by its founding members in Switzerland, Geneva in the middle of the Working Group on Indigenous people. IPACC is open to any other organization of African indigenous people who want to obtain membership. Furthermore, IPACC cooperates with the UN Economic and Social Council, the UN Environment Program, UNESCO and the African Commission on Human and People's Rights. IPACC's goal is to protect and promote African Indigenous People's rights, to encourage gender equality, to emphasize on the help of indigenous people with environmental conservation and climate justice as well as to sustain a network of African indigenous people that is characterized by democracy and effectiveness.



Image 3: Indigenous People of Africa Co-ordinating Committee (IPACC)

United Nations Permanent Forum on Indigenous Issues (UNPFII)

The establishment of the UNPFII was firstly debated in 1993 at the World Conference on Human Rights in Vienna. The Vienna Declaration and Program of Action suggested that such a forum should be established within the next years. After that conference a group was formed and many other meetings took place that ended up to the establishment of the permanent forum by the UN ECOSOC resolution 2000/22 on the 28th of July 2000. The UNPFII is the UN's foremost organization that deals with the rights of the world's indigenous people. The UNPFII goal is to provide the ECOSOC with expert advice and suggestions as well as to advise to the numerous programs, funds and agencies of the UN. The UNPFII aims at raising awareness and promote coordination concerning the issues of indigenous people and to collect and prepare information on those issues.

TIMELINE OF EVENTS

Date	Description of Event
1993	First debate on the United Nations Permanent Forum on Indigenous Issues (UNPFII)
1994	Genocide in Rwanda- Destabilization in the Democratic Republic of Congo
1997	Creation of the Indigenous People of Africa Co-ordinating Committee (IPACC)
28 th July 2000	Establishment of the UNPFII
2007	Entrance into force of the United Nations Working Group on Indigenous Populations
13 th September 2007	Adoption of the United Nations Declaration on the rights of Indigenous Peoples
2011	War in Nigeria- Boko Haram
20-29 July 2014	16 th Extraordinary Session of the African Commission on Human and People's Rights
22-23 September 2014	The World Conference on Indigenous Peoples

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

The World Conference on Indigenous people

The World Conference on Indigenous people was firstly held on 22-23 September 2014 following the adoption of the Resolution 291 of the African Commission on Human and People's Rights. This conference gave member states an opportunity to share points of view and encourage best practices of focusing on the importance of the rights of the indigenous people, also following the objectives of the United Nations Declaration on the rights of indigenous people.

International Day of the World's Indigenous Peoples

On the 9th of August, every year, the day is commemorated as the International Day of the World's Indigenous Peoples. The day is celebrated with special events all around the world including the United Nations Headquarters in New York.

Resolution 291

This resolution was adopted in the 16th Extraordinary Session of the African Commission on Human and People's Rights which was held from 20 to 29 July 2014 in Kigali, Republic of Rwanda. The main aim of the resolution is to establish the World Conference on Indigenous people and to help in its organization.

HRC Resolution 9/7

Resolution 9/7 was adopted by the Human Rights Council in order to protect the indigenous people's human rights and fundamental freedoms.

United Nations Declaration on the rights of Indigenous Peoples

The United Nations Declaration on the rights of Indigenous People was adopted by the General Assembly on the 13th of September. It is a great achievement of justice as well as human dignity and was adopted after more than two decades of negotiations on the issue between indigenous people's representatives and governments.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

As mentioned before lots of steps have been made in the past in order to find a solution to the problem. Both the United Nations and the African Union have carried out several events and actions that helped the international community to make a step forward in order to face the problem effectively. Firstly, the United Nations Working Group on

indigenous populations, the indigenous people of Africa Co-Ordinationg Committee (IPACC) and the United Nations Permanent Forum on Indigenous people are all committees whose members struggle every day to ensure the rights of the indigenous populations, while they try to deal with any issue that arises. Furthermore several resolutions have been voted upon both by the United Nations and the African Union that try to tackle the problem. For example resolution 297, the HRC resolution 9/7 and the UN ECOSOC resolution 2000/22. One of those resolutions voted by the General Assembly has entered into force one of the most important declarations that deals with the problem, United Nations declaration on the rights of indigenous people. Last but not least, in 2014 the World Conference took place in which several countries took part and discussed about several issues regarding this problem. To conclude, several other measures have been taken by the international community in order to tackle the problem but the important point is that more should be done in order to face the problem effectively.

POSSIBLE SOLUTIONS

Having analyzed the topic to its roots it is now our responsibility to search and find solutions to finally give an end to this long-lasting issue. First of all, member states should actively take part in negotiations and conferences in order to tackle the problem and find solutions through cooperation and collaboration. However, urging the member states to take part in negotiations concerning the issue is not enough. The United Nations as well as the African Community should provide indigenous people with the right to participate in those negotiations as well as it affects them directly.

Moreover, one of the biggest misunderstandings throughout the past decades is that the protection of the rights of indigenous people does not necessarily mean that we should provide them with extra, special rights that would be more important than the rights of all other groups within the nation. However, it means to protect their basic human rights and freedoms that are being constantly violated by the community. In addition to the disrespect to their rights they are also facing discrimination every day. All of those problems are problems that could be solved through negotiations within a state and through providing the citizens of the state with the necessary education concerning the importance of the indigenous people and the respect they should show them.

Another very effective way to tackle the abovementioned problems is to raise public awareness. This could be achieved through commercials in the television, through education in schools, through raising money-events or through public presentations concerning the

issue. This way everyone will be informed about the importance of indigenous people and respect them.

Furthermore, a very ideal plan could be to search for ways to stop the wars and encourage states to keep peace with each other, but doing so today and taking into consideration the crazy situations that are taking place all around the world would be too unrealistic. Therefore, on the other hand ways to educate indigenous people so that they will be ready to face any difficult situation that may arise could be found. This could be achieved by creating group organizations through which expert people will visit their homelands in Africa and inform them about the dangers that are taking place around the world, provide them with goods, with education about how they can survive and heal them in case of injuries or other unforeseen phenomena.

To conclude, many other solutions could be found such as the creation of more organizations and treaties concerning the issue, the creation of schools and shelters for tribes, penalties to those who violate the rights of indigenous people, the recognition of them as cultural heritage and many others

BIBLIOGRAPHY

“The Reasons for Wars”, Matthew O. Jackson and Massimo Morelli, Dec. 2009

<<http://web.stanford.edu/~jacksonm/war-overview.pdf>>

“Waging War”,

<http://www.timothywtaylor.com/uploads/3/7/7/6/37767955/5__waging_war.pdf>

Oxford Dictionaries <<http://www.oxforddictionaries.com/>>

“Difference Between War and Conflict”, Jun. 25 2011

<<http://www.differencebetween.com/difference-between-war-and-vs-conflict/>>

Cambridge Dictionary, <<http://dictionary.cambridge.org/>>

Dictionary.com <<http://www.dictionary.com/>>

“Who are indigenous peoples?”, UN Permanent Forum on Indigenous Issues

<http://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf>

“Rights of Indigenous People”, Global Issues, Anup Shah, Oct. 16 2010

<<http://www.globalissues.org/article/693/rights-of-indigenous-people>>

“Caught in the crossfire: indigenous people in conflict zones”, The Guardian

<<https://www.theguardian.com/global-development-professionals-network/2014/may/01/indigenous-people-justice-conflict-resolution>>

Global Conflict Tracker, Council on Foreign Relations <http://www.cfr.org/global/global-conflict-tracker/p32137?cid=ppc-Google-grant-conflict_tracker-031116&gclid=COF7IL3-_MOCFdZsGwodw1wAmw#/p32137?cid=ppc-Google-grant-conflict_tracker-031116&gclid=COF7IL3-_MOCFdZsGwodw1wAmw>

“Indigenous peoples in Africa - a general overview”, IWGIA

<<http://www.iwgia.org/regions/africa/indigenous-peoples-in-africa>>

“The Working Group on Indigenous Populations”, IWGIA, <<http://www.iwgia.org/human-rights/un-mechanisms-and-processes/working-group-on-indigenous-populations>>

IPACC <<http://www.ipacc.org.za/en/>>

World Conference on Indigenous Peoples

<<http://www.un.org/en/ga/69/meetings/indigenous/#&panel1-1>>

International Day of the World's Indigenous Peoples

9 August, <<http://www.un.org/en/events/indigenousday/>>

“291: Resolution on the UN World Conference on Indigenous Peoples”, African Commission on Human and People’s Rights <<http://www.achpr.org/sessions/16th-eo/resolutions/291/>>

“Resolution 9/7. Human rights and indigenous peoples”, Human Rights Council, <http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_9_7.pdf>

“United Nations Declaration on the Rights of Indigenous Peoples”, United Nations <http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf>

“Declaration on the rights of indigenous peoples”, UN Human Rights Office of the High Commissioner <<http://www.ohchr.org/EN/Issues/IPeoples/Pages/Declaration.aspx>>

IMAGES

Image 1: www.africanbookscollective.com/books/indigenous-people-in-africa

Image2: www.propresobama.org/2015/08/07/international-day-of-the-worlds-indigenous-peoples

Image 3: www.ipacc.org.za