

Research Report

Committee: Human Rights

Topic: The Question of the Protection of the Rights of Ethnic Minorities in South America

Introduction

In Latin America there are significant gaps in the social protection coverage of indigenous peoples and ethnic minorities. A shared history of exclusion and discrimination based on identity has led to higher levels of poverty and disadvantage among many ethnic minority and indigenous groups than among dominant ethnic groups. While recent years have witnessed improvement in the situation of many ethnic minorities and indigenous peoples, other continue to be left behind. These groups face difficulties in the labour market and because of this are not as well covered by contributors social insurance schemes as members of the ethnic majority. Moreover, members of these groups receive lower benefit amounts from contributory pensions - mostly due to higher unemployment and lower wages across the life cycle.

Definition of Key Terms:

Ethnic Minority – A group of people within a national state who meet one or more of the following criteria; numerically smaller than the rest of the population; not in a dominant position; having a culture, language, religion or race that is distinct from that of the majority; whose members have a will to preserve their specificity; are citizens of the state and have a long-term presence there.

Ethnic Group – A community or population made up of people who share a common cultural background or descent.

Indigenous Groups – Ethnic groups who are the original settlers of a given region, in contrast to groups that have settled, occupied or colonized the area more recently.

Racial Discrimination – The unjust or prejudicial treatment of different groups of people on the grounds of race.

Decent Work – The availability of employment in conditions of freedom, equity, human security and dignity.

Decision Making Positions – Positions in governments, legislative bodies and political parties as well as positions of leadership in areas of art, sport, culture, media, education, religion, scientific institutions and local/international organisations

Human Rights – Rights which are believed to belong to each and every person, such as the right to life, as laid out under the 1948 United Nations Universal Declaration of Human Rights.

Civil Rights – Rights that a person gains through citizenship to a particular nation, which grants them freedom of expression, choice and thought, without interference from any private individual, organisation, or the state itself.

Contextual Information:

The historical legacy of colonization, slavery and dispossession of lands, territories and resources is at the root of the disadvantage experienced by indigenous peoples and ethnic minorities. In many cases, spatial disadvantage has been instigated by State action through the dispossession of land, the creation of reservations, housing policy, zoning rules and laws regarding land use. This threatens indigenous peoples' way of life and identity, which depend on access and rights to their traditional lands, territories and natural resources. These factors also contribute to excluding indigenous peoples and ethnic minorities from social protection. In Latin America indigenous peoples make up 8 percent of the population but 14 percent of those living in poverty and unemployment rates for women were found to be 3 percent for women of African descent as opposed to non-indigenous women - demonstrating the disparities that exist between ethnic minorities and majorities. These ethnic minorities also face discrimination in education and health care which significantly hindered their quality of life; 20 percent of indigenous women in Bolivia reported experiencing discrimination when trying to access health care at hospitals or health centres. In addition, it's been found that significantly fewer people of African descent or members of ethnic minorities have access to pensions compared with dominant ethnic groups in countries such as Brazil, Chile, Ecuador and Peru. Geographic isolation is also a contributing factor, along with social isolation and discrimination, as it act as an obstacle to social protection coverage for many indigenous peoples and ethnic minority groups. In Mexico, some indigenous peoples have been consistently excluded from the country's Oportunidades scheme (a government social assistance programme) because they live in remote areas where necessary household survey data is insufficient. This insufficient technology availability further hinder access to social protection coverage for many ethnic minorities as they lack the ability to fill in necessary documents.

Since the end of the 1970s, most of the human rights claims or complaints relating to indigenous peoples -- considered either by the human rights bodies established by the United Nations Charter or by the monitoring bodies established in the human rights treaties -- have referred in some way to discrimination. The multiple and varied forms and expressions of discrimination that indigenous people face on a daily basis have a negative

impact on all the universally recognized rights and freedoms, and impair the life and dignity of indigenous peoples, communities and individuals. Some of the main rights and liberties that have been denied, distorted or diminished (although the claims are urgent) include: recognition by States of the physical and cultural existence of indigenous peoples; the right to the real and effective ownership of traditional lands and territories and to the resources (both material and spiritual) that they contain; the right of indigenous peoples to have their own understanding of their history; the right to participate in and propose policies and projects for development, health, education and other areas. Additionally the Universal Declaration of Human Rights, which was adopted by the UN, establishes the right to non-discrimination in article 2, stating: "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." The Human Rights Committee of the United Nations also stated in 1989 that "non-discrimination, together with equality before the law and equal protection of the law, without any discrimination, constitute a basic and general principle relating to the protection of human rights".

Major Countries and Organizations Involved:

OHCHR – Office of the High Commissioner of Human Rights; working to promote and protect global human rights and has specific sections focused on the rights of minorities.

Minority Rights Group International – Charity that campaigns worldwide to ensure that disadvantaged minorities and indigenous peoples can make their voices heard.

ILO - International Labour Organisation; has been engaged with indigenous groups and ethnic minorities since the 1920s in working to improve their access to decent work - through their Decent Work Agenda.

Timeline of Event

Date: **Event:**

1948 The Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the United Nations General Assembly

1989 The ILO Indigenous and Tribal Peoples Convention established which aimed for governments to take responsibility for upholding and promoting the rights of their ethnic minorities and indigenous groups

1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities was adopted by the United Nations General Assembly

1992 Nobel Committee awarded it's Peace Prize to Rigoberta Menchu Tum, from Guatemala, for her work in promoting Indigenous Rights

2007 United Nations Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly, however four countries voted against it; Australia, Canada, New Zealand and the United States (now they all are in support of the Declaration)

2012 United Nations released a guide for 'Promoting and Protecting Minority Rights' on the twentieth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

Relevant UN Treaties and Events:

- United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)
- United Nations Declaration on the Rights of Indigenous Peoples (2007)

Possible Solutions:

Social protection programmes can reduce inequalities between ethnic minorities and the ethnic majority and improve the well-being of indigenous persons and members of ethnic minorities. Universal, tax-financed social protection measures are needed to boost coverage for those groups, but other barriers must also be addressed, including spatial disadvantage, the lack of legal identification and discrimination. A combination of universal and categorical targeting approaches to social protection may be needed to increase coverage. Any proposed measures should complement rather than replace universal policies. The extent to which social protection programmes benefit indigenous peoples and ethnic minorities also depends on whether they address the needs of these groups and the challenges they face. Involving their representatives in the design and implementation of programmes is one way of ensuring that they better address their needs and reflect the reality in which they live. Social protection programmes alone, however, are not the solution to the structural causes of chronic poverty and disadvantage among indigenous peoples and ethnic minorities. Promoting social inclusion for these groups requires a broader set of economic and social policies and government action to combat prejudice and discrimination.

Bibliography:

UN information:

<https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2018/07/Chapter-VIIIndigenous-peoples-and-ethnic-minorities.pdf>

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

OHCHR information: <https://www.ohchr.org/EN/pages/home.aspx>

Minority Rights Group information: <https://minorityrights.org/>