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# HUMAN RIGHTS II

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Topic I:

Promotion and protection of the rights of children

## **I. Background information**

The Convention on the Rights of the Child defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation. The fact that children need special rights is common these days, however children suffer all over the world from various kinds of harassment. Most problems are caused by the widely spread internet nowadays, where Regarding the fact time changes rapidly the Declaration of the Rights of the Child is considered ancient, for it is no longer able to deal with such problems.

The child labour is another example of the violation of children's right. This problem appears to be most common in DPRK and China, where most of the biggest electronic and clothes companies are located. But in fact, China's child labour rate is high, but negligible if compared to some African nations. For example, Mali, Niger and Ethiopia have a stunning percentage of more than 50% of citizens between 5 and 14 somehow working. The major cause of child labour is mostly poverty, when the locals have no other way to survive, but to work no matter what their age is. This is the reason why child labour can't be easily banned.

At last but not least, there is a question on the impact of religion and old religious practices. The most alarming one is the child marriage. Even though the UN Declaration of Human Rights states that: “Men and women of **full age**, without any limitation due to race, nationality or religion, have the right to marry and to found a family...”, there are still nations like India where the force of religious tradition in some regions cannot be entirely vanished, not even by the government.

## II. United Nations Involvement

The first and best-known document on the child’s rights is the UN’s Declaration of the Rights of the Child which was adopted by UN in 1959 and signed by all members. This declaration covers the basics rights of children, but is considered ancient these days.

On 20 November 1989 (on the 30th anniversary of its Declaration of the Rights of the Child) the UN General Assembly adopted a new human rights treaty, the Convention on the Rights of the Child and opened it for signatures. It came into force on one year after. Nowadays, 196 countries ratified the Convention including each member of the UN. The only exception is the United States, who is only a signatory. Nations that signed and ratified the Convention are bound to it by international law and their governments are obliged to send a report to the Committee on the Rights of the Child on how the rights are being implemented to their law. First report – called the *initial report* – is sent two years after acceding to the Convention, followed every five years by the *periodic report*.

The Committee on the Rights of the Child (CRC), the body of 18 independent experts that monitors the implementation to the Convention, is a part of the Council for Human Rights. The Council consist of 47 state members, which seems to be a small number. The OCR also monitors an implementation of two additional Protocols – on involvement of children in armed conflict (OPAC) and on sale of children, child prostitution and child pornography (OPSC). They came into force in April 2014.

## III. Questions to consider

When writing the policy papers, delegates should focus on the following questions:

- Does the UN Declaration of the Rights of the Child need modernising?
  - Which points could be added and supported by your country?
- Does your country respect the Convention on the Rights of the Child?
  - Has your country ratified it or is your country just a signatory?
  - How does it affect your policy?

- Is your country’s government often involved in solving the child harassment?
  - How does your country treat it? How efficient is your country policy in this case?
  - Are the Rights of child implemented to law?
- What is the heaviest problem to be fought in your country?
  - Is your country deeply affected by the religious practices?
  - Does your country suffer from any welfare conflict?
- Is your country a member of the Council for Human Rights? Would your country vote for making the membership mandatory for all UN members?

#### IV. Sources

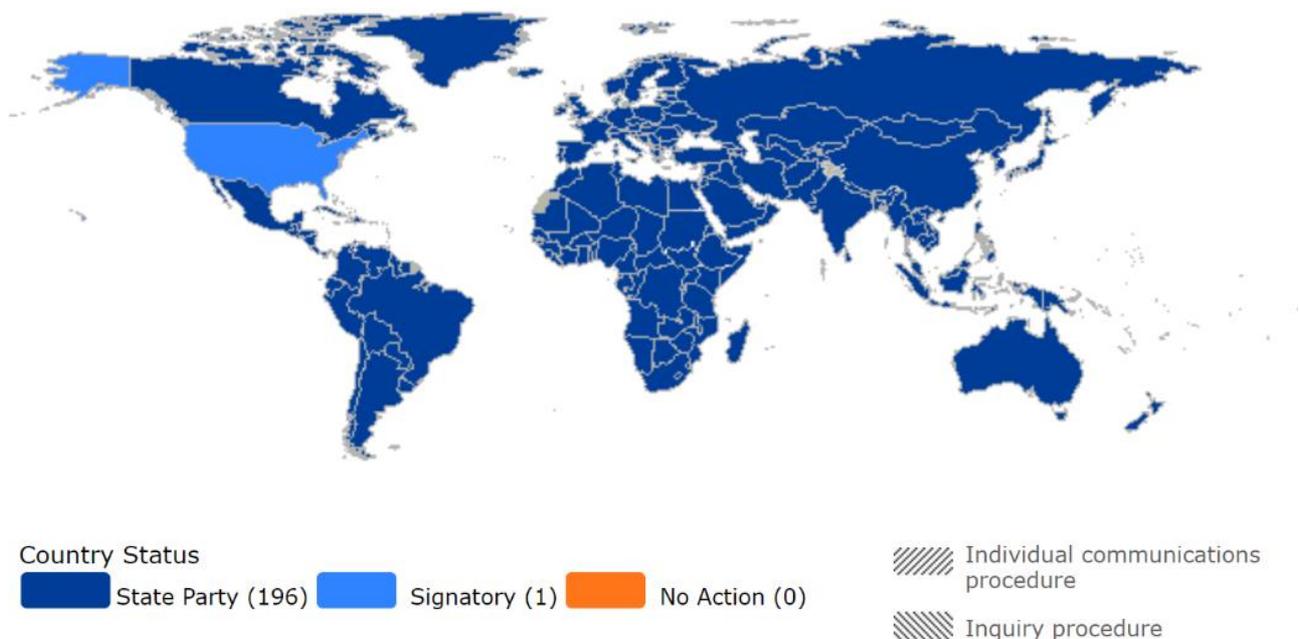
- <http://www.loc.gov/law/help/child-rights/china.php>

UN involvement:

- <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- <http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIntro.aspx>

The map of the ratification (from <http://indicators.ohchr.org/>) of the Convention and additional Protocols – finding your country could be a good starting point:

#### Convention on the Rights of the Child



Topic II:

Indigenous peoples' ancestral rights to land and participation in United Nations meeting pertaining to them

## **I. Background Information**

Indigenous people are ethnic groups who are the original inhabitants of a region. Groups that are indigenous have maintained their early tradition and early culture. Approximately 5% of the world's population is composed of indigenous peoples. The United Nations protects their sovereignty, economic well-being, resources, and their land.

One of the most common causes of strife is the dispute over land, and often, the results are devastating for indigenous people and tribes. As technology and urbanization are on the rise, many indigenous people are being robbed of their rights and land. For example, in The Russian Federation companies are using tribal land to mine for gold, explore for gas, and process timber. These lands are often sacred, so the development that occurs on them disrespects the indigenous values.

In many countries, the fight for their turf incites war, so many tribes are turning to the legal route. Many have lawyers and such defending them against the misuse of their land. However, this is not enough. Legislative gaps exist in almost every country-- even those who recognize the indigenous people by law. These gaps are especially persistent in regard to extracting natural resources and infrastructure projects. One reason why these gaps typically exist is because indigenous people are underrepresented, and industries are overrepresented.

This ties into the issue of indigenous people's participation in the United Nations. Most of the discrimination against indigenous people occurs because they are excluded from all policy discussion. Some countries would like the change this sad fact. Some advocate that indigenous representation should be mandatory while discussing policies concerning them because more interaction between indigenous people and the UN would increase the likelihood of favorable outcomes benefiting all parties.

Another issue with the dispute over tribal land deals with the environment. Much of the land that indigenous people feel they have an ancestral right to is rich in natural resources. They have assets that many corporations want, for example natural gas reserves, coal, oil, and timber. Many companies want the lands because they want to harvest these resources and make a profit off of them. These companies use unsustainable methods and cause irreparable damage to their land. This issue concerning the environment should be addressed.

## **II. UN Involvement**

Because indigenous people are integral to maintaining local culture and are valuable members of society, the United Nations considers them very important to defend. This issue has gained popularity in the past two decades, and the UN has passed some important resolutions that have been instrumental for indigenous people.

In 2007, the UN passed the Declaration on the Rights of Indigenous Peoples. This is the most thorough and comprehensive resolution ever passed on the indigenous rights. This Declaration sets universal minimum standards for the survival, dignity, and well-being of the indigenous peoples. It also elaborates on existing fundamental freedoms and human rights standards.

In 2010, the UN passed a resolution, 65/198s, that called for a high-level plenary meeting of the General Assembly, called the World Conference on Indigenous Peoples. Here they share perspectives and best practices on the realization of the rights of indigenous peoples, including pursuing the objectives of the United Nations Declaration on the Rights of Indigenous People. In 2010, the UN held its first World Conference on Indigenous Peoples where they concluded with an outcome document. This document focused on increasing the rights of indigenous people, especially those of women. It proposed initiatives to preserve indigenous languages and traditional knowledge. It also addressed the need for education, health, employment, and life-expectancy.

## **III. Bloc Positions and Questions to Consider**

Interestingly, four member states voted against the Declaration on the Rights of Indigenous Peoples: Australia, Canada, New Zealand, and the United States of America. Since 2007, however, each of those four countries has reversed their position and now supports the resolution. In general, most countries have the best interest for indigenous people.

Possible solutions to include in working papers could cover the following topics. Many believe that the presence of indigenous people in must increase to pass future declarations. Should the UN have more frequent General Assembly meetings with representatives from the indigenous tribes? How could the delegates better advocate indigenous voices? In regard to who has the rights to land, should definitive borders be established? Should the indigenous people have to pay taxes on their land? What can the UN do to keep corporations from ravaging indigenous people's lands? Who owns the resources found in those lands?

## **IV: Useful resources**

The World Conference on Indigenous Peoples

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

Previous Actions of the UN in regard to Indigenous Peoples

- <https://www.un.org/development/desa/indigenouspeoples/about-us.html>

May 2017's meeting, discussing Indigenous Peoples' Role in Shaping Sustainable Development

- <https://www.un.org/press/en/2017/hr5358.doc.htm>

Forums discussing UN Involvement with Indigenous Peoples

- <https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2.html>

The Declaration on the Rights of Indigenous Peoples

- [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/66/142](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/66/142)

The Outcomes Document from 2014's World Conference

- [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/69/2](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/2)