



Committee: The United Nations Human Rights Council (UNHRC)

Agenda: Protecting Native Communities' Territorial Rights and Cultural Heritage

Country: United States of America

With the evolving condition of human rights worldwide, the native communities have started to receive better attention in contemporary times. Nevertheless, such people struggle with limited access to many basic rights. The World Bank report estimates that life expectancy of Indigenous groups of native communities is up to 20 years lower than the life expectancy of non-Indigenous Peoples worldwide while their people cover around 6% of the global population. This community people lack recognition over their lands, territories, resources and are often discriminated from the credibility of their cultural heritage due to modernization and societal advancement. Back in 2014, the UNGA adopted resolution 65/198 approved the 'World Conference on Indigenous People' which had a radical impact on the issue including the implementation plans of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). Besides, the fundamental instrument of human rights, the Universal Declaration of Human Rights (UDHR) articles- 1,2,17,27 advocate the protection of the territorial and cultural rights of native people of a country.

The United States of America recognizes 574 native groups and thrives to ensure proper recognition as "domestic dependent nations" with inherent rights to self-govern within their territories. Native American's territorial rights are ensured through the 'Federal Trust Doctrine' for safeguarding their lands. Sovereignty of natives are ensured through self-governance under laws like the Indian Reorganization Act (1934). The USA actively participates in the sessions of The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP). At the federal level, the U.S. works to implement recommendations from EMRIP like The Native American Graves Protection and Repatriation Act (1990), the Indian Arts and Crafts Act (1990), and language preservation programs actively preserve the cultural heritages as a part of ensuring the cultural rights of native communities. The USA also advocates international cooperation by aligning their federal laws and policies with the International Instruments like- UN Declaration on the Rights of Indigenous Peoples (UNDRIP) (2007), The International Covenant on Civil and Political Rights (ICCPR), World Bank's Indigenous Peoples Framework, numerous UNESCO conventions etc.

In the middle of the situations, the United States of America, one of the leaders in promoting human rights even in terms of Native Communities' territorial rights and cultural rights would make some recommendations, such as,

(1) As an immediate effect, government should ensure that-

- Natives enjoy equal rights without discrimination on any ground
- Appropriate measures are taken to facilitate the fair representation of natives through law
- The equitable distribution of resources in public land
- Self-representation of natives in the public portrayal is an essential way to ensure respect to whom they really are and to counter racism stigmatization and interiorization
- Essential component of inclusive and diverse societies that aim to leave no behind can be achieved

(2) Strengthening Legislative Measures-

In the USA, 'Indian Reorganization Act' works upon restoring native's self-governance and land ownership, then, 'Indian Civil Rights Act' ensure equal protection under the law for Native Americans within their own governments.

(3) Federal Policies and Systems can align with relevant international instruments.

(4) Cultural Heritage should be preserved with utmost sincerity with multiple governmental and non-governmental organizations working behind it.

The USA firmly believes that the implementation of above-mentioned policies can make any country a convenient place for native communities.

References:

- 1) <https://www.un.org/en/ga/69/meetings/indigenous/#&panel1-1>
- 2) <https://www.ohchr.org/en/indigenous-peoples/about-indigenous-peoples-and-human-rights>
- 3) https://www.worldbank.org/en/topic/indigenouspeoples?utm_source=chatgpt.com
- 4) <https://www.usa.gov/indian-tribes-alaska-native>
- 5) <https://www.bia.gov/faqs/what-federal-indian-trust-responsibility>
- 6) <https://www.federalregister.gov/documents/2021/01/29/2021-01606/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>