



CELMUN XVII/ United Nations Human Rights Council (UNHCR)

Topic A: Systematic racism against indigenous people

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. The Council is made up of 47 United Nations Member States which are elected by the UN General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights. It has the ability to discuss all thematic human rights issues and situations that require its attention, like the concerns about children in armed conflicts, human trafficking or systematic racism against indigenous people.

A systematic racism refers to not only a certain minority among a group of people, it refers to a whole population or social environment that is being affected, in this case the indigenous people. (Included aborigines and natives.) A violation is taken as a breach to any of the rights established by the Universal Declaration of Human Rights, in this document is expressed that everyone is entitled to all the rights and freedoms without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status

Nowadays the problematic that we are confronting is a general racism to the indigenous people caused by many factors, on one side, the natives have certain limitations, such as the dialect or lingo they have to manage, the education they are receiving, their geographical position, etc. There is also the side of the developed civilizations that discriminate, assault or ignore this people because of the negligence and intolerance of the "civilized" people.

Whether there are already many declarations about which are the human rights that must be improved and applied especially to this minorities, such as campaigns, are not being followed in an extraordinary number of countries. There have been created many campaigns that have been raised as solutions against the racism to indigenous people, but do not make a corporeal change among this situation, therefore we must look up for concrete solutions to fight this problem.

This problem afflicts the nations for no other reason than the fact of the possible incoming extinction of aboriginal communities, since they are not receiving the proper treatments, as any other citizen, they are starting to become closed to their ideas and to their surroundings, setting them into a difficult position for help to be sparse, the solutions the states have been developing are to think about the ways of improving the social conditions of the native communities, for them to be able to integrate to other social environments.

A minority is still part of the country and part of the humanity, they do also deserve the same rights as other do.

Delegates, we must take into consideration the next questions:

1. What legislations have been established in the country I am representing to protect the rights of this people?
2. Are there any special considerations for natives in the delegation I am representing?
3. What are the frontiers (political, religious, social, etc.) that I consider important in relation to this problematic?
4. What actions have the country I am representing done for the resolution of this problem?
5. Which are the regional bodies the delegation I am representing has in favor of the aborigines?
6. Have there been any sessions or forums in relation to the indigenous people rights in the country I am representing?
7. How many indigenous people are in the country I am representing?
8. Which are the most relevant aborigine communities in my country?
9. What are their characteristics?

References

- Despite declaration, reality for indigenous peoples one of unacceptable conditions, (Eleventh Session). Economic and Social Council. United States
- Grand Council of the Crees. (2000) Pushed to the Edge of Extinction. Canada
- Aleem, R. (2009). International Human Rights Law and Aboriginal Girls in Canada: Never the twain shall meet?

- Native Woma's Assosiation (2002). Violation of indigenous human rights. NAWC: Canada
- Shaura, C. (2011). Understanding and implementing the UN declaration on the rights of indigenous people. Indigenous bar Assosiation: Canada.

Also look at:

- www.un.org/en/rights/
- www.ohchr.org/
- <http://www.ohchr.org/en/hrbodies/hrc/pages/hrcindex.aspx>
- <http://undesadspd.org/IndigenousPeoples.aspx>



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Topic B: Concerns about LGBT Rights

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. The Council is made up of 47 United Nations Member States which are elected by the UN General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights. It has the ability to discuss all thematic human rights issues and situations that require its attention, like the concerns about children in armed conflicts, human trafficking or the rights of the lesbians, gays, bisexual and transgender people.

The Universal Declaration of Human Rights establishes 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. Also is established that everyone has the right to freedom of thought, conscience and religion. These rights, in the character of inherent shall also be applicable for people who hold a different sexual preference. In many countries, people with different sexual orientation or gender identity, model of sexuality socially or morally accepted or imposed, constitute a vulnerable social group and are often victims of persecution, discrimination and gross human rights violations.

The member states, having knowledge of the responsibilities they should follow in relation to this declaration, must protect the rights of every citizen in their territories, disregarding their preferences. In many cases there are presenting violations to the declaration, against LGBT, such as the prohibition of conceiving a family of their own, racism, lacks of freedom of expression, violence against their person and many more.

The traditional arguments from religious and oral perspectives, as well as from scientific perspectives, have challenged and rejected not only by developments in science, but by international jurisprudence and in

numerous courts throughout the world. All human beings are persons before the law, regardless their sexual orientation or gender identity, and are entitled to rights and freedoms deriving from the inherent dignity of the human being, as well as to the equal protection of the law without discrimination. There are also many campaigns that have been raised as solutions for the problematic, but do not make a corporeal change among the problem, therefore we must look up for tangible solutions for this problem.

Although is true that the issue of sexual orientation and gender identity has been neglected by international law, in the past, this topic never caught that much attention from human rights bodies. Regional courts and bodies have made an important contribution towards the protection of the human rights with different sexual orientation or gender identity; as well as developing legal arguments based in international law. In the actuality this issue has been taken into account and incorporated in new legal instruments and legal standards, both universal and regional. Political bodies of intergovernmental organizations have adopted resolutions raising the question of human rights violations committed on the basis of sexual orientation and gender identity.

Sexual orientation and gender identity raise classic legal issues of international law and the right to private life, amongst others. However the question of sexual orientation and gender identity are not restricted to these legal issues.

Delegates, we must take into consideration the next questions:

1. What legislations have been established in the country I am representing to protect the rights of this people?
2. Are there any special treatments in the delegation I am representing for this kind of people?
3. What are the frontiers (political, religious, social, etc.) that I consider important in this topic?
4. What actions have the country I am representing done for the resolution of this problem?
5. Which are the regional bodies the delegation I am representing has in favor of these people?
6. Have there been any sessions or forums in relation to the LGBT rights in the country I am representing?
7. Is the gay marriage permitted in the country I am representing?
8. How many people with different sexual orientation or gender identity are in the country I am representing?

References:

- O'Flaherty, M and Fisher, J. (2008) Sexual Orientation, Gender Identity and International Human Rights Law: Contextualizing the Yogyakarta Principles. Oxford University Press: Ireland
- 'Victory in Yogyakarta', 26 March 2007, available at: <http://aebrain.blogspot.com/>
- International Commission of Jurists, (2007). Sexual orientation and gender identity in human rights law: References to Jurisprudence and Doctrine of the Inter-American System. Switzerland
- International Commission of Jurists, (2009). Sexual orientation, gender identity and interational human rights law. Geneva, Switzerland.
- Judgement No. C.098/96. (1996) available at: <http://www.unilibrebaq.edu.co/html/providencias/C-098-96.htm>

Also look at:

- <http://ilga.org/>
- www.un.org/en/rights/
- www.ohchr.org/
- <http://www.ohchr.org/en/hrbodies/hrc/pages/hrcindex.aspx>