General Assembly 3

Combatting institutional complacency towards violence against indigenous minorities in Latin America

Research Report

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Introduction

Over the past centuries, indigenous populations worldwide have been subject to an abundance of atrocities. Extermination, extradition, displacement and harassment of all forms are only a few of the violent threats indigenous people have faced over the course of history. Even nowadays, indigenous populations are often victims of large-scale discrimination and violence. Indigenous minorities in Latin America, specifically, suffer from various forms of aggression, violence and deprivation of basic human rights. Though immensely alarming and volatile, the aforementioned situation has been approached with evident disregard and superficiality by regional governments - sometimes even to the extent that political leaders enable perpetrators of such violence to act accordingly. Thus, the issue of institutional complacency towards violence against indigenous minorities in Latin America poses an alarming threat to the security and well-being of the people concerned.

Definition of Key Terms

Indigenous:

"Indigenous" describes any group of people native to a specific region. In other words, it refers to people who lived there before colonists or settlers arrived, defined new borders, and began to occupy the land.

Complacency:

A feeling of contentment or self-satisfaction, especially when coupled with an unawareness of danger, trouble, or controversy.

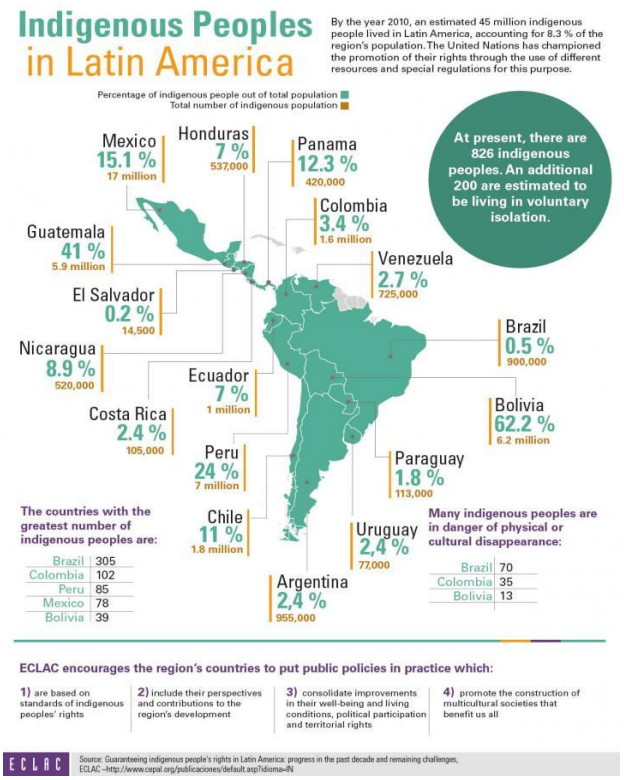
Protected areas:

Protected areas are locations that receive protection because of their recognized natural, ecological or cultural values.

Protest:
An event at which people gather together to show strong disapproval about something.

Human Trafficking:
The trade of humans for the purpose of, for example, forced labour, sexual slavery, or commercial sexual exploitation for the trafficker or others.

General Overview



As of today, Indigenous minorities constitute 8% of the Latin American population, thus approximately 45 million people. Ever since the colonization of Latin America in the 16th century by the Spanish, French and Portuguese, indigenous people in the region have faced major atrocities committed by the occupying powers. Extradition from their motherland, destruction of property and genocidal attacks against them have plagued indigenous communities over the past centuries. Indigenous populations eventually became minorities among the largely populated colonist nations. During the 20th century, indigenous communities progressively attained rights, recognition, independence and claim to their rightful territory through extensive political action and protests by their leaders. As of today, they are protected under two major UN treaties: the 'Indigenous and Tribal Peoples Convention, No. 169' (1989) and the 'UN Declaration on the Rights of Indigenous People' (2007).

The aforementioned official documents include articles such as the following, which explicitly state the responsibility of regional governments and authorities to protect the rights and well-being of indigenous populations:

a. "Governments shall have the responsibility for developing, with the participation of the peoples concerned, coordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity."

- Indigenous and Tribal Peoples Convention, No. 169' (1989), Article 2.1

b. "States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination."
- UN Declaration on the Rights of Indigenous People (2007), Article 22.2

Though globally recognized and signed by all Latin American States, the above mentioned official UN Documents tend to be constantly infringed, as institutional complacency regarding violence against indigenous minorities is an overly common phenomenon. Indigenous populations are subject to multiple forms of violence and receive minimal governmental support and protection.

Ethnic Hatred Leads to Violent Attacks by Armed Civilians

The most common perpetrators of violence against indigenous people are armed civilians, either independently or in organized groups. Indigenous communities suffer violent attacks, killings, destruction of property etc., which are caused by nationals of the respective states. The reason behind the aforementioned instances is mostly the ethnic hatred against indigenous minorities, which tends to be quite a common phenomenon among nations in Latin America. Regional governments have either taken minimal action regarding such spread of ethnic hatred in the public severely biased media. Some prominent political figures even endorse ethnic hatred and discrimination against indigenous people, by ensuring impunity for perpetrators of such violent attacks and enabling civilians to partake in violent action. The current president of Brazil, for example, namely Jair Messias Bolsonaro, has a starkly anti-indigenous people policy and has oftentimes publicly approved of and endorsed violence against them.

Violence Against Indigenous Protesters

The Right to Assemble in order to freely and publicly express one's opinion is a fundamental human right attributed to all peoples - thus, indigenous populations ought to also have the right to peacefully protest, defend their rights and express their collective opinion in public. In recent years, however, a multitude of attacks have been launched on protesting indigenous persons. Perpetrators of such violence are mainly armed civilians, members of right-wing extremist groups and even small-scale militia groups - all that, while the authorities such as the police idly stand by and observe. Video documents and reports often surface, which show police units remaining uninvolved during violent attacks on indigenous people in protests, specifically in Latin American states. Oftentimes the police even enable civilians to launch attacks against indigenous protesters. Apart from refusing to interfere when indigenous people are attacked during protests,

police officers have been shown to handle the indigenous in a discriminatory and violent manner as well.

A prime example of such a situation would be the recent protest on the 1st of August 2020, when a Chilean indigenous minority, namely the Mapuche, peacefully gathered in an urban area in order to protest regarding the violation of their human rights by the Chilean government. The protesters suffered a major conjoined attack by Chilean police members and right-wing armed civilians, which Chilean state politicians even endorsed on social and national media. Many members of the Mapuche community were severely injured and unrightfully arrested. The Chilean government showed complete disregard for the catastrophe faced by the Mapuche people, with the Chilean President Sebastian Pinera opting to defend the police and the armed civilians' actions rather than condemn them.
Such exhibits of violence against indigenous protestors are nowadays increasingly common and constantly overlooked by regional institutions.

Violence and Threats by Miners, Settlers, Farmers, Loggers, Drug Traffickers
Apart from ethnic hatred and institutional violence, indigenous people are subject to a further violent threat - specifically, that of individuals and organizations aggressively claiming indigenous protected territory for their own merit and harming indigenous communities in the process. Farmers in search of fertile land to exploit, miners wanting to attain the various metals in indigenous soil, loggers and drug traffickers operating drug routes through the Amazon have been plaguing Latin American indigenous territory for decades. All aforementioned groups of individuals launch organized attacks and kidnappings against indigenous people inhabiting such protected areas, while simultaneously destroying indigenous villages and infrastructure. Multiple indigenous persons in Latin America are constantly killed, severely injured and abducted by those who seek profit from their lands. Furthermore, when indigenous minorities report the attacks to regional authorities, they often receive threats and violent warnings by the attackers as a means of terrorization. Regional governments have done little to address the matter and to stop such violent attacks - specific governments, such as the Brazilian one, even condemn the demarcation of indigenous lands and support the exploitation of indigenous territory for profit.

Sexual Violence and Human Trafficking
Indigenous women and children in Latin America are oftentimes victims of sexual violence and human trafficking. Organized human traffickers launch violent attacks towards indigenous communities and abduct women as well as young children for such purposes. It is an alarmingly common phenomenon for women and children to go missing, only to later be located in human trafficking organizations. In addition,

indigenous women and children are a common target of sexual assault and violence, mostly by local civilians.

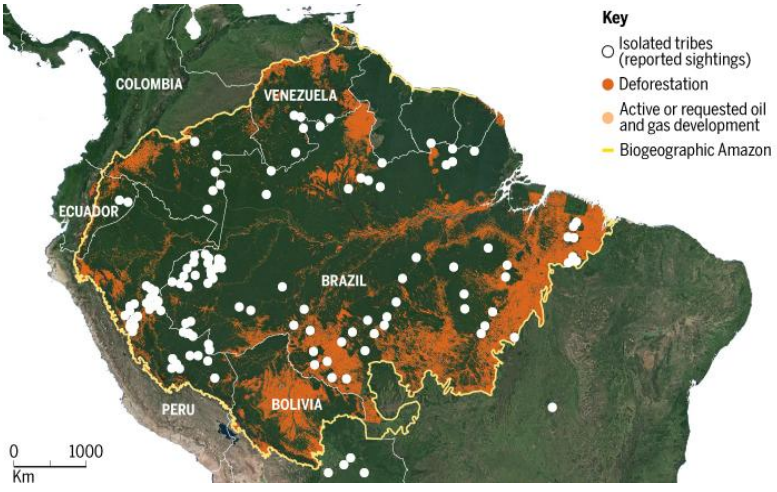
Institutional Complacency Towards the Situation

Latin American states have, over the years, taken little to no action regarding the highly alarming situation of violence towards indigenous minorities. Apart from superficial measures, such as fines or short incarceration periods for perpetrators of violence, regional governments have shown total disregard for the indigenous minorities fighting for their right to protection. On the contrary, the majority of Latin American governments show hesitancy regarding the adoption of protection laws with the aim to ensure the safety of indigenous populations. In addition, prominent political figures and organizations tend to instigate and maintain ethnic hatred against indigenous minorities, thus further facilitating violent attacks and showing complete complacency towards the harm they cause.

Major Parties Involved

Brazil

Brazil constitutes one of the countries with the highest percentage of indigenous people in the national population - approximately 900,000 indigenous people inhabit the protected areas in the Amazon in nearly 400 indigenous reserves, as stated in the 1988 Brazilian Constitution. Until recently, approximately 13% of Brazilian land was legally considered indigenous protected territory. Ever since the election of Brazil's current president, Jair Messias Bolsonaro, the stance of indigenous populations within Brazilian society changed significantly. Previously, indigenous people in Brazil had been institutionally respected to an adequate level and the organization of FUNAI (National Indian Foundation) catered to the needs of the indigenous for protection. President Bolsonaro has, however, publicly expressed his - alarmingly harmful to the indigenous - policy, revolving around the complete exploitation of protected territories in the Amazon. From non-recognition of the indigenous peoples' right to their ancestral lands to utterly discriminatory public statements referring to the 'inferiority' of indigenous populations, the Brazilian president has been an extremely prominent advocate of violence towards the



indigenous and disregard of their safety. The president has gone as far as to call the purpose of FUNAI "useless" and completely cut its funding and suggested that ranchers and farmers who attack indigenous communities in order to exploit their land should be supplied with arms by the government.

"In 2019 we're going to rip up Raposa Serra do Sol (Indigenous Territory in Roraima, northern Brazil). We're going to give all the ranchers guns."

- Jair Messias Bolsonaro in front of the Brazilian Congress, January 21, 2016

It is abundantly evident that the Brazilian Government not solely shows complacency towards violence against the indigenous, however also enables citizens, farmers and ranchers to instigate violence against them. Indigenous populations in the area live in constant fear for their ancestral territories, rights and safety.

Colombia

In Colombia, 4.4% of the population consists of indigenous people in both small and large communities. The Colombian indigenous constantly fight for their rights, for protection by the state and for their claims to their own ancestral lands. Indigenous communities in Colombia recently arose to global attention, following the alarmingly violent events during the Colombian National Strike in April 2021. Groups of a large local indigenous population, namely the Minga, had peacefully gathered in multiple areas of protest along with other citizens in order to fight for their respective rights as a community. During the Strike, the killing of 47 indigenous peoples as well as the injury of thousands was reported by NGOs. Perpetrators of such violent attacks were mostly armed civilians and right-wing extremists, while authorities such as the police made minimal to no effort to cease the attacks. On the contrary, police officers also committed violent acts towards the indigenous, under the guise of ensuring serenity during the protest - video documents constitute proof of that. President Iván Duque neither showed up to listen to the demands of the protesting indigenous people nor addressed the violent situation during the National Strike. Thus, indigenous populations such as the Minga in Colombia face stark institutional complacency towards the harm they undergo.

Mexico

A significantly high percentage of Mexican citizens, namely 21.5%, identify as indigenous. Though largely populated by indigenous people, the characteristically volatile situation regarding violence in Mexico significantly affects the indigenous as well. From discrimination in the justice system and among civilians to forced

displacement and violent attacks by criminal organizations, Mexican indigenous populations face multiple threats on a daily basis.

Furthermore, indigenous women in Mexico are especially prominent victims of violence. Reports have shown that at least 60% of indigenous women have experienced some type of violence by people outside of the indigenous communities - specifically, 41.3% of women have been victims of sexual violence and approximately 9 indigenous women are killed every day. Despite the high number of femicides in Indigenous communities, the situation is majorly ignored by municipal authorities.

In general, indigenous communities are subject to complete disregard by the Mexican government, which shows almost no regard to the alarmingly violent situation. President Andres Manuel Lopez has not taken any direct action regarding the protection of the indigenous, instead opting to superficially apologize for the harm caused to them and making empty promises for safety measures, which have not yet been fulfilled.

International Work Group on Indigenous Affairs (IWGIA)

The IWGIA was created in 1968, with the aim of handling affairs regarding indigenous populations and their rights, regarding the preservation of both their land and culture as well as their human rights. The organisation has operated in multiple indigenous areas worldwide in cooperation with indigenous communities and protection groups. Regarding indigenous minorities in Latin America, the IWGIA operates in close cooperation with organisations such as, but not limited to, the International Indian Treaty Council (IITC) and the South and Meso American Indian Rights Center (SAIIC).

So far, the IWGIA has mostly aided Latin American Indigenous populations in regard to their claims on protected land and cultural preservation. Though the issue of institutional complacency towards violence against the indigenous has not yet been significantly addressed by the IWGIA, any efforts to tackle the issue could be facilitated and supported by this organisation.

Timeline of Events

1987 Indigenous and Tribal Peoples Convention

2007 UN Declaration on the Rights of Indigenous Peoples

2018 Jair Messias Bolsonaro is elected President of Brazil

2019 Jeanine Anez assumes interim presidency after indigenous former president Evo Morales and endorses ethnic hatred towards the indigenous

2020 Violent attacks towards peaceful indigenous Mapuche protesters in the capital of Chile

2021 Extreme violence towards indigenous people in Colombia during the National Strike

Possible Solutions

As far as institutional complacency towards violence against indigenous minorities in Latin America is concerned, there are two main ways to generally approach the issue in order to tackle it - taking direct action as an independent UN mission in Latin America or pursuing cooperation with regional governments and authorities.

Ensuring cooperation with Latin American state governments and collectively establishing measures and action plans would create ground for multi-nationally beneficial, long-term solutions to the issue - thus, the first of the two approaches is highly preferable.

In order for common solutions to be achieved, common ground for discussion among the indigenous and regional governments shall be created.

Thus, the establishment of a multinational council of representatives from all Indigenous communities in Latin America, as well as all elected political leaders concerned. Furthermore, expert UN personnel and representatives from indigenous rights protection organisations could act as unbiased advisors and moderators in council meetings. Thus, it can be ensured that all parties involved

The purpose of that council could be to set and maintain a new common legal framework that is to be invariably applied in all participating regions in Latin America, as far as the protection of indigenous people is concerned. The cooperation of national leaders, the Indigenous and unbiased experts would ensure that the solutions are beneficial to all, thus easily applicable in all Latin American states involved.

The second route, namely that of direct UN involvement in the area, does not require the consent and cooperation of regional governments. UN personnel could be stationed as observers and peacekeepers in volatile indigenous territories, such as the Amazon rainforest, in order to ensure peace and stability in the area. Further such measures which require the direct involvement of the UN in the area could possibly be facilitated in cooperation with organisations such as the IWGIA. The application of measures such as the aforementioned could act as an alternative or complementary route to the attempts for cooperation among regional governments and indigenous minorities.

Bibliography

ABC News. "Narco Violence Surge in Peru's Amazon Sends Indigenous Leaders into Hiding." *ABC News*, 21 Apr. 2021, www.abcnews.go.com/International/narco-violence-surge-perus-amazon-sends-indigenous-leader/story?id=77168675.

"Alarming Increase in Violence and Five Killings in Paso De La Reyna Community, Oaxaca." *Front Line Defenders*, 6 Apr. 2021, www.frontlinedefenders.org/en/statement-report/alarming-increase-violence-and-five-killings-paso-de-la-reyna-community-oaxaca.

"Amazon Standoff." *Reuters*, www.graphics.reuters.com/BRAZIL-INDIGENOUS/010090X815D/index.html.

Bender, Albert. "Interim Bolivian President Añez Calls Indigenous Citizens "savages"." *People's World*, 28 Jan. 2020, www.peoplesworld.org/article/interim-bolivian-president-anez-calls-indigenous-citizens-savages/.

Chambers, Jane. "Chile's Mapuche Indigenous Group Fights for Rights." *BBC News*, 26 Nov. 2020, www.bbc.com/news/world-latin-america-55042838.

Ellis, Sam. "Brazil's Indigenous Land is Being Invaded." *Vox*, 25 Nov. 2019, www.vox.com/2019/11/25/20982232/brazil-indigenous-amazon-bolsonaro.

"Indigenous Communities in Colombia Face an Unresolved Protection Crisis." *WOLA*, 11 June 2021, www.wola.org/2021/05/indigenous-communities-in-colombia-face-an-unresolved-protection-crisis/.

"Indigenous Women: The Invisible Victims of Femicide in Mexico." *Harvard International Review*, 30 Nov. 2020, www.hir.harvard.edu/indigenous-women-victims-of-femicide-in-mexico/.

"Report on Mexico's Indigenous Rights Record Presented to CERD." *Cultural Survival*, www.culturalsurvival.org/news/report-mexicos-indigenous-rights-record-presented-cerd.

"Right-wing Violence Against Mapuche People in Chile Widely Condemned." *Peoples Dispatch*, 6 Aug. 2020,

www.peoplesdispatch.org/2020/08/06/right-wing-violence-against-mapuche-people-in-chile-widely-condemned/.

Survival International. "What Brazil's President, Jair Bolsonaro, Has Said About Brazil's Indigenous Peoples." *Survival International*, www.survivalinternational.org/articles/3540-Bolsonaro.

"Violence Against Indigenous, Local Groups Deplored Amid Colombia Protests." *Mongabay Environmental News*, 21 May 2021, www.news.mongabay.com/2021/05/violence-against-indigenous-local-groups-deplored-amid-colombia-protests/.

"Violence Against Peru's Indigenous Communities Surges As Drug Traffickers Move in." *The Observers - France 24*, 8 May 2021, www.observers.france24.com/en/americas/20210508-violence-against-peru-s-indigenous-communities-surge-as-drug-traffickers-encroach.