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Launch of the Innocenti Digest no. 11:
Ensuring the Rights of Indigenous Children
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SUMMARY

KEY MESSAGES

• Indigenous children are one of the most marginalized groups in the global community. They typically experience discrimination and exclusion that is associated with higher mortality rates, poorer health care, lower school enrolment and educational achievement, and a denial of their human rights.

• It is the responsibility of the State to promote and protect these rights. National governments around the world have much to do in this regard, but there are many concrete successes and instructive practices to learn from and adapt, as the Digest details.

• The status of indigenous children is a global issue. An estimated 300 million indigenous persons from some 70 countries, in every region of the world, speak three quarters of the world’s 6,000 languages. Fertility rates are typically higher among indigenous communities and children make up a high proportion of indigenous populations.

• The rights of indigenous children are protected in the UN Convention on the Rights of the Child (1989), prime among a number of relevant international conventions, commitments and instruments.

DISCRIMINATION AND EXCLUSION

Discrimination experienced by indigenous peoples can lead to:

• cultural exclusion, where indigenous ways are treated as inferior and may be suppressed;

• economic exclusion, which prevents indigenous communities benefiting from and participating in national economic development; and

• political marginalization, which hinders indigenous people from enjoying full citizenship, participating in decision-making processes and acquiring adequate representation.

Discrimination invariably leads to disadvantage in society; typically discrimination is multifaceted and so is resulting disadvantage.
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The Digest calls attention to key areas where the rights of indigenous children are denied or seriously compromised.

1. **The right to life, survival and development** (CRC, Article 6): Survival and development of indigenous children are closely related to access to and use of their land, and the quality of the environment in which they live. Where land rights are denied – through, for example, dispossession or forced removal – economic marginalization and loss of cultural reference points can have a devastating impact on indigenous communities and children are among the first to feel the effects. Displacement can be the result of agricultural production, oil exploration, logging, mining, tourism, construction of roads and dams, and pollution of the ecosystem.

2. **The right to birth registration, a name and nationality** (CRC, Article 7) Birth registration is the first step in establishing a legal identity and claiming rights from the State. It is often substantially lower among indigenous children than in the general population, e.g. registration of Amazonian children in Brazil is estimated to be half the national level. Lack of awareness and lack of access to birth registration may mean indigenous children cannot establish a claim to social services, education, protection of the courts and even the right to vote. In a social sense, formal recognition of a name and a distinct culture provides an indigenous child with crucial links to family, community and a sense of identity. In Morocco, for example, Amazigh people are required to register their child with a recognized Arabic name rather than an Amazigh name.

3. **The right to highest attainable standard of health and health care** (CRC, Article 24) Indigenous children rarely enjoy the same standard of health or have the same access to health care services as their non-indigenous peers. In income-rich and income-poor countries alike, infant and child mortality rates are higher among indigenous groups than national populations. Maternal mortality is also higher, often substantially; e.g. in Viet Nam four times so in the northern mountainous region populated by hill tribes. These key indicators reflect differences in income, nutrition and access to health care.

Health services, including vaccination against easily preventable diseases, and information on health issues are often lacking in areas inhabited by indigenous peoples, or are less effective because they are not available in indigenous languages or culturally appropriate ways. Health care and services may be especially lacking in distant or remote communities even though these areas have been been reached and often seriously impacted by commercial ventures such as logging, mining and illegal drug operations.
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Isolated indigenous peoples are particularly vulnerable to the introduction of viruses and there is a pressing global concern about the potential spread of HIV/AIDS among all indigenous communities.

4. **The right to education** (CRC, Article 28)
   In most countries indigenous children have low school enrolment rates and, if they do attend school, are less likely than their non-indigenous peers to have the support to perform well.
   Illiteracy can be high among indigenous children and girls are especially vulnerable to missing out on education. Indigenous children face a lack of educational facilities, qualified teachers and culturally relevant learning environments, including instruction in their first language. They may face direct discrimination from other students and/or staff. The cumulative effect of the obstacles faced by indigenous children becomes more evident the higher up the educational ladder.

5. **The right to protection from abuse, violence and exploitation** (CRC, Articles 32-40)
   Protection and prevention measures may need to take into account particular conditions for indigenous children. For example, abuse and exploitation of the child may be associated with the severe social strain under which many indigenous communities live. Alcohol and substance abuse is another prominent symptom of social and cultural stress. Suicide rates among indigenous children and youths can be significantly higher than national averages. Problems may arise from the trauma of social breakdown, low self-esteem and depression associated with lack of opportunity, cultural discrimination, inadequate social support, loss of land or difficulty integrating in the dominant culture. Harassment of and violence against indigenous peoples can be systematically perpetrated by organized interests such as security forces, illegal drug operations and commercial developers. Indigenous children can also be particularly vulnerable in times of conflict and civil unrest, and even left out of humanitarian aid.

**Ensuring the rights of indigenous children**

Ensuring the rights of indigenous children involves building upon the inherent strength of indigenous communities. Families, elders and community leaders have an important role in helping indigenous children understand that they have special resources upon which to draw: spirituality; cultural identity and values; a strong bond with the land; collective memory; and kinship and community. The most effective initiatives also recognize the
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value of indigenous peoples’ worldviews and promote and develop truly intercultural processes – ones that make the most of international standards by making them locally meaningful.

KEY AREAS FOR ACTION

The Digest identifies key areas where it is demonstrated that investment can yield significant progress in breaking the trap of disadvantage by promoting the rights and development of the indigenous child.

1. Health and nutrition
   • Develop initiatives that blend and balance ‘traditional’ and ‘modern’ medicine.
   • Undertake assessment studies of indigenous health practices and the roles of different community members.
   • Train indigenous persons as health workers and work with traditional healers and birth attendants to address cultural sensitivities and convey health messages more effectively.
   • Promote healthy nutrition by ensuring security of land tenure for indigenous peoples and supporting the production of traditional food supplies. Undertake communication initiatives to provide information and promote good feeding practices for children.
   • Promote access to health services, including availability of medical facilities, supports and pharmaceuticals. Distance and remote location do not justify lack of health care services.

2. Quality education
   • Education for indigenous children is most effective when it is: widely available; bilingual; intercultural; child-centred; and has community involvement.
   • Indigenous peoples have a crucial contribution to make on their own educational requirements and priorities.
   • Bilingual education offers children the chance to learn in their first language while, at the same time, progressively mastering their country’s official language. This approach has resulted in increased enrolment, retention and completion rates.
   • The relative lack of pre-school education for indigenous children needs to be remedied.
   • Educational initiatives must be seen as relevant by the indigenous community. This may involve: using indigenous adults as resources in schools; class schedules that
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are compatible with the daily or seasonal rhythms of community life; ‘nomadic’ schools, where the teacher and mobile classroom move with the community.

- Government support greatly increases the success of indigenous education initiatives. Promoting education for indigenous children can be part of wider educational reforms.

3. Effective protection and support

- Support and build on the strengths of indigenous families, kinship networks and communities. For example, develop community-based protection systems and community education on how to prevent and respond to sexual exploitation.
- Take specific interventions where family and community protection has broken down.
- Pay particular attention to indigenous children and youth who live in urban and peri-urban areas containing some of the poorest and most degraded environments. They are vulnerable to gang culture, crime, alcohol or drugs due to marginalization and cultural disorientation.
- Take initiatives against child labour as indigenous children may be prompted or forced into exploitative or hazardous activities by disadvantage and discrimination.
- Ensure that indigenous children who become involved in the justice system are treated according to internationally accepted standards. These include treatment consistent with the child’s age and special needs, assistance of an interpreter and a goal of re-integration with the family and community. The justice system must also demonstrate cultural awareness and sensitivity. Indigenous justice mechanisms, such as healing circles and sentencing circles, can have a useful role to play, even in national legal systems.

4. Birth registration and participation in decision-making

- Birth registration is the first formal step to creating a legal identity from which an individual can exercise his or her human rights and citizenship. Make parents aware of the importance of registration and make the process itself more accessible by overcoming current obstacles associated with distance, language, culture, cost and opportunity.
- Empower indigenous children through principles of free and open communication, including the opportunity to join in national and global debates. Having a voice promotes self-esteem, awareness of human rights and democratic citizenship.
- Build upon positive traditional practices and work with community leaders to support community-based human rights workshops and participation in child rights activities.
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- Present information to indigenous children in their own language and through community leaders. Key topics: birth registration; maternal, prenatal and post-natal care; protection from child labour and sexual exploitation; and HIV/AIDS.
- Indigenous children have enormous potential to disseminate information to their peers.
- The media, particularly radio with its wide reach and inexpensive technology, can provide information both for and about indigenous peoples. Include an active role for the voices and participation of children and youth as subjects and creators of media content.

PROMOTING THE RIGHTS OF INDIGENOUS CHILDREN
Indigenous peoples’ movements are active around the world and public awareness of indigenous issues has increased greatly with landmarks such as the ongoing work on the draft UN declaration on the rights of indigenous peoples, the observance of the International Decade of the World’s Indigenous People (1995-2004), and the establishment of the Permanent Forum on Indigenous Issues in 2000. The Convention on the Rights of the Child (1989) is the first binding instrument in international law to deal comprehensively with the rights of children and, in Article 30, to explicitly address the situation of indigenous children. It highlights the importance of the indigenous child enjoying their culture, religion and language “in community with other members of his or her group.”

Note to Editors

The Innocenti Digests are produced by the UNICEF Innocenti Research Centre in Florence to provide clear summaries of current knowledge and debate on specific child rights issues.

Embargoed media materials in English, French, Spanish and Italian and downloadable copies of the report in English are available from the IRC Newsroom: http://www.unicef-icdc.org/presscentre/indexNewsroom.html

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