

III. Sociocultural biases and discrimination

205. The presence and persistence of sociocultural biases and discriminatory attitudes and practices can be readily identified as major contributors to vulnerability. Bias and discrimination are in a sense acts of social exclusion, as they prevent the groups that are the victims of those acts from fully participating in and benefiting from the wealth, power, knowledge and decision-making capacities of the larger society. At their worst, socio-economic biases and discrimination can produce feelings of disempowerment, hopelessness and despair for the future, further exacerbating vulnerability among the excluded groups. The inability to provide input to important policy decisions leaves them powerless and voiceless, resulting in their legitimate interests not being protected. Consequently, national policies and development programmes do not necessarily benefit those that are disenfranchised. Still, worse, their interests may even be sacrificed in the pursuit of such policies and programmes. As a result, social groups, households and individuals subject to such misperception and discrimination experience greater vulnerability to social exclusion.

206. The following are presented below as illustrations of the negative effects of bias and discrimination: the images and misperceptions of older persons; the vulnerabilities experienced by migrants; discrimination against the disabled; groups particularly at risk in situations of conflict; and the lack of respect for traditional knowledge and cultures of indigenous persons.

Images and misperceptions of older persons

207. On one level, perceptions of older persons follow the trajectory of a society's culture, religion, language, history and level of development. On another, they follow social conventions that adhere to established precedents and, once rooted, are difficult to alter. The social convention of classifying people on the basis of their age has enduring consequences that can create significant barriers to access and participation.

208. The contributions that older persons make to their families and communities are immense, but such contributions are easy to miss and are therefore overlooked in development strategies. Older persons

are critical and active partners in families and societies through the care they provide to family members who might otherwise require more formal treatment; through the care and education they provide to children whose parents cannot afford childcare or who migrate elsewhere for work; through the countless other forms of volunteer work that they perform in communities and institutions everywhere; and through their help in conflict resolution and the rebuilding of communities following emergencies. In addition, older persons possess traditional knowledge and overall survival strategies accumulated over a lifetime of experience.

209. Paradoxically, however, older persons are cast in distorted images that inflate their physical and mental deterioration and dependence. The outcome is an anachronistic message that, on the broader level, colours an entire phase of life. It obscures older persons' contributions and generates ageism, discrimination and exclusion and, ultimately, contributes to a loss of rights in the social, economic and political spheres. Routine media misrepresentation that idolizes youth and views ageing as a time of incapacity and stagnation is particularly damaging to older persons, who already suffer greater exclusion, especially in an era of rapid technological change in which authority is often passed to younger members of society. Significantly, such images are not lost on centres of influence and power, such as employers, donors and policy makers — decision makers who can have an impact on older persons' access to structures and resources and therefore mitigate or increase vulnerability.

210. Globalization of the media has contributed to spreading ageism to societies in which it was traditionally unknown. The forces of globalization that have ushered in consumerism and individualism in developing countries have compounded the devaluation of the status of older persons, encouraging the view that they are burdens and a financial drain. The effects are becoming visible far beyond the local level, with a lack of opportunities for older persons, combined with the absence of economic assets and added responsibilities owing to the outmigration of younger adults, conspiring to force on older persons into greater economic and social dependence.

211. Negative self-image is inextricably bound up with stereotypes and is another factor that leads to social exclusion. Older persons with strong tendencies towards a negative self-image are also those who are in the greatest need of support. Those in poverty and conflict show a marked decline in self-esteem as they age and tend to share a view of ageing as a time of worthlessness, incapacity and loss of status that leads to dependence. For many, fears and self-doubt accumulate to such an extent that what is feared — exclusion and greater physical and economic dependence — becomes more likely. Low self-esteem becomes a risk in itself and helps to foster an image of a population with whom no one, including older persons themselves, wants to identify.

212. The perpetuation of misperceptions of ageing has a political impact as well. The expression “intergenerational conflict”, which has appeared in the public discourse, suggests that, if steps are not taken, individual old-age pension and health-care security, or worse, national or even global financial stability, may be threatened with disruption. Such messages suggest a need to assign responsibility and ultimately serve as a pretext for cutting back on old-age provisions. Perceptions that an ageing society will deepen social conflict, however, are not so rooted in prejudices as to hold any particular age group responsible. Rather, social, economic and politically uncertain environments, with the support of the media, are shaping attitudes about society’s unpreparedness to adjust to a changed demographic structure that has no precedent and therefore no previous basis from which to proceed.

213. Women and men move through the ageing process in different ways and encounter different obstacles and relative disadvantages en route. For women, balancing work and family responsibilities can be all-consuming. Their role as principal caregiver in the family often lingers into old age, when they care for their spouses and/or, in areas ravaged by poverty and disease, including HIV/AIDS, for their grandchildren and other family members who are orphaned or sick.

214. The feminization of poverty is found in all regions and particularly affects older women. It is linked to a lifetime of lower pay and interrupted employment histories; possibly heavy or hazardous work; lack of access to decision-making processes, education and resources, including credit and land

ownership; and lack of established inheritance rights. Since older women are less likely to have paid work, they are less likely to be eligible for pensions. And when they are eligible, older women are more likely to receive lower pensions owing to their lower pay and work histories.

215. As a result of their longer life expectancy, older women are more likely than men to be widowed, isolated or even destitute in the last years of their lives. In situations of armed conflict or other disasters, informal support systems often vanish through death, disappearance or forced migration. In many developing countries the patriarchal customary, religious and inheritance laws leave older widows few options, if any, to escape situations of exploitation or discrimination. Gender bias is further reinforced through the legal system. When justice is sought, few cases proceed successfully through the courts; perpetrators go unpunished and others remain undeterred or undetected.⁵⁶

216. In countries with economies in transition, the disintegration of social security and the dismantling of the welfare state have produced a subclass of impoverished older widows. Many have lost property rights and basic assistance and have become part of a tragic but increasingly common sight: the “street elderly”. Even in developed countries, where legal protection is more inclusive, widows experience marginalization and the loss of social and economic status.⁵⁷

217. Illiteracy rates for older women remain high in many parts of the world. Two thirds of the 862 million illiterate adults in the world are women.⁵⁸ The situation is particularly acute in South Asia and parts of Africa, where the rates can surpass 80 per cent. One of the devastating effects is to leave entire communities vulnerable, leading to apathy towards an alarming level of inequality and limiting the extent to which successive generations, particularly daughters, can realize their own human potential.

218. Owing to the traditional roles and status bestowed upon men as economic providers, older men are particularly affected when they are abruptly retired

⁵⁶ “Widowhood: invisible women, secluded or excluded”, *Women 2000* (December 2001).

⁵⁷ Ibid.

⁵⁸ UNESCO, *Education for All — Is the World on Track?*, EFA Global Monitoring Report (Paris, 2002).

from the workforce or when they find themselves unable to earn an income as a result of economic downturns and restructuring in the labour market. The effect of such events has been demonstrated in some countries with economies in transition where mortality rates have risen in the working age population and life expectancy trends among males have reversed course.

219. Since the break-up of the Soviet Union, a number of countries in transition have been plagued by long-term crises and dramatic increases in social stratification. Numerous indicators have been cited, ranging from rising rates of disease, alcohol consumption and accidents to homicides and suicides. Sources of the rising rates include the post-Soviet collapse in social protection and medical care, environmental pollution, stress associated with change, high unemployment, and the dramatic increase in poverty and income disparities. Although life expectancy has been experiencing slight increases since 1995, the mortality crisis is alarming. It has put a population that is not yet old at risk of ageing in even poorer health as they become an impoverished generation of “pensioners” who are considered today to be one of the most vulnerable groups in Eastern Europe.

220. In some countries in Latin America and the Caribbean, frail older men are considered particularly vulnerable to abandonment. For many of them, after they leave the labour market, their co-residence with their family falls off sharply and along with it material support. Although older women are seen as relatively desirable household members, given their well-established domestic roles, the male breadwinner who tended to neglect kinship and domestic matters during his working years finds, as a result, that his status and quality of family relations are seriously reduced in later life.⁵⁹

221. Older persons are often viewed as frail, passive and economically non-productive, a misperception that is even spreading to societies where respect for the aged used to be the norm. That view has significant consequences for the well-being of older persons. It reinforces the tendency to exclude older persons from

decision-making in the social, economic and political spheres. It also forms the basis on which employment opportunities are denied to older persons. Older persons, and older women in particular, living in developing and transition economies face even greater difficulties. Economic as well as cultural changes taking place in those countries often have many negative implications for older persons, including more negative attitudes towards them and non-existent or collapsing old-age social protection. Women encounter additional hardships owing to discriminatory inheritance laws and their longer life expectancy. Leadership in public policy, especially in the media, is needed to dispel existing mistaken beliefs with regard to older persons. More importantly, appropriate public policy in areas of justice, pension reform and social protection is required, in addition to public education, in order to combat ageism and its harmful consequences.

Migrants’ vulnerabilities

222. Migration is a pervasive issue that has a bearing on the economy, the social fabric and the political life of many countries. Viewpoints on migration are polarized to the degree that it is difficult to hold a rational debate on the issue. Against such a background of contention, the human dimension of international migration has often been missing from the policy agenda, and many migrants have increasingly found themselves vulnerable.

223. First, in the course of the migration process, individuals lose the security of essential family-, community- and nation-based support structures, including traditional institutions that regulate power, decision-making and protection, while at the same time they are exposed to a host of hazards for which they are largely unprepared. To a significant extent, the vulnerability of migrants stems from the nature of the immigration process, which remains, in much of the world — apart from a handful of traditional countries of immigration — long, challenging and poorly organized. During the course of the immigration process, migrants often receive little assistance from the host country and end up relying on immigrant communities and immigration networks of questionable legitimacy. In trying to circumvent admissions delays and restrictions, an increasing number of migrants are putting themselves at risk by electing to be smuggled

⁵⁹ Economic Commission for Latin America and the Caribbean, expert group meeting on social support networks for senior citizens: the role of the State, the family and the community (in Spanish), 9-12 December 2002.

into destination countries. Migration under such conditions carries with it the risk of possible abuse by smugglers, the legal consequences associated with being an illegal alien and other difficulties.

224. Secondly, migration by its very nature entails the deprivation of some rights. For example, in host countries with comprehensive coverage for citizens migrants do not receive the same rights to social protection and social services as nationals. Non-nationals do not have complete rights as nationals do. States lawfully grant privileges and protections to their nationals, including access to social services that are exclusionary of non-nationals. As a consequence, many migrants are deprived of or have limited social protection (for example, health, unemployment or pension benefits). In addition, the rights of migrants are often restricted in terms of employment, professional and geographical mobility, and family life. At the same time, evidence of growing problems with violations of migrants' rights, including basic human rights, has been met with limited concern.

225. Thirdly, migration has proven to be disruptive of the social cohesion of both displaced communities and host societies. Displacement eventually challenges traditional gender and generational roles. In host societies, particularly in Europe, migration has contributed to social polarization and has been a key factor in generating a feeling of social and political exclusion in poor, working-class communities. Increased stigmatization and marginalization of migrants have been observed, raising concern as to the potential for the social integration and mobility of immigrants. Furthermore, the enforcement of rights legally accorded to migrants is not a high priority on national agendas when in many countries an atmosphere of increasing xenophobia, stigmatization and racism prevails.

226. Finally, migration-related vulnerability is essentially of a political nature. While the process and social dynamics of migration and the status of migrants are potential sources of vulnerability, the failure of Governments to develop and implement policies that acknowledge and comprehensively address the large array of issues associated with modern migration, including responding to the specific needs of migrants and protecting their rights, is mainly responsible for migrants' vulnerability. The status of migrants as a largely voiceless group with no political leverage has certainly contributed to the situation.

Discrimination against the disabled

227. Persons with disabilities are often excluded from the mainstream of society and denied their human rights.⁶⁰ Both de jure and de facto discrimination against persons with disabilities have a long history and take various forms. They range from overt discrimination, such as the denial of educational opportunities, to more subtle forms of discrimination, such as segregation and isolation resulting from the imposition of physical and social barriers. The effects of disability-based discrimination have been particularly severe in such areas as education, employment, housing, transportation, cultural life and access to public places and services. Discrimination may result from exclusion, restriction or preference, or from denial of reasonable accommodation on the basis of disablement, which effectively nullifies or impairs the recognition, enjoyment or exercise of the rights of persons with disabilities.

228. Despite some progress in terms of legislation, such violations of the human rights of persons with disabilities have not been systematically addressed in society. Often, disability legislation and policies are based on the assumption that persons with disabilities are simply not able to exercise the same rights as non-disabled persons. Consequently, the situation of persons with disabilities is often addressed in terms of rehabilitation and social services. In many countries, existing provisions do not provide for the rights of disabled persons in all their aspects — that is, political, civil, economic, social and cultural rights — on an equal basis with persons without disabilities. Furthermore, anti-discrimination laws often have weak enforcement mechanisms, thereby denying opportunities for persons with disabilities to participate on an equal basis in social life and development.

229. Certain cultural and social barriers such as systematic institutionalization, regardless of the type and level of disability, have also served to deter the full participation of persons with disabilities. Discriminatory practices against persons with disabilities may thus be the result of social and cultural norms that have been institutionalized by law. In such a context, discrimination towards people that have an impairment is likely to continue until appropriate policy actions are taken to address and improve the

⁶⁰ *Disabled Persons Bulletin*, No. 2, 1998.

social and cultural norms that may perpetuate erroneous and inappropriate myths about disability.

230. To a great extent, the vulnerability of persons with disabilities arises from concrete forms of discrimination, such as the architectural barriers inherent in many buildings, forms of transportation and communication, and from a dramatic lack of employment opportunities. Nevertheless, access to rehabilitation services remains a critical component of the effort to promote social inclusion of the disabled. According to the World Health Organization, at most only 5 per cent of the disabled in developing countries have access to rehabilitation services.⁶¹ Given the fact that at least 7 of 10 disabled people live in developing countries, the limited reach of rehabilitation services is evident.

231. Discrimination is a heavy burden not only for persons with disabilities but also for their families. It affects the range of choices that their families have in terms of the use of time, their social relationships and the management of economic, civil and political resources. The family dimension is likely to gain greater social and policy significance with the rapid ageing of the population and the related increase in the size of the population that experiences some degree of impairment.

Vulnerabilities in situations of conflict

232. Unprecedented waves of human displacement have followed in the wake of violent conflict and natural disasters. The latest estimates put the number of refugees at 12 million under the mandate of the Office of the United Nations High Commissioner for Refugees (UNHCR) and 4 million under the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNWRA) in early 2001. The largest numbers of refugees are found in Asia (5 million) and Africa (4 million). The developed countries are host to 3 million refugees. It is believed that more than half of them are displaced owing to conflicts. While the number of refugees has decreased recently, the number of internally displaced persons who have been forced to flee their homes but have not reached a neighbouring country is on the rise. UNHCR estimates the current number of internally displaced

persons at 20 to 25 million in more than 40 countries. The rise in the number of internally displaced persons during the 1990s is a direct consequence of the increasing reluctance of many countries to host refugees. Approximately half of the world's refugees and internally displaced persons are children, while the other half is composed equally of men and women. However, predominantly male or female populations are found in specific situations involving refugees or internally displaced persons.

233. Internally displaced persons, particularly those who are neither protected nor attended to, are generally considered more vulnerable than other victims of conflict. However, some people who cannot afford to flee their homes may indeed be more vulnerable than internally displaced persons and refugees, as indicated by the examples of Angola and Afghanistan. In addition, displacement may result in improvements in internally displaced persons' lives, such as gaining access to health care and being able to attend school. They may also be able to decrease their vulnerability by becoming better informed and thus enhance their ability to identify risks and develop contingency plans.

234. Disempowerment of traditional community leaders, shifting gender and generational roles, and loss of access to common property have been identified as major sources of tension within displaced communities. In Africa and Asia, increased pressure on and competition for limited resources, employment and social services often generate tensions between displaced and host communities. However, when the presence of refugees or internally displaced persons is matched locally by significant foreign aid, the host community can often benefit from improved public services, such as health centres, schools and water points.

235. War provides a breeding ground for certain forms of gender-based violence, including exploitation, trafficking and mutilation, whether at home, in flight or in camps for displaced populations. Although men and boys do become victims of that kind of violence, women and girls are particularly vulnerable during conflict. Rape has been used systematically as a weapon of war. Although statistics may not do justice in accounting for the shocking reality of sexual violence, the figures are alarming. For instance, in Rwanda, as many as 250,000 to 500,000 women were

⁶¹ "U.N. marks international day for rights awareness", *U.N. Wire*, 3 December 2002.

raped during the 1994 genocide.⁶² Conflict also forces many women and girls to prostitute themselves in order to obtain basic commodities. The trauma for female victims of violence in particular continues even when the conflict is over, as they are shunned, ostracized and further stigmatized. They are also vulnerable to the increased domestic violence that tends to occur in the wake of armed violence.

236. Displacement further increases the vulnerability of women and girls to sexual violence and exploitation. For example, in Sierra Leone, 94 per cent of the displaced women and girls were victims of sexual violence.⁶³ Significant numbers of women and girls who have been separated from their families during conflict end up as sex workers, as they are left without support or livelihood. Many, bearing physical and emotional scars that will haunt them for life, lose hope of ever getting reintegrated into society and living normal lives.

237. During and after conflict situations women might assume new, untraditional roles, such as breadwinners or combatants. Women are also often forced by circumstances to display such behaviours as being assertive, wearing non-traditional dress or bearing a child of a man from the opposite party. Those behaviours may not be expected or accepted by their communities, making the women vulnerable to disapproval and sometimes punishment within those communities for stepping outside of the traditional boundaries.

238. During the past decade, it is estimated that 2 million children have been killed as a direct result of armed conflict; three times that many have been seriously injured or permanently disabled; and even greater numbers have died of malnutrition and disease. War conditions separate children from families and communities and deprive them of family care, health care, education, shelter and other essential services. The lack of education, in particular, has devastating effects on a population and on the development of a country as a whole.

239. Children face death, malnutrition, disease and violence, and sexual, physical and psychological abuse on an unprecedented scale in contemporary armed conflicts. In addition, children are often recruited by the warring parties to fight or provide services. Approximately 300,000 children under 18 years of age are currently serving as child soldiers in ongoing conflicts.⁶⁴ The United Nations Children's Fund (UNICEF) has suggested that as conflicts are prolonged, more and more children are recruited. Girls who have become child soldiers are often exploited sexually. The disruption of education eventually has a major detrimental impact on personal development and future prospects in life.

240. Inevitably, many of the children recruited into the military are deprived of their basic rights, including those related to family unity and education. Legal instruments for the protection of children, such as the Convention on the Rights of the Child and the Geneva Conventions are neither known nor respected in most inter-communal violent conflicts.

241. Older persons in situations of armed conflict are particularly susceptible to dislocation, disease, hunger and dehydration as compared with younger persons. Their relative lack of mobility can prevent them from leaving even if the water supply becomes contaminated, the land is littered with mines and supply sources are cut off. Older persons remain relatively invisible in post-conflict situations, partly because of the assumption by aid workers that they are being protected by families and neighbours but also because of triage: that is, the assignment of higher priority to younger generations, as they are considered more important for the family or community or more likely to survive from health-care interventions.

242. Research carried out by HelpAge International has revealed that older persons in conflict situations desire a restoration of conditions that will support their own self-sufficiency.⁶⁵ Further research under way by Global Action on Ageing is showing that in many places, older persons see themselves as being in charge

⁶² Elisabeth Rehn and Ellen Johnson Sirleaf, *Women, War and Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-Building*, Progress of the World's Women, vol. 1 (New York, United Nations Development Fund for Women, 2002).

⁶³ Ibid.

⁶⁴ United Nations Children's Fund, *Adult Wars, Child Soldiers: Voices of Children Involved in Armed Conflict in the East Asia and Pacific Region* (New York, 2002).

⁶⁵ See, for example, HelpAge International and Office of the United Nations High Commissioner for Refugees, *Older People in Disasters and Humanitarian Crises: Guidelines for Best Practice* (London, HelpAge International, n.d.).

of the welfare of the family and that, being older, they feel that they have less to lose. They therefore take risks by attempting to intervene in beatings or killings, protect children or go out to collect provisions.

243. Older refugees make up from 11.5 to 30 per cent of refugee populations, and the majority are women. In addition to the problems experienced by older minorities, older refugees also commonly encounter social disintegration when support erodes and families become separated; negative social selection, when the weakest are left behind because a camp or centre empties out; and chronic dependency on an organization such as UNHCR for care and security.⁶⁶

244. Violent conflicts cause physical and mental injuries, and many people face permanent disabilities. The use of mines, which often wound victims, creates large numbers of disabled persons. In particular, intra-State conflicts often target civilians, many of whom bear psychological scars that have to be addressed in peace-building efforts, and efforts have to be made to integrate them into society.

245. The needs of disabled persons, including rehabilitation at the community level and accessibility in terms of transport, housing, education and training, health services and employment have, so far, received limited attention in post-conflict peace-building programmes.

246. There are at present more humanitarian workers in conflict zones than ever before. However, aid workers are no longer as secure as they once were under the protection of the flag of the United Nations or the emblem of the International Red Cross or Red Crescent. Between August 1998 and December 2002, a total of 198 United Nations staff members were killed, and 240 were taken hostage or kidnapped. Hundreds more humanitarian workers have fallen victim to violent security incidents.

247. Threats against relief workers and peacekeeping personnel further restrict the ability of humanitarian organizations to ensure the delivery of assistance to vulnerable populations. In the Ituri region in the eastern part of the Democratic Republic of the Congo, following the brutal murder of six staff members of the International Committee of the Red Cross, humanitarian aid was reduced and staff withdrawn.

⁶⁶ United Nations, "No safety net for older migrants and refugees" (DPI/2264).

Restrictions on humanitarian access in Angola, Kosovo and Sierra Leone placed thousands at the mercy of the warring parties on whom they depended for basic supplies. Journalists have also been direct targets in conflict. Close to 500 journalists have been killed worldwide since 1990, many of them silenced to prevent accurate reporting of atrocities.

248. Clearly, conflict situations and displacement uproot people from their familiar environment, traditional support and protection networks (family and community) and existing authority structure (such as traditional community leaders). They also deprive people of resources that normally would have been available to them. As a result, persons in situations of conflict are exposed to greater risks and often face increased social vulnerability. Moreover, displacement exposes populations to risks specific to refugee status inside and outside the country of origin, such as abuse, violation of rights and exclusion from access to social services.

Traditional knowledge and cultures of indigenous peoples

249. For indigenous peoples, the preservation of their culture is essential for their survival, existence and development. It encompasses their languages, knowledge, traditions, histories, customs, arts, crafts and music. Maintaining and revitalizing cultural expression is becoming a vital component of many indigenous development strategies. Unfortunately, indigenous peoples face pressure from many forces that undermine their culture, such as conflict with non-indigenous values and discrimination. That pressure, together with the forces that cause indigenous peoples to be dislocated from ancestral lands, threaten the core of indigenous identity and survival.

250. Globalization and the attendant homogenization of societies worldwide, by and large according to Western values, are major factors undermining indigenous cultures. Faster transportation and communication shatter the isolation of many indigenous peoples, exposing them to modern ideas and ways of life. Within indigenous communities, younger generations who are adapting to modern ways and migrating to urban areas are reluctant to hold onto traditional knowledge. Their reluctance is reinforced by the external bias against traditional knowledge. Furthermore, since traditional knowledge is transmitted

orally, there is a risk that it will be lost with the last remaining generation of indigenous peoples.

251. In Latin America, for example, some indigenous communities have, since pre-Hispanic times, attained and maintained sustainability in the administration of justice, health and healing, and in the educational system. However, a fact-finding mission by the World Intellectual Property Organization (WIPO) found that modern cultural influences and pressures are rapidly changing indigenous ways of life and endangering the survival of their traditions, culture and knowledge.⁶⁷

252. Culture is jeopardized when its expressions such as folklore, art, crafts and music are exploited, commercialized and subsequently copyrighted or patented under the Western system of intellectual property rights. That legal framework typically fails to protect the traditional knowledge and cultural heritage of indigenous peoples, who emphasize collective ownership of all their resources. The situation is further exacerbated by the willingness and openness of indigenous peoples to share their knowledge and culture, consistent with their philosophy on communal rights and their oral tradition. The wanton transfer of traditions, cultures and their symbols to the modern world without their being fully understood also leads to incorrect interpretations that ultimately debase those elements that indigenous peoples consider sacred. Although increasing indigenous activism and public awareness have recently, in some cases of patent recognition, led to decisions in favour of indigenous communities, the battle on that front continues.

253. Another factor that leads to the undermining of indigenous culture is the discriminatory or racist treatment of indigenous peoples, including discrimination in the justice system.⁶⁸ A deliberate policy of abolishing indigenous culture through assimilation is historically an approach by which modern society seeks to minimize conflicts with indigenous peoples. Such discriminatory policy is based on the perception that indigenous culture is undesirable or inferior and incompatible with modern

society and economy. For example, WIPO found that indigenous culture and cosmology were systematically misinterpreted and misrepresented, resulting in the further negative stereotyping of indigenous peoples.⁶⁹ It is interesting to note that while indigenous peoples are negatively stereotyped for their medicinal practices, corporations have been active in bioprospecting for new medicines based on the knowledge of indigenous peoples about the medicinal value of plants.

254. Multinational pharmaceutical corporations have been aggressive in exploring and gaining control of traditional indigenous medicines and in registering sacred plants as if they had been developed in a laboratory. Examples include the now-revoked patents on neem and turmeric, two medicinal plants used in India from time immemorial based on traditional knowledge.⁷⁰ The patent on ayahuasca (or yage), a plant considered sacred by the indigenous peoples of Amazonia, is now under litigation. A patent on quinoa was granted based on the supposed invention by researchers, but the quinoa plant has long been a food staple for the indigenous peoples in Bolivia's Altiplano. If the patent came into force, there was a risk that it would impair the indigenous communities' capacity to sell their own agricultural products, and that improved varieties might eventually be imported into Bolivia at higher prices.⁷¹

255. Globalization, homogenization and westernization of societies as well as the folklorization of tradition are among the many forces that tend to undermine indigenous cultures and weaken the ability of indigenous peoples to sustain their traditional livelihoods. Against that background, and faced with routine discrimination, the very survival of many indigenous communities has been and continues to be at stake.

Conclusion

256. Various forms of sociocultural biases and formal and informal discrimination lead to social exclusion, resulting in social vulnerability among individuals,

⁶⁷ World Intellectual Property Organization, *Intellectual Property Needs and Expectations of Traditional Knowledge Holders: WIPO Report on Fact-Finding Missions on Intellectual Property and Traditional Knowledge (1998-1999)* (Geneva, 2001).

⁶⁸ Australian Royal Commission into Aboriginal Deaths in Custody, Australian Aboriginal deaths in custody reports.

⁶⁹ WIPO, *Intellectual Property Needs and Expectations of Traditional Knowledge Holders*.

⁷⁰ Chakravarthi Raghavan, "Neem patent revoked by European Patent Office", *Third World Network*, 11 May 2000.

⁷¹ WIPO, *Intellectual Property Needs and Expectations of Traditional Knowledge Holders*.

households and disadvantaged groups and communities. Stereotyping of any kind hinders the cause of social integration by fostering misperceptions, bias and discrimination. Persons with disabilities, women, migrants, indigenous peoples and older persons all face misperceptions in their struggles for social acceptance and integration. Certain existing institutions, social structures and practices, including such generally accepted ones as professional licensing and other formal requirements also constitute de facto

barriers preventing the full participation by all members of society. Therefore, the task for social policy makers is not limited to ridding societies of prejudice, misperception and open discrimination. What is required is a closer and more comprehensive examination of social institutions, structures and accepted practices, with a view to making necessary changes in order to correct any unintended effects they might have on social integration.