



Recognising The Rights Of Indigenous Peoples

Andrew Erueti



Recognising The Rights Of Indigenous Peoples:

Recognising the Rights of Indigenous Peoples Alison Quentin-Baxter, 1998-01-01 **The Inherent Rights of Indigenous Peoples in International Law** Antonietta Di Blase, Valentina Vadi, 2020-02-24 This book highlights the cogency and urgency of the protection of indigenous peoples and discusses crucial aspects of the international legal theory and practice relating to their rights These rights are not established by states rather they are inherent to indigenous peoples because of their human dignity historical continuity cultural distinctiveness and connection to the lands where they have lived from time immemorial In the past decades a new awareness of the importance of indigenous rights has emerged at the international level UN organs have adopted specific international law instruments that protect indigenous peoples Nonetheless concerns persist because of continued widespread breaches of such rights Stemming from a number of seminars organised at the Law Department of the University of Roma Tre the volume includes contributions by distinguished scholars and practitioners It is divided into three parts Part I introduces the main themes and challenges to be addressed considering the debate on self determination of indigenous peoples and the theoretical origins of indigenous sovereignty Parts II and III explore the protection of indigenous peoples afforded under the international law rules on human rights and investments respectively Not only do the contributors to this book critically assess the current international legal framework but they also suggest ways and methods to utilize such legal instruments towards the protection promotion and fulfilment of indigenous peoples rights to contribute to the maintenance of peace and the pursuit of justice in international relations DOI 10 13134 978 88 32136 92 0 *Political Theory and the Rights of Indigenous Peoples* Duncan Ivison, 2000-10-12 This 2001 book focuses on the problem of justice for indigenous peoples and the ways in which this poses key questions for political theory the nature of sovereignty the grounds of national identity and the limits of democratic theory It includes chapters by leading political theorists and indigenous scholars from Australia Aotearoa New Zealand Canada and the United States One of the strengths of this book is the manner in which it shows how the different historical circumstances of colonization in these countries nevertheless raise common problems and questions for political theory It examines ways in which political theory has contributed to the past subjugation and continuing disadvantage faced by indigenous peoples while also seeking to identify resources in contemporary political thought that can assist the decolonisation of relations between indigenous and non indigenous peoples *The Rights of Indigenous Peoples in Marine Areas* Stephen Allen, Nigel Banks, Øyvind Ravna, 2019-09-19 The question of what rights might be afforded to Indigenous peoples has preoccupied the municipal legal systems of settler states since the earliest colonial encounters As a result of sustained institutional initiatives many national legal regimes and the international legal order accept that Indigenous peoples possess an extensive array of legal rights However despite this development claims advanced by Indigenous peoples relating to rights to marine spaces have been largely opposed This book offers the first sustained study of these rights and their reception within modern legal systems

Taking a three part approach it looks firstly at the international aspects of Indigenous entitlements in marine spaces It then goes on to explore specific country examples before looking at some interdisciplinary themes of crucial importance to the question of the recognition of the rights of Indigenous peoples in marine settings Drawing on the expertise of leading scholars this is a rigorous and long overdue exploration of a significant gap in the literature *Recognising Human Rights in Different Cultural Contexts* Emily Julia Kakoullis, Kelley Johnson, 2020-06-26 This book explores the journey of the United Nations Convention on the Rights of Persons with Disabilities CRPD as it is interpreted and translated from International Human Rights Law into domestic law and policy in different cultural contexts Beginning with reflections on culture disability and human rights from different disciplinary perspectives the work is then organised as snapshots of the journey of the CRPD from the international level to the domestic the process of ratification the process of implementation and then the process of monitoring the CRPD s implementation in States Parties cultural contexts Leading global contributors provide cutting edge accounts of the interactions between the CRPD and diverse cultures revealing variations in the way that the concept of culture is defined This collection will appeal to academics and students in Law and Socio Legal Studies Disability Studies Policy Studies and Social Work Sociology Anthropology and those training to be service providers with persons with disabilities Peacebuilding and the Rights of Indigenous Peoples Heather Devere, Kelli Te Maihāroa, John P. Synott, 2016-10-25 This book analyses efforts to advance the rights of Indigenous People within peace building frameworks Section I critically explores key issues concerning Indigenous Peoples Rights struggles for land human cultural civil legal and constitutional rights in connection with key approaches in peace building such as nonviolence non violent strategic action peace education sustainability gender equality cultures of peace and environmental protection Section II examines indigenous leaders and movements using peace and non violent strategies while Section III presents case studies on the successes and failures of peace perspectives regarding contributions to developments in advancement of barriers to the rights of Indigenous Peoples Lastly Section IV investigates what advances have been achieved in Universal Indigenous Peoples Rights in the 21st century within the context of sustainable peace *The UN Declaration on the Rights of Indigenous Peoples* Andrew Erueti, 2022-02-08 The book provides a comprehensive definitive account of the history of the international indigenous rights movement culminating in the UN s adoption of a Declaration on the Rights of indigenous peoples This account reveals for the first time the diversity of agendas and argument advanced by advocates split broadly between northern and southern movements Based on this political history the book presents a new way of interpreting and implementing the Declaration a method that is true to the aspirations of the movements in the Declaration negotiations and coherent and compelling in the context of implementation This method also assists in clarifying with more certainty than other methods the meaning of indigenous peoples for the purposes of international law **Litigating the Rights of Minorities and Indigenous Peoples in Domestic and International Courts** Bertus de Villiers, Joseph Marko, Francesco

Palermo, Sergiu Constantin, 2021-08-30 This book focuses on trend setting judgments in different parts of the world that impacted on the rights of persons belonging to minorities and Indigenous people The cases illustrate how the judiciary has been called upon to fill out the detail of minority protection arrangements and how in doing so in many instances the judiciary has taken the respective countries on a course that parliament may not have been able to navigate In this book authors from various backgrounds in the practical application of minority protection arrangements investigate the role of the judiciary in constitutional arrangements aimed at the protection of the rights of minorities and Indigenous peoples

Indigenous Rights in the Modern Era Bertus de Villiers, 2023-06-26 International law is rich in promise but poor in detail and practical application about the rights of indigenous people This book focuses on practical measures that have been implemented in states to give effect to free prior and informed consent FPIC self determination by indigenous people special electoral measures to benefit indigenous people and the role of advisory bodies to advocate for indigenous interests In many comparative works there are often only scant or brief reference to some country experiences but in this book several case studies are explored in depth to promote a greater understanding of the self determination arrangements that have been implemented These case studies represent a form of glocalisation whereby global principles are applied to find local solutions and local solutions in turn inform greater clarity and specificity to global principles At the end of each chapter key lessons that can be drawn from the respective case studies are identified in the hope that those may inform developments in other countries and in international law

European Conquest and the Rights of Indigenous Peoples Paul Keal, 2003-08-28 Paul Keal examines the historical role of international law and political theory in justifying the dispossession of indigenous peoples as part of the expansion of international society He argues that paradoxically law and political theory can now underpin the recovery of indigenous rights At the heart of contemporary struggles is the core right of self determination and Keal argues for recognition of indigenous peoples as peoples with the right of self determination in constitutional and international law and for adoption of the Draft Declaration on the Rights of Indigenous Peoples by the General Assembly He asks whether the theory of international society can accommodate indigenous peoples and considers the political arrangements needed for states to satisfy indigenous claims The book also questions the moral legitimacy of international society and examines notions of collective guilt and responsibility

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