UNIT 12  INDIGENOUS PEOPLE AND HUMAN RIGHTS

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12.0 OBJECTIVES

This unit deals with the Status of Indigenous People world over, International Communities Concern with their rights and Spread of awareness about Indigenous People, Concerns.

After going through this unit you will be able to:

- recognize who indigenous people are;
- know what their status has been in terms of exploitation and neglect of recognition of their identity;
- understand what international Community at UN level and at regional levels has been doing to promote and protect their identity and rights; and
- know various sources that are available to understand status of Indigenous People and what is being done to improve their position.

12.1 INTRODUCTION

Indigenous People are known as the first nation people, tribals, aboriginals, adivasis, vanavasis, girijans, etc. Indigenous or aboriginal peoples are so called because they were living on their lands before settlers came from elsewhere; they are the descendants — according to one definition — of those who inhabited a country or a geographical region at the time when people of different cultures or ethnic origins arrived, the new arrivals later becoming dominant through conquest, occupation, settlement or other means. They have historical continuity with pre-invasion and pre-colonial societies that developed in their territories. They consider themselves as distinct from other sections of society in their homeland.
The United Nations has increasingly taken up the cause of these aboriginal who are considered as the World’s most disadvantaged group. Excluded from the decision-making process many of these people are marginalized, exploited, assimilated and subjected to repression, torture and murder when they speak out in defense of their rights. Fearing persecution they often become refugees or mask their identity abandoning their language, traditional costumes and clothing. In recent years these people have become quite aware of their exploitation. They have been organizing themselves to defend their rights and dignity. United Nations, particularly Human Rights commission and its sub-commission have been engaged in protection and promotion of their rights, identity and due place in societies they live in.

12.2 INDIGENOUS PEOPLE

People who inhabited land before it was conquered by colonial societies and who consider themselves distinct from the societies currently governing those territories are called Indigenous Peoples. As defined by the United Nations Special Rapporteur to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Indigenous communities, people and nations are those which having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system.

Indigenous Peoples worldwide number between 300-500 million, embody and nurture 80% of the world’s cultural and biological diversity, and occupy 20% of the world’s land surface. The Indigenous Peoples of the world are very diverse. They live in nearly all the countries on all the continents of the world and form a spectrum of humanity, ranging from traditional hunter-gatherers and subsistence farmers to legal scholars. In some countries, Indigenous Peoples form the majority of the population; others comprise small minorities. Indigenous Peoples are concerned with preserving land, protecting language and promoting culture. Some Indigenous Peoples strive to preserve traditional ways of life, while others seek greater participation in the current state structures. Like all cultures and civilizations, Indigenous Peoples are always adjusting and adapting to changes in the world. Indigenous Peoples recognize their common plight and work for their self-determination; based on their respect for the earth. Despite such extensive diversity in Indigenous communities throughout the world, all Indigenous Peoples have one thing in common – they all share a history of injustice. Indigenous Peoples have been killed, tortured and enslaved. In many cases, they have been the victims of genocide. They have been denied the right to participate in governing processes of the current state systems. Conquest and colonization have attempted to steal their dignity and identity as indigenous peoples, as well as the fundamental right of self-determination.

12.2.1 Indigenous Peoples’ Rights at Stake

Despite international recognition and acceptance of the Universal Declaration of Human Rights, which guarantees the fundamental rights of all human beings,
in practical fact Indigenous Peoples’ human rights remain without specifically designated safeguard. To this day, Indigenous Peoples continue to face serious threats to their basic existence due to systematic government policies. In many countries, Indigenous Peoples rank highest on such underdevelopment indicators as the proportion of people in jail, illiteracy rate, unemployment rate, etc. They face discrimination in schools and are exploited in the workplace. In many countries, they are not even allowed to study their own languages in schools. Sacred lands and objects are plundered from them through unjust treaties. National governments continue to deny Indigenous Peoples the right to live in and manage their traditional lands; often implementing policies to exploit the lands that have sustained them for centuries. In some cases, governments have even enforced policies of forced assimilation in efforts to eradicate Indigenous Peoples, cultures, and traditions. Over and over, governments around the world have displayed an utter lack of respect for Indigenous values, traditions and human rights.

In international discussions on the protection and promotion of Indigenous Peoples’ human rights, some States have argued that a more conscientious application of human rights standards would resolve the issue. On the other hand, Indigenous Peoples argue that such international human rights standards have consistently failed to protect them thus far. What is needed, they argue, is the development of new international documents addressing the specific needs of the world’s Indigenous Peoples. Although the Universal Declaration of Human Rights is designed to protect the human rights of all individual human beings. International law concerning collective human rights remains vague and can fail to protect the group rights of Indigenous Peoples.

Check Your Progress 1

1) Who are known as Indigenous people?

2) What rights of indigenous people are under challenge?
12.3 INTERNATIONAL INSTRUMENTS FOR THE PROTECTION OF INDIGENOUS PEOPLES’ RIGHTS

You have read earlier that International legal instruments take the form of a treaty (also called agreement, convention, covenant, protocol), which may be binding, on the Contracting States. When negotiations are completed, the text of a treaty is established as authentic and definitive and is “signed” to that effect by the representatives of States. There are various means by which a state expresses its consent to be bound by a treaty. The most common are ratification or accession. A new treaty is “ratified” by those states that have negotiated the instrument. A state, which has not participated in the negotiations, may, at a later stage, “accede” to the treaty. The treaty enters into force when a pre-determined number of states have ratified or acceded to the treaty. When a state ratifies or accedes to a treaty, that state may make reservations to one or more articles of the treaty, unless reservations are prohibited by the treaty. Reservations may normally be withdrawn at any time. In some countries, international treaties take precedence over national law; in others, a specific law may be required to give an international treaty, although ratified or acceded to, the force of a national law. Practically all states that have ratified or acceded to an international treaty must issue decrees, amend existing laws or introduce new legislation in order for the treaty to be fully effective on the national territory.

Not all International instruments are legally binding treaties. For example, some of the most important human rights instruments are declarations. A declaration does not have any legal power to enforce compliance, but rely purely on the moral weight it carries. Indigenous Peoples’ rights overlap with many other human rights. Many important Indigenous Peoples’ rights are not framed in specific Indigenous Peoples’ rights treaties, but are part of more general treaties, like the Universal Declaration of Human Rights or the Convention on the Prevention and Punishment of the Crime of Genocide. There are various such instruments that either mention or proclaim the rights of Indigenous people. These include both evolved by the United Nations Organization and other international bodies.

12.3.1 United Nations Instruments

Since its establishment, the United Nations has, as part of its overall human rights work, addressed some situations which affect indigenous people. The concerns of indigenous people find their place in a number of instruments and studies prepared over the years, and in the activities of human rights organs. Important of these are discussed below.

Declaration on the Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous People was adopted by the United Nations General Assembly during its 61st session at UN Headquarters in New York City on 13 September, 2007. While as a General Assembly Declaration it is not a legally binding instrument under international law, according to an UN press release, it does “represent the dynamic development of international legal norms and it reflects the commitment of the UN’s member states to move in certain directions”; the UN described it as setting “an important standard for the treatment of indigenous peoples that will undoubtedly be a
significant tool towards eliminating human rights violations against the planet’s 370 millions indigenous people and assisting them in combating discrimination and marginalisation”.

The Declaration sets out the individual and collective rights of indigenous peoples, as well as their rights to culture, identity, language, employment, health, education and other issues. It also “emphasizes the rights of indigenous peoples to maintain and strengthen their own institutions, cultures and traditions, and to pursue their development in keeping with their own needs and aspirations”. It “prohibits discrimination against indigenous people”, and it “promotes their full and effective participation in all matters that concern them and their rights to remain distinct and to pursue their own visions of economic and social development”.

Originally drafted in 1985 by the Working Group on Indigenous Populations, the world’s largest human rights forum, the draft Declaration was adopted by the United Nations Sub-Commission on the Promotion and Protection of Human Rights in 1994. From there, the draft was submitted to the Commission on Human Rights, which established the Working Group on the draft Declaration on the Rights of Indigenous Peoples. The Working Group, in which more than 200 Indigenous organizations participate, meets once a year. Its goal has been to facilitate the General Assembly’s adoption of the Declaration by 2004, the final year of the International Decade for the World’s Indigenous Peoples. The U.N. General Assembly finally adopted the declaration on the rights of Indigenous People on 17 Sep. 2007. Australia, Canada, New Zealand and the United States voted against the declaration.

**Universal Declaration of Human Rights (1948)**

The Universal Declaration of Human Rights is the first international document that states that all human beings are “equal in dignity and rights”. (Article 1) Everybody is entitled to the rights in the Declaration, “without disentitled to the rights in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. (Article 2)

From the above clause it is quite clear that like other individuals indigenous peoples are entitled to enjoy all existing human rights. Therefore, United Nations Committees which oversee the implementation of binding agreements – the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child, which includes specific provisions relating to indigenous people – consider indigenous issues when examining reports by States on their performance under these treaties.

**Convention on the Prevention and Punishment of the Crime of Genocide (1951)**

Genocide means any of the following acts which have the intention of destroying, in whole or in part, a national, ethnical, racial or religious group: “killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of like calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent birth within the group; forcibly transferring children of the group to another
Since indigenous peoples form a group and have been so recognized, they are covered by this convention.

**International Covenant on Civil and Political Rights (1966)**

This Covenant outlines the basic civil and political rights of individuals. There are also provisions for collective rights. "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language," (Article 27). As already mentioned the Human Rights Committee constituted to monitor implementation of ICCPR.

**International Covenant on Economic, Social and Cultural Rights (1966)**

This Covenant describes the basic economic, social, and cultural rights of individuals. It also has provisions for collective rights, under which category indigenous peoples are also covered.

**Convention on the Elimination of All Forms of Racial Discrimination (1966)**

"Racial discrimination" is defined as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life." (Article 1)

**International Labour Organization (ILO) Convention (1989)**

The ILO Indigenous and Tribal Peoples Convention was the first international convention to address the specific needs for Indigenous Peoples' human rights. The convention outlines the responsibilities of governments in promoting and protecting the human rights of Indigenous Peoples.

**Convention on the Rights of the Child (1990)**

The Convention contains regulations and suggestions relevant to Indigenous Peoples on the non-discrimination of children (Article 2), the broadcasting of information by the mass media in minority languages (Article 17), the right to education, including education on human rights, its own cultural identity, language and values (Article 29). Article 30 states that children of minorities or indigenous origin shall not be denied the right to their own culture, religion or language. (Article 30)

**Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities (1992)**

This Declaration deals with all minorities, which includes many of the world’s Indigenous Peoples. It concerns only individual rights, although collective rights might be derived from those individual rights. The Declaration deals both with states’ obligations towards minorities as well as the rights of minority people. Topics that are dealt with include the national or ethnic, cultural, religious or linguistic identity of minorities (Article 1); the free expression and development of culture; association of minorities amongst themselves; participation in decisions regarding the minority (Article 2); the exercise of minority rights, both individual and in groups (Article 3); and education of and about minorities. (Article 4)
Convention on Biological Diversity (1992)

The Convention calls upon its signatories to “respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices;” (Article 8(j))

12.3.2 United Nations Conferences

Rio Declaration on Environment and Development and Agenda 21 (1992)

These two documents are connected to the Earth Summit in Rio de Janeiro. In them, the special relationship between Indigenous Peoples and their lands is acknowledged. Indigenous Peoples have a vital role in environmental management and development because of their traditional knowledge and practices. (Rio Declaration, Principle 22) In order to fully make use of that knowledge, some Indigenous Peoples might need greater control over their land, self-management of their resources and participation in development decisions affecting them. (Agenda 21, Chapter 26.4)

Vienna Declaration and Programme of Action (1993)

As you know the Vienna Declaration is the closing declaration of the 1993 World Conference on Human Rights held in Austria. Apart from other aspects it also “recognizes the inherent dignity and the unique contribution of indigenous people [sic] to the development and plurality of society and strongly reaffirms the commitment of the international community to their economic, social and cultural well-being.” (1.20)

Furthermore, the declaration called for the completion of the draft Declaration on the rights of Indigenous Peoples, the renewal and updating of the mandate of the Working Group on Indigenous Populations and the proclamation of the International Decade of Indigenous Peoples. (1.28 – 32). The Conference called upon States to take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people, on the basis of equality and non-discrimination and recognize the value and diversity of their distinct identities, cultures and social organizations.


At this Conference in 1994 it was agreed that the perspectives and needs of Indigenous Peoples should be included in population, development or environmental programs that affect them, that they should receive population- and development-related services that are socially, culturally and ecologically appropriate. (Paragraph 6.24) Another important decision was that Indigenous Peoples should be enabled to have tenure and manage their land, and protect the natural resources and ecosystems on which they depend. (Paragraph 6.27)

Durban Declaration and Programme of Action (2001)

The Durban Declaration and Programme of Action has a specific section dealing with Indigenous peoples issues. Perhaps more important than all the
recommendations is the fact that the Declaration is the first United Nations documents that uses the phrase “Indigenous Peoples” rather than “Indigenous People”.

12.3.3 Regional Groupings Declarations

**European Union (EU)**


This resolution provides the main European Union guidelines for support of Indigenous Peoples. It calls for the integration of Indigenous Peoples’ interests at all levels of development cooperation and the full and free participation of Indigenous Peoples in the development process. The resolution states: “Indigenous cultures constitute a heritage of diverse knowledge and ideas, which is a potential resource for the entire planet.”

**Organization for Security and Cooperation in Europe (OSCE) High Commissioner on National Minorities**

The Office of the OSCE High Commissioner on National Minorities was established in 1992 to identify and seek early resolution of ethnic tensions that might endanger peace, stability or friendly relations between OSCE participating States. The High Commissioner has no specific Indigenous Peoples mandate, but treats Indigenous Peoples like any other national minority.

**Organization of American States (OAS)**

**Proposed American Declaration on the Rights of Indigenous Peoples (1997)**

The draft Declaration outlines the human rights that are specific to Indigenous Peoples. Items covered include, among others, the right to self-government, Indigenous law and the right to cultural heritage. A Working Group of the OAS is still discussing the Declaration.

**World Bank**


This Operational Directive outline the World Bank’s definition of and interest in Indigenous Peoples. It also addresses economic issues (technical assistance and investment project mechanisms) concerning Indigenous Peoples. The Bank’s narrow definition of Indigenous Peoples and ambiguity concerning its role in their economic development has resulted in much criticism from Indigenous Peoples’ human rights advocates. Consequently, the World Bank is currently in the process of revising it.

**Check Your Progress 2**

1) How does various U.N Human Rights Conventions protect Indigenous people?

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2) What are the basic contents of Declaration on the Rights of Indigenous People?

3) On what criticism some countries in U.N. General Assembly voted against the Declaration?

12.4 UNITED NATIONS ORGANS FOR INDIGENOUS PEOPLES’ HUMAN RIGHTS

United Nations and its subsidiary bodies have established following organs specifically to work on issues concerning indigenous peoples and their rights.

UN Working Group on Indigenous Populations

The United Nations Working Group on Indigenous Populations, a subsidiary organ of the Sub-Commission on the Promotion and Protection of Human rights is the first and only UN body involved exclusively with matters concerning the human rights of Indigenous Peoples. It reviews national developments concerning the promotions and protection of Indigenous Peoples’ human rights and develops international standards for their rights and freedoms. The Working Group also undertakes studies on a variety of issues affecting Indigenous Peoples. Nearly 700 persons regularly attend the Working Group sessions, including observers for Governments, Indigenous Peoples, non-governmental organizations, and scholars.

In reviewing national developments, the working group receives and analyses written information submitted by Governments, specialized agencies and other organs of the United Nations, other international and regional inter-governmental organization, non-governmental bodies and the indigenous people themselves.

The Working Groups mandate, however, does not authorize it to examine specific complaints of alleged violations of human rights with the purpose of making recommendations or taking decisions on such cases; other United Nations complaints channels are available for that purpose.
UN Permanent Forum on Indigenous Issues

In 2000, the Economic and Social Council (ECOSOC), one of the six main organs of the United Nations, established the Permanent Forum on Indigenous Issues to consider a wide range of issues affecting Indigenous Peoples. The Forum, which includes eight Indigenous experts, is the first and only international body in the United Nations that has Indigenous Persons as specified members. It meets once a year for ten working days and submit annual reports to the Economic and Social Council. The first meeting was held on May 13-24, 2002. The Permanent Forum serves as an advisory board to the Economic and Social Council, discussing Indigenous issues relating to economic and social development, culture, the environment, education, health, and human right. From these discussions, the Forum provides expert advice and recommendations to the Council, raises awareness of Indigenous issues within the UN system, and prepares and disseminates information on Indigenous issues.

UN Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous peoples

Rodolfo Stavenhagen was appointed as the first Special Rapporteur on Indigenous Peoples on 24 April 2001. His mandate is as follows: to gather information on violations of human rights and fundamental freedoms of Indigenous Peoples, to formulate recommendation to prevent and remedy such violations and to work together with other experts of the UN Commission on Human Rights and of the Sub-Commission on the Promotion and Protection of Human rights. The Rapporteur cooperates closely with the Permanent Forum on Indigenous Issues and the Working Group on Indigenous Populations.

12.5 AWARENESS GENERATION AND EDUCATION

Various agencies, organs and NGOs working for the promotion and protection of Indigenous peoples rights are also actively engaged in spreading awareness and education about their conditions and rights. For that purpose some specific websites have also been created which discriminate useful information concerning Indigenous people’s issues.

Principal Websites Devoted to Indigenous Peoples’ Human Rights

Center for the World’s Indigenous Peoples

The Center for the World’s Indigenous Peoples is a research and education organization dedicated to an appreciation of the knowledge of indigenous peoples. It serves to promote greater understanding of the social, economic and political realities of indigenous nations. The Center aims to foster better understanding between peoples and to establish cooperation between nations as well as between nations and states. The Center’s website contains information on education programs and conferences, publications research and domestic and international policy concerning Indigenous Peoples. The website also includes links to The Center for Traditional Medicine, The Fourth World Institute, The Fourth World Journal, and The Center for the World’s Indigenous Peoples’ Bookstore.

Native Web

Native Web is an international educational organization that uses telecommunications to disseminate information about indigenous nations,
peoples, and organization around the world. Native Web enables indigenous communities all over the world to communicate, share resources, and coordinate on projects and initiatives. Native Web’s on-line resource Center includes a nations index, geographic regions index, news/events, legal issues, books and music. Links at this site provide pathways to detailed information concerning nearly any Indigenous issue.

**Cultural Survival**

Cultural Survival is an organization dedicated to developing new strategies for responding directly to the critical needs of the world’s indigenous populations. It analyses and publicizes examples of how indigenous peoples have successfully responded to the serious crises. These case studies are the central issues of Cultural Survival’s research, education and advocacy program. They are discussed in Cultural Survival’s conferences, in its publications and on its web site.

**The Indigenous and Tribal Peoples Centre**

The Indigenous and Tribal Peoples Centre aims to foster a better understanding of Indigenous Peoples’ values, knowledge, practices and education. The Website provides links to resources that enhance understanding of current development on relevant issues and provide information important for informed participation between various sectors of society and in decision-making processes. Four of the Website’s main topics are: promoting sustainability, traditional cultures and values, legal frameworks and Indigenous Peoples, and Indigenous Peoples, Mother Earth and the Spirituality Project.

**Indian Law Resource Center**

The Indian Law Resource Center engages in legal advocacy for the protection of Indigenous People’s human rights, cultures and traditional lands. On the site are descriptions of the Center’s casework, archives to newsletters and links to relevant organizations and documents. The Center deals with cases in North and Central America.

**Survival International**

Survival International is a worldwide organization supporting tribal peoples. It stands for their right to decide their own future and helps them protect their lives, lands and human rights. Survival works by educating the people of ‘The West’ about Indigenous People and by providing Indigenous People with the information and means they need to preserve their way of life in the face of contacts with the Western world and Western companies.

**United Nations Office of the High Commission for Human Rights**

The Office of the High Commission for Human Rights’ Indigenous Peoples website provides an extensive overview of Indigenous Peoples and the UN systems. This site also provides links to the Working Groups, the Permanent Forum, Special Rapporteur, UN documents, funding, and the UN system.

**United Nations Development Programme – Indigenous Peoples**

This site details how the UNDP works together with Indigenous Peoples. It includes information on Indigenous Peoples’ issues, the UNDP’s programs and objectives regarding Indigenous Peoples, and a resource center containing documents, information on conferences and contacts at the UN.
World Conference Against Racism/UN Guide for Indigenous Peoples

The United Nations Guide for Indigenous Peoples includes twelve leaflets on indigenous Peoples and the UN system. Some of these include: Indigenous Peoples, the UN and Human Rights, Human Rights Treaty Bodies and Indigenous People, Indigenous Children and Youth, and Indigenous Peoples and the Environment.

Indigenous Peoples and the European Union

European Union Human rights and Democratisation Policy – Promoting and Protecting the rights of Indigenous Peoples

The website has a link to the EU Council Resolution on Indigenous Peoples. It also contains information on some of the EU programs that affect indigenous peoples. It lists names and email addresses of relevant EU people and has links on international organizations and indigenous NGOs.

Indigenous Peoples and the Organization of American States

Inter-American Commission on Human Rights

This is the website of the Human Rights Commission of the Organization of American States. Most information relates to human rights in general, but under the heading ‘Publications’ there is a link to the Proposed American Declaration on the rights of Indigenous Peoples.

The People’s Decade of Human Rights Education

The People’s Decade of Human Rights Education (PDHRE) is dedicated to increasing awareness of human rights in order to strengthen and invigorate efforts for change. PHDRE teaches how the human rights framework can be used to address social and economic injustices throughout the world. The Indigenous Peoples’ component of the PDHRE website provides a concise overview of Indigenous Peoples’ human rights and a comprehensive explanation of governments’ obligations and commitments to ensuring the human rights of Indigenous Peoples with specific text citations. It also includes a wide variety of lesson plans and strategies for human rights education.

Check Your Progress 3

1) What role U.N. Permanent Forum on Indigenous people performs?
2) Write about some voluntary organizations working for the course of Indigenous people?

12.6 LET US SUM UP

Discussions in the Working Group on Indigenous Populations and in other human rights bodies indicate that, despite certain progress made, a great deal remains to be done in order to resolve outstanding issues coming between indigenous peoples’ interests and national or private development, between the livelihoods and lifestyles of the peoples concerned and public policies and projects. The positive contribution, which indigenous groups can make to environmental protection has already been mentioned. The land issue remains crucial. National economic development generates pressure on territory still in the hands of indigenous peoples. Barren wastelands or forested hinterlands once thought to have little economic, political or military value have been identified as areas of vital importance. These developments could affect the economies and habitats, and the social, religious and cultural systems of indigenous peoples.

The world community has long acknowledged that the distinct cultures and languages of indigenous peoples form part of the cultural heritage of humankind and deserve protection. Much more important than a means of everyday communications, language is the vehicle of culture and identity. Yet organizations defending indigenous peoples’ rights cite cases where educational systems are being used to forge nations with one language, history and culture.

Many Governments have stated that they are aware of the serious problems faced by indigenous peoples living in their territories and of the factors, which have placed them among the most vulnerable groups in national societies. In some parts of the world, a permanent dialogue is taking place. In other places, direct negotiations between indigenous peoples and Governments have been instituted and are moving forward, with the aim of improving relations and guaranteeing better protection of indigenous peoples’ rights.

Some countries have introduced autonomous institutions as well as other programmes specially designed for indigenous peoples at the local and regional levels. These moves are designed to improve conditions in such areas as health, housing, labour and education, and contribute, as far as possible, to the maintenance of traditional ways of life and culture.

In recent years, several Governments have amended their constitutions and legislation to take into account the multicultural character of national society. Some progress has also been made in returning and guaranteeing collective ownership of indigenous lands.
The involvement of the United Nations in the promotion and protection of the rights of indigenous peoples has progressed rapidly. This role will be enhanced by public awareness and understanding of the principal issues involved. The International Decade offers an opportunity to raise public awareness and interest and to develop an international plan of action for the improvement of the living conditions of indigenous peoples.

12.7 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

1) People who inhabited land before it was occupied or conquered by colonial societies or settlers from outside. They have historical continuity with pre-invasion and pre-colonial societies.

2) See sub-section 12.2.1

Check Your Progress 2

1) Human Rights provided in various U.N. treaties are available to all human beings without discrimination of race, religion, sex, nationality etc. As such they are also available to indigenous people. In addition indigenous people are protected by specific rights provided to them as a group.

2) See sub-section 12.3.1

3) These relate to issues of rights to self-determination, land claims etc. For details see sub-section 12.3.1

Check Your Progress 3

1) The forum serves as an advisory board to the Economic and Social Council. It discusses indigenous issues relating to economic and social development, culture, environment, education, health and human rights.

2) Write your answer on the basis of contents in section 12.5.

12.8 REFERENCES


Joshua S. Goldstein, International Relations Pearson, New York, 2006

Paul R. Viotti, International Relations and World Politics Prentice Hall, New Delhi. 2001)