

Indigenous Peoples and Human Rights: International and Regional Jurisprudence

By Ben Saul



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Indigenous Peoples and Human Rights explores how general human rights standards have enabled, empowered and constrained indigenous peoples in claiming and defending their essential economic, social, cultural, civil and political interests. The book examines the jurisprudence of United Nations treaty committees and regional human rights bodies (in Africa, the Americas and Europe) that have interpreted and applied human rights standards to the special circumstances and experiences of indigenous peoples. It focuses particularly on how human rights laws since the 1960s have been drawn upon by indigenous activists and victims to protect their interests in ancestral lands, natural resources, culture and language. It further explores the right to indigenous selfdetermination; civil and political rights; economic, social and cultural rights (including labour rights); family and children's rights; violence and discrimination against indigenous peoples; and access to justice and remedies for violations. The book also discusses international and regional efforts to define who is 'indigenous' and who is a 'minority', and the legal relationship between indigenous individuals and their communities. The jurisprudence considered in this book significantly shaped the UN Declaration on the Rights of Indigenous Peoples 2007, which particularises and adapts general human rights standards for indigenous peoples. The book concludes by exploring future normative and implementation challenges in the light of the standard setting and consolidation, and political momentum, surrounding the UN Declaration and associated UN human rights mechanisms.



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Editorial Review

Review

Saul's book provides a valuable insight into the international and regional human rights jurisprudence on Indigenous peoples. It is written in a clear and accessible style and is comprehensive in its coverage. Saul's international law expertise is evident. This would be an ideal book to prescribe for any law subject that looks at the human rights of Indigenous peoples, and for those interested in how the UN and various regional human rights institutions have operated in practice. It is ... the only [book] which focuses specifically on the jurisprudence, and in that regard it is a valuable addition to any library, personal or otherwise. * Alternative Law Journal (2006) * An impressive and seminal work of outstanding scholarship, Indigenous Peoples and Human Rights: International and Regional Jurisprudence is unreservedly recommended for academic library Indigenous Studies collection in general, and Human Rights Law, International Law, and Comparative Law supplemental studies reading lists in particular. -- Paul T. Vogel * Midwest Book Review *

About the Author

Ben Saul is Professor of International Law at the University of Sydney.

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