



## Apply Human Rights

### **Introduction to Litigators and others to Human Rights of Indigenous People**

In many parts of the world, indigenous peoples suffer from a history of discrimination and exclusion that has left them on the margins of the larger societies in which they exist. For this reason, they face great difficulties in maintaining and developing their own models of development and wellbeing and are consequently disproportionately affected by poverty and exclusion.

Under the basic principles of universality, equality and nondiscrimination, indigenous peoples are entitled to the full range of rights established under international law.

International human rights instruments are not enough to guarantee the survival, wellbeing and dignity of indigenous peoples, even if they have a great importance for the protection of their rights. Most international human rights instruments (with the exception of the UN-DECRIPS) protect the rights of the individual. Indigenous peoples need the recognition of specific collective rights for their survival as human groups. These rights include indigenous peoples' rights to their lands, territories and resources, to maintain their cultures, to recognition of their distinct identities, to self-government and self-determination, and to be asked for their free, prior and informed consent in decisions that may affect them. Such rights are considered the minimum standards for the protection of their survival as distinct peoples and are intended to address the challenges most indigenous peoples face around the world.

The most important international treaties which determine standards for the protection of indigenous people can be found under the **Regulations category**.

We have as well covered the regional agreements on the rights of indigenous people and published them under the geographical area, such as **Africa, Americas, Asia, Middle East, Europe and Oceania**.

At the national level most countries have implemented and enforced the human rights of indigenous people in national law.

Still the effective enjoyment of these rights through their full recognition, effective protection and their application is expected from many States. Governments must not only refrain from violating

the human rights of indigenous people, but must work actively to promote and protect these rights.

Under the category **Case Law** we give reference to the most important databases with the rich access to the cases on the violation of indigenous people's human rights. Case law incorporates courts' decisions from individual cases and encompasses courts' interpretations of status, constitutional provisions, administrative regulations and, in some cases, law originating solely from the courts. Ex. a link to the full text of decisions by International Court of Justice referred to the violation of indigenous people's rights.

**Interpretation of refugees' rights by UN and others** is another category under which we placed the interpretation of the content of indigenous people's human rights provisions given in the Compilation of General Comments and General Recommendations adopted by Human Rights Treaty Bodies- International Human Rights Instruments.

To have access to legal recourse against violations of indigenous people's rights is essential. That is why the **Complaint Procedures** category contains an overview of complaint procedures under different international and regional human rights bodies. Individuals who claim that any of their rights have been violated and who have exhausted all available domestic remedies may submit a written communication to the Committee for consideration.

The **Bibliography** category consists of the list of important publications on specific issues of indigenous people's rights.

If you need to get in contact with the persons or organisations working on protection and promotion of indigenous people's rights and get their view on a certain problem we have the **Contact persons/organisations category** at your disposal. Ex. Indigenous Peoples Council on Biocolonialism is organized to assist indigenous peoples in the protection of their genetic resources, indigenous knowledge, cultural and human rights from the negative effects of biotechnology. You can directly come to this page clicking on this link.