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978-1-107-02244-7 - Indigenous Rights in the Age of the UN Declaration

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INDIGENOUS RIGHTS IN THE AGE OF THE UN DECLARATION

This examination of the role played by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in advancing indigenous peoples' self-determination comes at a time when the quintessentially Eurocentric nature of international law has been significantly challenged by the increasing participation of indigenous peoples on the international legal scene. Even though the language of human rights discourse has historically contributed to delegitimizing the rights of indigenous peoples to their lands and cultures, this same language is now upheld by indigenous peoples in their ongoing struggles against the assimilation and eradication of their cultures. By demanding that the human rights and freedoms contained in various UN human rights instruments be now extended to indigenous peoples and communities, indigenous peoples are playing a key role in making international law more "humanizing" and less subject to state priorities.

ELVIRA PULITANO is an associate professor in the Ethnic Studies Department at California Polytechnic State University (Cal Poly, San Luis Obispo). Her research and teaching interests include indigenous studies, African diaspora literatures, Caribbean studies, theories of race and ethnicity, migration, diaspora and human rights discourse.

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With an Afterword by

MILILANI B. TRASK



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This book is dedicated to the resurgence and
flourishing of indigenous peoples around the world,
whose vision and strength continue to enrich us all.

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social, cultural, political, and historical relationships of Native peoples with the United States, including issues of land, culture, language, and education in Native communities. Her work has appeared in journals such as *Teaching and Teacher Education*, *Journal of School Effectiveness*, *Santa Barbara Papers in Linguistics*, and the *Encyclopedia of Religion*. Her most recent edited volume, *Indigenous Symbols and Practices in the Catholic Church: Visual Studies, Missionization and Appropriation* (2010), presents a multidisciplinary discussion of appropriation and missionization, spiritual and religious traditions, and educational issues in the teaching of art and art history, as well as the effects of government sanctions on traditional practice and the artistic interpretation of symbols from Native and Indigenous perspectives. She is co-founder with the California Indian Education Association and the University of California, Santa Barbara of the Community of Scholars: Gatherings of American Indian and Indigenous Students and Mentors.

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MILILANI B. TRASK is a Native Hawaiian attorney with an extensive background in Native Hawaiian land trusts, resources, and legal entitlements. In 1993, Ms. Trask became a member of the prestigious Indigenous Initiative for Peace (IIP), a global body of indigenous leaders convened by Nobel laureate Rigoberta Menchu-Tum. In 1995, she was elected the second vice chair of the General Assembly of Nations of the Unrepresented Nations and Peoples Organizations (UNPO), an international body founded by his holiness the Dalai Lama as an alternative forum to the United Nations. Ms. Trask is an acknowledged peace advocate, and studied and worked for seven years with Mother Theresa of Calcutta. In 2001, Ms. Trask was appointed as the Pacific representative to the United Nations Permanent Forum on Indigenous Issues and is currently considered an indigenous expert to the United Nations in international and human rights law. She is recognized as one of the primary authors of the United Nations Declaration on the Rights of Indigenous Peoples.

SHARON H. VENNE is an Indigenous Treaty person (Cree) and by marriage a member of the Blood Tribe within Treaty 7 with one son. She worked at the United Nations prior to the establishment of the Working Group on Indigenous Peoples in 1982. The background research to the many clauses on the Declaration on the Rights of Indigenous Peoples is included in her book: *Our Elders Understand Our Rights: Evolving International Law Regarding Indigenous Peoples* (1998). In addition, Venne has written numerous articles and edited materials related to the rights of indigenous peoples. She has lectured on the rights of indigenous peoples in Australia, Canada, France, Hawaii, Italy, New Zealand, Norway, Sweden, and the United States. In addition to her work on the

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Declaration, she worked to secure a UN Study on Treaties. From the first introduction of the resolution in 1983 until the report was finalized in 1999, Venne worked to ensure that the report reflected indigenous laws and norms. All her work internationally and domestically relates to the promotion of the rights of indigenous peoples, especially rights related to lands, resources, and treaties. Some of her works on laws of the Cree Peoples related to treaty making were published in *Aboriginal and Treaty Rights in Canada* (Michael Asch, ed.) and *Natives and Settlers – Now and Then* (Paul DePasquale, ed.).

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