

INDIGENOUS PEOPLES & THE DEVELOPMENT AGENDA (WITH SPECIAL REFERENCE TO THEIR LAND RIGHTS)

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ABSTRACT

The Indigenous People's right to land was recognized as early as the 16th century by the Spanish School of International Law (Francisco de Victoria, Domingo de Soto, Francisco Suarez, Bartolome de Las Casas) but the recognition of their rights faded away during the 19th and 20th Century. However, the advocacy of land rights for Indigenous Peoples has started to develop in the past few decades. This paper deals with the Indigenous Peoples and the Development Agenda with special reference to their Land Rights.

Keywords: The Indigenous People, Land Rights.

INTRODUCTION

The word Indigenous has been derived from the Latin term *Indigena*, meaning 'a native'. The term Indigenous Peoples therefore may be inferred to mean 'native people'. Indigenous Peoples can be characterized as having a unique culture, beliefs, language & way of living, they also have distinct economic, social and political systems and they are determined to maintain and develop their identity. The results of the dawn of modern civilisation have been considered to be in conflict with the interests of the Indigenous Peoples worldwide. "While but five per cent of the world's population are indigenous, near to a third of the world's extremely poor rural people – the most left behind – are indigenous – over 30 per cent." Indigenous Peoples have been one of the most neglected sections of the society across the globe. Marginalisation is a norm for Indigenous Peoples. Indigenous Peoples are also considered to be one of the poorest sections of the world and they 'lag behind on all social and economic indicators.[1]

INDIGENOUS PEOPLES AND THEIR LAND RIGHTS

The right to land and their territory is at the center of the struggles of Indigenous Peoples worldwide as they consider it to be the source of their distinct social and cultural identity. Their economic and physical welfare also depends on their right to their own land as traditional knowledge systems are based on the resources and land available to these peoples.[2]

The representatives of Indigenous Peoples have identified the priority areas on which immediate work needs to be done. Following are the excerpts of the e-discussion on the same. Other main priority areas identified by participants at the on-line consultation are the following:

1. Recognition of indigenous peoples at national and international levels; 2. Recognition of indigenous peoples' collective rights, in particular the right to land, territories and natural resources.

Indigenous Peoples and the Development Agenda

The Sustainable Development Goals (SDGs) under the Agenda 2030¹⁶ have been adopted by the member states with the caveat "Leaving no one behind". However, there has been discontentment in the Indigenous community with regard to the insufficient and ineffective reflection of their needs in the Agenda 2030.[3]

Indigenous Peoples themselves have recognized their land and territory rights to be of priority. At a live discussion on Indigenous People's rights in the High Level Political Forum at the UN, specialists emphasized on the importance of land rights.

CONCLUSION

It can thus be inferred that to avail the benefits of the SDGs and to make development a more inclusive process for the Indigenous Peoples, guaranteeing and ensuring that land rights of these peoples are respected, is one of the primary pre requisites for even pursuing the SDGs.

REFERENCES

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