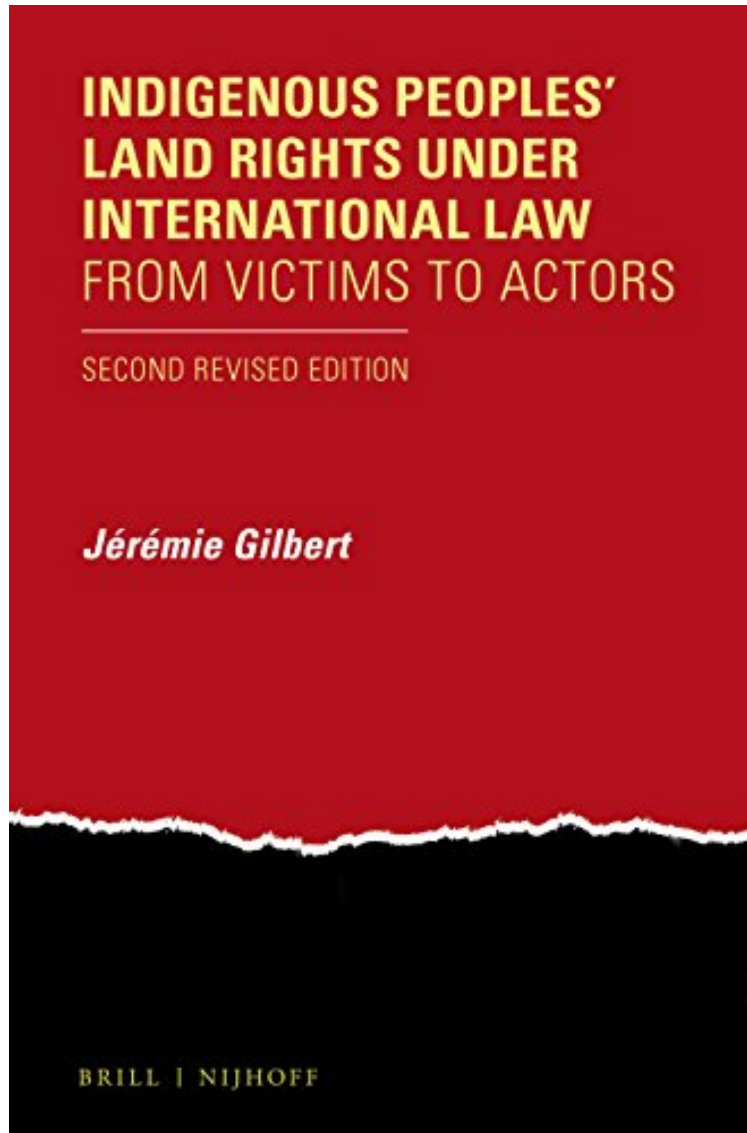


Indigenous Peoples' Land Rights Under International Law: From Victims to Actors

Jrmie Gilbert

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Jrmie Gilbert : Indigenous Peoples' Land Rights Under International Law: From Victims to Actors before purchasing it in order to gage whether or not it would be worth my time, and all praised Indigenous Peoples' Land Rights Under International Law: From Victims to Actors:

This book addresses the right of indigenous peoples to live, own and use their traditional territories, and analyses how international law addresses this. Through its meticulous examination of the interaction between international law and indigenous peoples land rights, the work explores several burning issues such as collective rights, self-determination, property rights, cultural rights and restitution of land. It delves into the notion of past violations and the role of international law in providing for remedies, reparation and restitution. It also argues that there is a new phase in the relationship between States, indigenous peoples and private actors, such as corporations, in the making of territorial agreements. The first edition of this ground-breaking book was published in 2006, at the time the negotiations for the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) were still underway. The adoption of the Declaration in 2007 marks an important moment not only in terms of law-making, but also represents the achievement of long decades of lobbying and advocacy from indigenous peoples representatives. This fully revised new edition reflects on the 10 years which have followed the adoption of the UNDRIP and examines its impact regarding indigenous peoples land rights. Its aim is not only to assess the importance of the UNDRIP in terms of international standards, but also to reflect on the maturing of international law in relation to indigenous peoples land rights. Over the last 10 years these have reached a new level of visibility and a voluminous new jurisprudence and doctrine have been developed. Praise for the first edition: "Gilbert's passion for his subject is palpable and illuminates every page, as do his zeal to expose international law's complicity in indigenous peoples loss of their territories and tentative hope that international law might now provide some protection of indigenous peoples lands. The choice of topic is also to be applauded. There are few texts that examine indigenous peoples land rights in such depth. Claire Charters, Associate Professor, University of Auckland, New Zealand (in *International and Comparative Law Quarterly* (ICLQ)) "Gilbert's gaze is firmly fixed on the future and the question how international law will reflect *lex ferenda* on indigenous land rights. His interpretation of international law must be seen in this light. He is looking beyond the current controversies in the rights discourse towards a more conciliatory phase in state-indigenous relations. International law undoubtedly has an important role to play in his vision, but its primary function is to facilitate dialogue rather than as a combative and adversarial mechanism. (...) Gilbert's book is a tour de force on indigenous territoriality. Stephen Allen, Senior Lecturer in Law, Queen Mary University London, United Kingdom (in *International Journal on Minority and Group Rights*)"