Record Nr. UNINA9910813299603321 Autore Gilbert Jeremie Titolo Indigenous peoples' land rights under international law [[electronic resource]]: from victims to actors // Jeremie Gilbert Ardsley, N.Y., : Transnational Publishers, c2006 Pubbl/distr/stampa **ISBN** 1-283-06022-1 9786613060228 90-474-3130-8 Descrizione fisica 1 online resource (352 p.) Collana Nijhoff eBook titles 2007 Disciplina 346.04/3208997 Indigenous peoples - Land tenure Soggetti Indigenous peoples - Legal status, laws, etc Indigenous peoples (International law) Human rights Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references and index. pt. 1. Indigenous peoples as victims: theories of dispossession -- pt. Nota di contenuto 2. Indigenous peoples as subjects: theories of protection and reparation -- pt. 3. Indigenous peoples as actors: negotiating land rights. This book addresses the right of indigenous peoples to live, own and Sommario/riassunto use their traditional territories. A profound relationship with land and territories characterizes indigenous groups, but indigenous peoples have been and are repeatedly deprived of their lands. This book analyzes whether the international legal regime provides indigenous peoples with the collective right to live on their traditional territories. Through its meticulous and wide-ranging examination of the interaction between international law and indigenous peoples' land rights, the work explores several burning issues such as collective rights, self-determination, autonomy, property rights, and restitution of land. In assessing the human rights approach to land rights the book delves into the notion of past violations and the role of human rights law in providing for remedies, reparation and restitution. It also argues

that there is a new phase in the relationship between States and

indigenous peoples in the making of territorial agreements. Based on its analysis of indigenous peoples' land rights under international law, this book proposes an original theory as regards the legal status of indigenous peoples. It explores how indigenous peoples have been the victims of the rules governing title to territory since the inception of international law, and how under the current human rights regime, indigenous peoples have now gained the status of actors of international law. Published under the Transnational Publishers imprint.