Introduction
Contrasted Perspectives on Recognition and Implementation of Indigenous Rights

1. International Achievements in Furthering Indigenous Peoples’ Rights

The adoption of the United Nations (UN) Declaration on the Rights of Indigenous Peoples on 13 September 2007\textsuperscript{1} by an approving large majority of states embodied the acknowledgement that recognition and protection of these rights had acquired a global acceptance under international law. The process was, after all, a culmination of decades-long efforts to mainstream indigenous rights into the international normative and institutional framework. Some literature finds the roots of the internationalisation of the contemporary indigenous rights struggle in the “decolonisation and antiracism” movements of the 1960s.\textsuperscript{2} The focus here is on the internationalisation of the indigenous rights movement since indigenous peoples' struggles for recognition of their rights were initiated in some national contexts several decades before the movement gained the international stage. Since the 1970s, efforts were undertaken at the United Nations to specifically address the plight of indigenous peoples.\textsuperscript{3} Initially addressed under the general framework of *Racial Discrimination in the Political, Economic, Social and Cultural Spheres*,\textsuperscript{4} indigenous demands for recognition and special protection received better attention with the establishment of mechanisms aimed at addressing the specific problems they faced. The study on the problem of discrimination against indigenous populations authorised by the Economic and Social Council in 1971 with progress reports submitted between 1981 and 1984 – the José Martínez Cobo Study – and the establishment of a UN Working Group on

\textsuperscript{1} United Nations Declaration on the Rights of Indigenous Peoples, UNGA Res. 61/295 of 13 September 2007.


\textsuperscript{4} *Ibid.*
Indigenous Populations in 1982 signalled the first significant steps in creating a global platform for indigenous issues.6 Even prior to United Nations’ involvement in issues of concern to indigenous peoples, the International Labour Organization (ILO) took the lead in addressing their plight as it adopted Convention 107 (1957) and, later, Convention 169 (1989) on indigenous and tribal peoples.7 Over the years, developments in international normative and institutional standard-setting have cemented indigenousness as a global framework for reclaiming collective empowerment of several particularly marginalised communities from around the world. Numerous local and global advocacy organisations aimed at ensuring the visibility of the indigenous rights cause have emerged.8 A number of other international institutions, such as United Nations Educational, Scientific and Cultural Organization (UNESCO), World Bank, United Nations Development Programme (UNDP), United Nations Children’s Fund (UNICEF), and United Nations Environment Programme (UNEP), have increasingly become equally involved in the global indigenous rights agenda.9

By the time of the adoption of the Declaration on the Rights of Indigenous Peoples after more than two decades of negotiations thereon, the United Nations had succeeded in instituting a number of bodies dedicated to furthering indigenous rights. The United Nations proclaimed two consecutive international decades of the World’s Indigenous People (1995–2004 and 2005–2014).10 It established a Permanent Forum on Indigenous Issues11 and appointed a Special Rapporteur on the situation of human rights and fundamental freedoms of

5) OHCHR, Study of the problem of discrimination against indigenous populations, ECOSOC Res. 1982/34 of 7 May 1982.
8) See Minde, supra note 2, pp. 17–20.