**Rights of indigenous peoples**

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The international community showed its solidarity with and commitment to safeguarding the indigenous peoples and their rights when the UN Declaration on the Rights of Indigenous Peoples was adopted by the UN General Assembly, on September 13, 2007, with a majority of 144 states in favour.

The first major development had taken place at the International NGO Conference on Discrimination Against Indigenous Populations in the Americas, 1977, and thereafter, the International Labour Organisation’s Indigenous and Tribal Peoples Convention, 1989 (No 169) emerged as an important international legal instrument.

The UN declaration states that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization, and dispossession of their lands, territories, and resources, thus, preventing them from exercising their right to development in accordance with their own needs and interests. It recognizes their right to freedom, equality, self-determination and protection from any kind of discrimination, and the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic, and social structures and their cultures, spiritual traditions, histories, and philosophies, especially their rights to their lands, territories, and resources.

In 2016, the US government agreed to pay $492 million to 17 Native American tribes for mismanaging natural resources and other tribal assets. Even Canada’s actions towards its indigenous peoples are now termed genocide, while in April 2022, Pope Francis made a historic apology to indigenous peoples for the abuses they suffered in Canada’s Catholic-run residential schools.

Unfortunately, the indigenous communities of Pakistan are still struggling for the recognition and protection of their rights. Laws such as the Land Acquisition Act, 1894, and articles 24, 152 and 173 of the constitution of Pakistan empower the government to deprive these communities from their lands and natural resources being utilized by them, necessary for their survival. These laws only offer monetary compensation to these communities after acquiring their lands which is abhorrent as money cannot protect them or guarantee their survival, after being driven out of their lands to construct mega projects.

These communities have been living on these lands before the promulgation of these laws and even before the British rule in the Subcontinent. In Sindh, indigenous communities like Bheel, Meghwar, Kolhi, Bagri, Jogi, and Oad as well as fishermen communities are neither formally recognized nor registered as indigenous communities, making them weak and vulnerable. Simply extending their lease, or occasional intervention by the superior judiciary offers no permanent solution whenever they are asked to prove their claims and ownership of their lands.

Such practices have been witnessed in India as only Muslims have to prove their credentials for the National Register of Citizens (NRC), under 2019’s Citizenship Amendment Act (CAA), depriving them of their citizenship. Dr Gregory Stanton, founder and director of Genocide Watch, has warned about the early signs of genocide in the Indian state of Assam and Indian-occupied-Kashmir. Similarly, Myanmar stripped Rohingya Muslims of their nationality under the Citizenship Law of 1982, eventually leading to the genocide of Rohingya Muslims, which was formally heard by the International Court of Justice.

Pakistan should disallow such practices of depriving its indigenous peoples of their lands for not being able to prove their claim to their lands, or in exchange for monetary compensation, which can lead to their displacement and threaten their survival.

There is a dire need for introducing constitutional amendments to recognize and protect the rights of the indigenous peoples of Pakistan and to take proper measures for their registration by the federal as well as the provincial governments. This can be the first step in the right direction by the government to protect its people and uphold its international legal obligations.

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