

TPP Threatens Indigenous Land Rights Says the UN

Posted by Joan Russow

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Global Compliance Research

Excellent article

There are so many systemic constraints along with the TPP, which undermine indigenous rights. The failure of a few states to adopt the UN Declaration on the Rights of Indigenous Peoples, and even when UNDRIP is adopted by states, they claim it is not legally binding and fail to enact the necessary legislation to ensure compliance. In addition states claim that Article 19 (free prior informed consent) does not really mean consent. Even though in the Vienna Convention on the Law of Treaties, Article 31-

SECTION 3. INTERPRETATION OF TREATIES

Article 31, GENERAL RULE OF INTERPRETATION 1.

A treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose

Therefore “consent” in its ordinary meaning means consent.

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