



World Heritage / Patrimoine Mondial

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Please provide a 500 words abstract outlining your thesis; you may wish to attach a table of contents or any other relevant material:

The thesis in hand deals with the most disadvantaged and vulnerable group of peoples in the world today: the **Indigenous Peoples**. They comprise about five percent of the current world's population, spread across more than 70 countries on all five continents and are characterized by the distinctiveness of their political, economic, social and cultural organizations in regard to the dominant societies and the nation-states which incorporate them. The international **Indigenous Movement** appears at the international horizon about 25 years ago as form of political resistance against the inequalities Indigenous Peoples continuously endure. Meanwhile Indigenous Peoples range as a political category in international law.

The author investigates the problematic relationship between the world's Indigenous Peoples and the International Community which is marked by misunderstanding and distrust. Due to the scientific background of the author the anthropological 'culture from inside approach' is applied. Thus the International Community, guided by Eurocentrism, universalism and the inability to understand other cultures in their own terms, is constantly confronted with the "alien" indigenous world, where all manifestations of life constitute a composite whole.

The broad and interdependent topic covers two major areas of concern as it is suggested in the thesis title: the recognition of **Indigenous Peoples rights** at the national and international level, and the protection of **indigenous heritage**.

Some state policy examples from Australia, New Zealand and Southeast Asia highlight the delicate relationship between Indigenous Peoples and the nation-states in which they live, in particular how territorial rights of Indigenous Peoples are recognized by **national legislation**. **International law** covers a broad field which can be subdivided into the United Nations' human rights regime, into environmental law, and into the binding agreements and standard-setting instruments of UNESCO's cultural covenants.

A critical analysis of a great number of international documents from all above mentioned fields (from e.g. the Convention 169 of the International Labour Organization in 1989, to the 1992 Convention on Biological Diversity and the 2003 UNESCO Convention for the Safeguarding of the Intangible Heritage)

reflects the achievements and shortcomings of those instruments in regard to Indigenous Peoples' rights over time. The author measures the maturity and moral legitimacy of the International Community by the willingness and reluctance to accept Indigenous Peoples as equal partners.

Indigenous heritage is threatened, in particular by current biotechnology and the commercialization of Indigenous Peoples' cultural expressions. The question is raised whether the existing Western Intellectual Property Rights and UNESCO's covenants for the protection of cultural expressions are appropriate for the protection of indigenous heritage. The treatment of **indigenous heritage** (traditional knowledge, folklore) in the diverse legal systems requires a wider interpretation of this comprehensive term and its holistic understanding.

The author examines the more narrow approach of heritage protection as pursued by UNESCO with its **World Heritage concept**. The in 1992 introduced category of **cultural landscapes** is particularly relevant for Indigenous Peoples, because many of those designated landscapes are used, inhabited or owned by them.

A small selection of **case studies** from Australia (Uluru-Kata Tjuta and Kakadu National Park), Thailand (Thung Yai Naresuan – Kha Khaeng Wildlife Sanctuaries, Surin Islands Marine National Park), as well as a supranational project (Tri National Wetland Initiative) demonstrates what Indigenous Peoples' reality looks like in different protected areas (World Heritage Sites, National Parks).