

## **IPACC STATEMENT on Rights of the indigenous child under the United Nations Declaration on the Rights of Indigenous Peoples**

This statement is prepared on behalf of 135 indigenous peoples organizations in 22 countries and provides a regional context.

IPACC congratulate EMRIPs for the report on Rights of the indigenous child under the United Nations Declaration on the Rights of Indigenous Peoples. IPACC endorses the report and reminds the UN System and African governments that though the realization of rights is progressive, the African indigenous child has been left behind. COVID 19 specifically has completed the situation further with the numerous lockdowns and the increasing shift to online classes.

self-determination and for including specific examples from Africa. Like the UN Declaration on the rights of indigenous peoples, Article 20 of the African Charter on Human and Peoples Rights recognizes *peoples* rights to the *unquestionable and inalienable* right to self-determination. Further, colonized or oppressed peoples shall have the right to free themselves from the bonds of domination by resorting to any means recognized by the international community. Reports by the African Commission and various UN agencies have recognized the continuing internal oppression and domination of indigenous peoples. Top-down governance entrenched by the “tyranny of numbers” in politics continues to stifle and deny indigenous peoples of their right to self-determined development. Indigenous peoples also lack of institutional, personal, material and financial capacities to exercise their self-determination.

However, IPACC recognizes efforts by some African states to address the self-determination of indigenous peoples. Examples includes the adoption of indigenous peoples laws in the Republic of Congo and the Democratic Republic of Congo, the traditional leaders law in South Africa and devolution in Kenya. Besides regional mechanisms, national courts are also increasingly recognizing indigenous peoples rights. A good example Alexor Ltd v the Richtersveld community by the highest court in South Africa.

IPACC Therefore recommends the following :-

1. IPACC recommends that all African states All peoples to assist indigenous peoples in their territories to assist indigenous peoples in their pursuit of internal and foreign domination, be it political, economic or cultural as per Article 20 (3) of the Charter.
2. African regional and subregional organizations like the African Union, Africa Development Bank and East Africa community should develop indigenous peoples programs and support the activities of indigenous peoples organizations in the pursuit of self-determination.
3. UN agencies and donors to support capacity building of different stakeholders including indigenous peoples on the right to self-determination.

4. Strengthening of dialogues between States and SAPs, between SAPs themselves, between SAP and international institutions