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Foreword

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Symposium: Sovereignty Symposium XII: To Face The Future

Foreword

Cynthia Price Cohen, Ph.D.[†]

Development of international human rights law began with the establishment of the United Nations in the aftermath of World War II.¹ The earliest attempt to give meaning to the words “human rights” can be found in the non-binding 1948 Universal Declaration of Human Rights.² Subsequent efforts to make governments accountable for the protection of human rights led to the drafting and adoption of a number of human rights treaties, among which are: the International Covenant on Civil and political Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child.³ In addition, the United Nations also established the Commission on Human Rights and its Sub-Commission on the Elimination of Discrimination and the Protection of Minorities. It was under the auspices of the Sub-Commission that the Working Group on Indigenous Populations (Working Group) was set up to study the situation of indige-

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Dr. Price Cohen teaches international child rights law at the Washington College of Law of American University and The University of Tulsa College of Law. She is the editor of the book, *Human Rights of Indigenous Peoples*, and author of numerous articles concerning indigenous childrens’ rights. She is the co-chair, with Justice Marian Opala, and organizer of the indigenous law panels at the annual Sovereignty Symposium.

1. U.N. CHARTER preamble.
2. Universal Declaration of Human Rights, Dec. 10, 1948, U.N.G.A. Res. 217
3. Convention on the Rights of the Child, Nov. 20, 1989, 28 I.L.M. 1448. The Convention on the Rights of the Child specifically mentions indigenous children in articles 17, 29 and 30.

nous people.

The Sub-Commission's research led to institution of an annual two-week meeting of the Working Group that allowed it to expand its studies and to include members of indigenous groups in the analytical process. The result has been the development of a new, dynamic and holistic form of human rights law that incorporates the standard civil-political and economic-social-cultural individual rights emphasis. It also includes: the rights of the group; the right to preservation of language, culture and artifacts; the right to land; and the right to the protection of indigenous peoples' environment.

Starting in 1994, the annual Sovereignty Symposium began to give recognition to the growing body of Indian law by including a full day of panels dealing with legal matters concerning the world's indigenous peoples. The first of these all-day sessions was organized as a celebration of the 1994 United Nations *International Year for the World's Indigenous Peoples* and was consequently given that title.

The following year, as the United Nations began its celebration of an International Decade of the World's Indigenous Peoples, the Sovereignty Symposium responded with a series of panels entitled "The Human Rights of Indigenous Peoples." This was continued at the 1996 Sovereignty Symposium because human rights were - and still are - the fastest growing area of indigenous rights law.

Beginning in 1997, a decision was made to widen the scope of the presentations to include indigenous matters dealing with rights, but not strictly falling within the usual boundaries of international human rights law. As a consequence, subsequent panels were listed as International Law and the Rights of Indigenous Peoples.

Since they were established, the international law panels of the Sovereignty Symposium have covered topics that have included both international law and the specific situations of indigenous peoples in a variety of countries. The panelists have all been persons who either were international law experts, or who have worked in the countries where the research was done. Topics have covered the situation of indigenous peoples in Australia, Brazil, Canada, Chile, Mexico (Chiapas), Nicaragua, Norway, and Sweden, as well as the status of international declarations on the rights of indigenous people currently being drafted by the United Nations and the Organization of American states.

Because the rights of indigenous peoples are so new and developing so quickly, there is an expanding body of literature on the rights of indigenous people, which is still largely inaccessible to interested researchers. The Tulsa Journal of Comparative and International Law has begun to fill this void by publishing two articles from the 1999 Sovereignty Symposium, which should be most helpful in contributing to the development of the discourse on matters of concern to indigenous peoples.