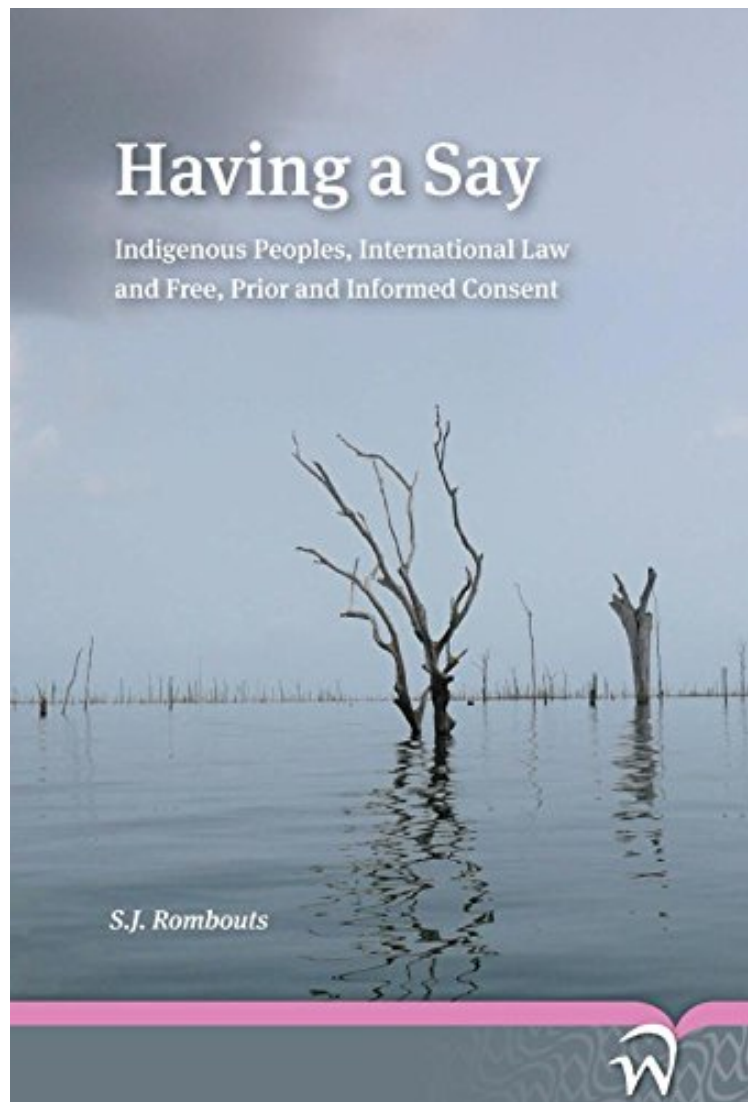


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# Having a Say: Indigenous Peoples, International Law and Free, Prior and Informed Consent

*S.J. Rombouts*

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In 2007, the adoption of the UN Declaration on the Rights of Indigenous Peoples reinvigorated discussions about the

participation by indigenous peoples in the decision-making processes that affect them. In particular, the debate revolved around interpretations of the concept of "free, prior, and informed consent" (FPIC), which is becoming one of the central mechanisms in international law and policy for resolving conflicts about lands and natural resources. In this study, the legal status of FPIC and conditions for its successful implementation are examined. The principle is contextualized by examining the underlying concept of self-determination and derivative rights to lands and resources. FPIC is explored within the framework of the right to effective participation, while the existing international platforms and institutions, in which FPIC norms are present, are surveyed. Additionally, a detailed analysis of recent regional case law clarifies the legal application of FPIC in the context of land and resource rights. Finally, a number of recent guidelines for the implementation of FPIC processes in the framework of specific voluntary sustainability initiatives are compared and analyzed. The book provides both a theoretical and a practical starting point for scholars, lawyers, policy makers, or others interested in FPIC processes and indigenous peoples. [Subject: Public International Law, Human Rights Law, Property Law]