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Indigenousness in Africa
A contested legal Framework for Empowerment of 'Marginalized' Communities

by

F.M. Ndahinda,

With a Foreword by Prof. Asbjørn Eide, formerly Chairman of the UN Working Group on Indigenous Populations, Chairman of the UN Working Group on Minorities, and President of the Advisory Committee on National Minorities of the Council of Europe.

Following the internationalization of the indigenous rights movement, a growing number of African hunter-gatherers, pastoralists and other communities have channeled their claims for special legal protection through the global indigenous rights movement. Their claims as the indigenous peoples of Africa are backed by many (international) actors such as indigenous rights activists, donors and some academia. However, indigenous identification is contested by many African governments, some members of non-claimant communities and a number of anthropologists who have extensively interacted with claimant indigenous groups.

This book explores the sources as well as the legal and political implications of indigenous identification in Africa. By highlighting the quasi-inexistence of systematic and discursive – rather than activist – studies on the subject-matter, the analysis questions the appropriateness of this framework in efforts aimed at empowering claimant communities in inherently multiethnic African countries. The book navigates between various disciplines in trying to better capture the phenomenon of indigenous rights advocacy in Africa.

The book is valuable reading for academics in law and all (other) social sciences such as anthropology, sociology, history, political science, as well as for economists. It is also a useful tool for policy-makers, legal practitioners, indigenous rights activists, and a wide range of NGOs and IGOs.

Dr. Felix Mukwiza Ndahinda is Associate Professor at the International Victimology Institute Tilburg (INTERVICT), Tilburg University, The Netherlands.

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The Kyoto Protocol in the EU
European Community and Member States under International and European Law

by

Leonardo Massai

The participation of the European Community and the Member States in the international climate change regimes is a complex issue. In the case of the Kyoto Protocol, this is rendered more complicated by the fact that for the purposes of Article 4 of the Kyoto Protocol, the membership of the European Community and Member States is frozen at a particular point in time.

The result of this is that under International Law the European Community and a part of the Member States (EU15) have agreed to jointly fulfil some of those obligations whereas under Community Law all Member States share a certain degree of responsibility to meet the obligations created by the Kyoto Protocol.

This book analyses in great detail the Kyoto Protocol and its obligations, as well as the discrepancies between International Law and Community Law in that regard. The book is a useful tool for academics, practitioners, consultants and all stakeholders operating in the field of environmental law and climate change.

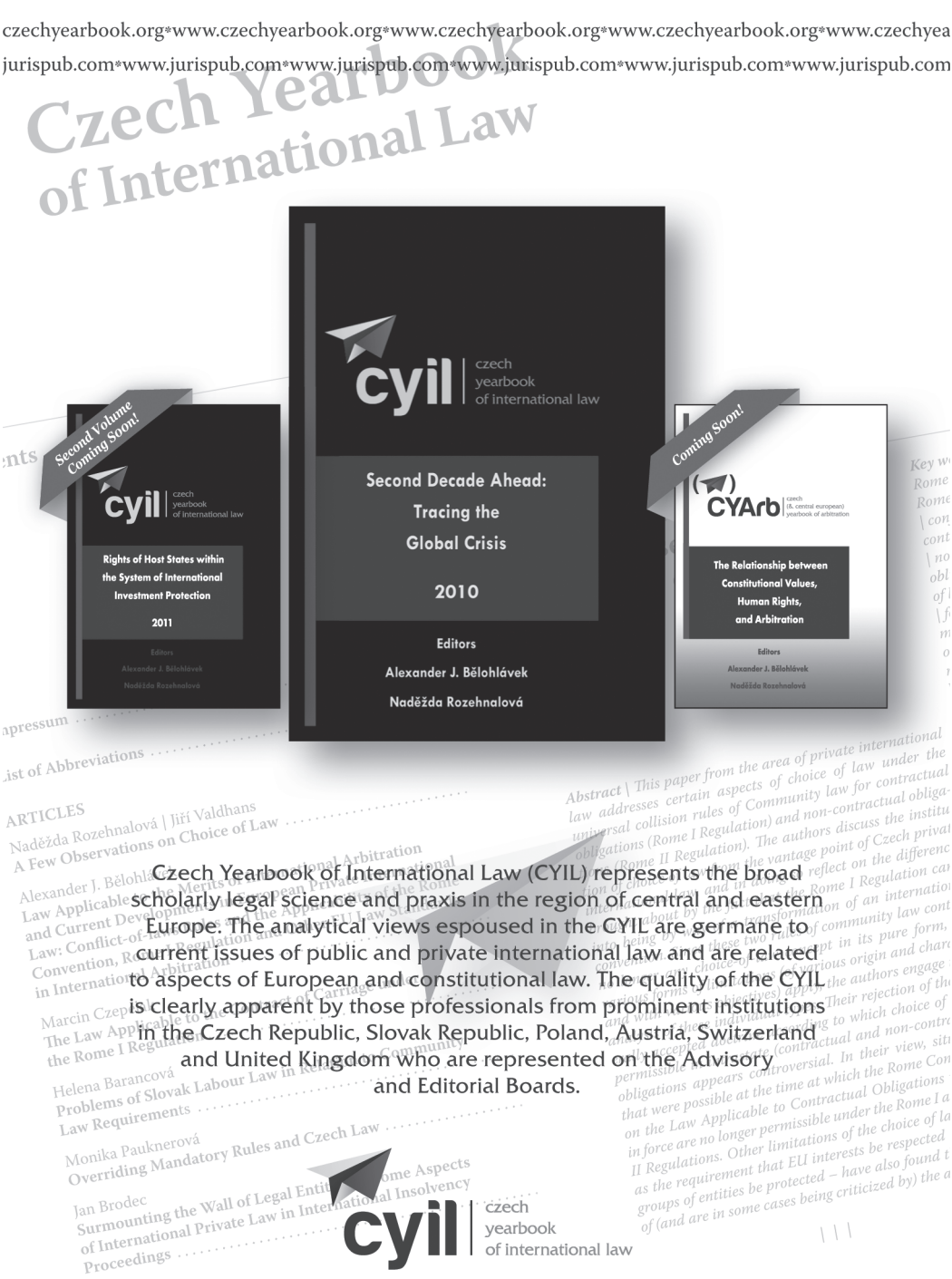
Leonardo Massai is a legal expert and lecturer in International and EU Environmental Law and Climate Change.

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