

# CONTESTED ENTITLEMENTS OF INDIGENOUS SOVEREIGNTY UNDER INTERNATIONAL LAW

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## ABSTRACT

This research article explores the persistent challenges and structural limitations indigenous peoples encounter in asserting their rights within the domain of international law. Central to this inquiry is the critical assessment of the disjunction between the rights claimed by indigenous communities and the recognition of those rights under prevailing international legal regimes. The study centres on the concept of indigenous sovereignty as its primary analytic focus, examining both its historical underpinnings and its evolving interpretations in contemporary legal discourse. It investigates how the contested nature of sovereignty in global politics complicates the recognition of indigenous self-governance, particularly in contexts where state sovereignty is prioritised over pluralistic legal orders. Drawing on legal instruments, international declarations, and comparative case analyses, the sheds light on the ways in which international law continues to fall short in addressing the full spectrum of indigenous aspirations. Rather than treating international legal frameworks as static, the paper considers them as sites of negotiation, contestation, and potential transformation. In doing so, it contributes to ongoing debates around legal pluralism, the decolonisation of law, and the future of indigenous legal recognition. Ultimately, the research advocates for a more inclusive and responsive international legal order - one that not only acknowledges indigenous rights in principle but also enables their meaningful realisation in practice. Through this effort, the study seeks to enrich scholarly and policy-oriented discussions on indigenous justice, global legal equity, and the transformative possibilities of international human rights law.

**Keywords:** Indigenous Sovereignty, Free, Prior and Informed Consent, Indigenous Peoples, UNDRIP, International Law



## 1. INTRODUCTION

The persistent struggle of indigenous peoples for recognition, justice, and self-determination remains a critical axis within contemporary international legal discourse. Despite increasing global awareness and the formal articulation of indigenous rights through various international instruments, systemic barriers continue to impede the full realisation of these rights across diverse geo-political contexts. These impediments are particularly salient in relation to the contested domain of indigenous sovereignty, where enduring tensions between state-centric legal paradigms and indigenous conceptions of authority remain unresolved. This article undertakes a critical examination of the disjuncture between the rights asserted by indigenous communities and the normative and institutional recognition accorded by international legal frameworks. Through a doctrinal analysis of legal texts, treaties, and jurisprudence, the study interrogates the capacities, limitations, and transformative potential of international law in engaging with indigenous claims to sovereignty and self-governance.

At the centre of this inquiry lies the problematic of sovereignty. Conventional understandings of sovereignty, rooted in the Westphalian tradition, conceptualise it as the supreme and indivisible authority of the state over its defined territorial jurisdiction (Biersteker, 2013). This statist model, however, proves insufficient in capturing the epistemological specificities of indigenous sovereignty. For many indigenous communities, sovereignty is not reducible to jurisdictional control or territorial demarcation but is instead embedded in longstanding cultural, spiritual, and relational ties to land and community. It encompasses collective self-determination, stewardship over natural resources, and preservation of distinct legal, social, and epistemic systems (Corntassel, 2008; Binder & Binder, 2016).

Accordingly, this article interrogates how international legal regimes have navigated through these and assesses whether the principle of legal pluralism offers a viable pathway toward recognising indigenous sovereignty in both normative and procedural terms. By situating indigenous claims within the broader discourse of legal pluralism, decolonial theory, and post-sovereign legal thought, this study seeks to illuminate the limitations of current international legal instruments while also identifying emergent possibilities for reconceptualising sovereignty in ways that are responsive to indigenous world-views and governance structures. In doing so, the article contributes to decolonisation of international law and advocates for a more just, inclusive, and pluralistic global legal order, grounded in the recognition of indigenous epistemologies.

## 2. WHAT IS SOVEREIGNTY?

Sovereignty has long been a subject of rigorous debate among political theorists, encompassing a range of conceptual and normative dimensions. At its most fundamental level, sovereignty denotes the supreme authority of a state to govern its population and exercise control over a defined territorial jurisdiction (Goldsmith, 2000). A sovereign entity is characterised by its autonomy from external subordination and its exclusive capacity to formulate, interpret, and enforce legal norms within its borders (Stilz, 2019). Historically, the notion of sovereignty has undergone significant evolution, giving rise to multiple and often competing interpretations. One of the earliest and most influential conceptualisations of sovereignty can be traced to the political philosophy of Thomas Hobbes. Writing in the mid-seventeenth century, Hobbes (1651) posited that sovereignty embodies the absolute and indivisible authority of the state, essential for maintaining order and preventing civil discord. In his view, individuals voluntarily relinquish certain freedoms to a sovereign power in exchange for protection and security, thereby legitimising the centralised and hierarchical nature of political authority. In contrast, later theorists such as Jean-Jacques Rousseau (1762) advanced a more democratic and participatory conception of sovereignty. Rousseau argued that sovereignty ultimately resides in the collective will of the people, who possess the inherent right to choose their rulers and actively engage in the political life of the community. Rather than being concentrated in a singular entity, sovereignty, in this view, is a shared and dynamic force derived from popular consent. These divergent perspectives highlight the contested nature of sovereignty, revealing its potential as both a mechanism of state control and a vehicle for democratic empowerment.

Despite divergent theoretical perspectives, most conceptualisations of sovereignty converge on certain foundational principles. Chief among these is territoriality, which underpins the recognition of a sovereign government as the legitimate authority within a defined geographical space, empowered to create, implement, and enforce legal norms within that jurisdiction (Held, 2000). This territorial dimension implies prohibition on external interference, whereby foreign states or international organisations are precluded from intervening in domestic affairs of a sovereign entity (Weiss & Wallace, 2021). Closely linked to territoriality is the principle of independence. A sovereign state is understood to possess political and legal autonomy, free from subordination to any external authority, and retains the exclusive capacity to determine its internal governance structures and conduct its foreign policy without coercion (Stilz, 2019; Young, 2019). This independence is often imbued with symbolic and practical importance, forming a cornerstone of national identity and a source of pride vigorously upheld by both political elites and the citizens (Blokker, 2019). However, the contemporary notion of sovereignty is increasingly contested in light of global transformations. In an era marked by unprecedented levels of global inter-dependence, trans-national flows of capital, information, and people, as well as influence of supranational institutions such as the United Nations (UN) and the European Union (EU), the traditional model of absolute sovereignty is being re-evaluated (Konrad, 2021). The growing permeability of state boundaries, coupled with regulatory reach of international organisations and multi-national corporations, challenges the efficacy and absoluteness of sovereign authority in practice, prompting ongoing scholarly and political debate.

Some scholars contend that traditional concept of sovereignty is becoming increasingly obsolete in the twenty-first century, calling for alternative frameworks of governance that better reflect the complex, interdependent character of contemporary global society (Landemore, 2020). The expanding influence of international law and human rights norms presents a significant challenge to the classical understanding of sovereign authority (Dunoff et al., 2023). As states increasingly enter into binding international agreements and ratify multilateral treaties, their discretion over domestic and foreign policy is progressively constrained (Hathaway, 2008). The rise of universal human rights standards, particularly those articulated in foundational instruments such as the Universal Declaration of Human Rights (UDHR), has further re-defined the limits of sovereignty. Violations of these inalienable rights often provoke international scrutiny, diplomatic censure, or even intervention, thereby diminishing the absolute autonomy once ascribed to sovereign states (Rowhani, 2023). Nonetheless, sovereignty continues to exert a profound influence in contemporary political discourse and practice. It remains a foundational concept through which the functions of government, the legitimacy of authority, and the architecture of international relations are understood and contested (Bartelson, 2006). Whether conceived as an absolute, indivisible power; a democratically shared authority; or a fluid and context-dependent construct, sovereignty persists as a central, albeit evolving, pillar in the analysis of political order and statecraft (Cheesman, 2022). Its enduring relevance attests to its adaptability amid shifting global norms and the ongoing negotiation between national autonomy and international accountability.

### 3. CONCEPTUALIZING INDIGENOUS SOVEREIGNTY

Indigenous sovereignty embodies the collective assertion of inherent rights of indigenous peoples to self-determination and self-governance (Wiessner, 2008). It affirms their authority to steward their lands, rivers, and natural resources in accordance with traditional knowledge systems, cultural practices, and spiritual worldviews (Tsosie, 2007). Moreover, indigenous sovereignty encompasses the right to independently address political, economic, social, and cultural affairs within their communities, free from external imposition (Coulthard, 2007). This concept is of profound significance for indigenous populations globally, especially in settler-colonial states where legacies of European imperialism have had long-lasting consequences (Bauder & Mueller, 2021). In such contexts, indigenous communities have historically faced forced displacement, systematic land dispossession, and assimilationist policies designed to suppress their languages, traditions, and identities (Menzies, 2019). The colonial encounter was marked by widespread dis-empowerment and cultural erasure, wherein indigenous peoples were alienated from their ancestral territories and subjected to dominant frameworks of Western legal, political, and economic systems (Anaya, 2008). These colonial structures did not vanish with formal decolonisation; rather, their enduring impacts continue to shape indigenous experiences and interactions within settler-dominated states (Maddison, 2013). As such, indigenous sovereignty represents not only a legal and political claim, but also a broader decolonial project aimed at restoring historical justice, cultural continuity, and self-determined futures.

As Vine Deloria Jr. insightfully asserts in *Red Earth, White Lies* (2018), the assertion of indigenous sovereignty directly challenges the foundational ideologies upon which settler-colonial states such as the United States were constructed. The concept of indigenous sovereignty is inextricably linked to historical processes of colonisation and subsequent imposition of Western legal, political, and economic frameworks upon indigenous communities (Watson, 2014). Deloria (2003) further contends that the history of indigenous - colonial relations in the United States is characterised by sustained indigenous resistance to colonial attempts to dismantle native cultures, forcibly displace populations, and appropriate indigenous territories. This history is marked by repeated violations of indigenous autonomy, including broken treaties, forced relocations, and state-sanctioned policies that, in many instances, amounted to cultural or physical genocide - often justified through racialised ideologies that portrayed indigenous peoples as 'primitive' and incapable of self-governance. Against this backdrop, indigenous communities have consistently mobilised to re-claim their sovereignty, affirm their right to self-determination, and exercise self-governance. These efforts have taken various forms, including strategic litigation, political lobbying, cultural re-vitalisation, and acts of civil disobedience and direct action (Deloria, 2003). Such movements represent not only the struggle for rights, but also a profound rejection of colonial legacies and the demand for recognition, justice, and autonomy within and beyond the colonial settler states.

The recognition and promotion of indigenous sovereignty have been significantly shaped by international legal frameworks, most notably the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted by the UN General Assembly in 2007. UNDRIP articulates a comprehensive set of rights designed to affirm indigenous peoples'

entitlement to self-determination and holistic well-being. These include the right to govern their own political, economic, social, and cultural affairs, as well as the right to participate meaningfully in decision-making processes that directly impact their lives, lands, and resources (UNDRIP, 2007). Complementing this, the International Labour Organization's Convention No. 169 reaffirms the rights of indigenous peoples to self-governance, resource and land management, and the preservation of cultural traditions and customary institutions (Articles 1, 13, 23, 30). Despite the formal recognition of indigenous sovereignty through instruments such as UNDRIP and ILO Convention 169, the practical realisation of these rights remains uneven and often fraught with resistance. Indigenous communities across the globe continue to confront structural barriers that hinder the exercise of their autonomy. As Audra Simpson (2014) argues in *Mohawk Interruptus*, settler colonial states frequently deploy legal and administrative mechanisms that strategically limit the scope of indigenous sovereignty, confining it within state-sanctioned frameworks that fail to fully honour indigenous self-determination. These constraints are compounded by ongoing experiences of systemic violence, marginalisation, and cultural erasure. Many indigenous groups are still excluded from critical political processes that influence their futures and stewardship of ancestral territories, underscoring the disjuncture between normative recognition and lived realities.

Although the nature and scope of indigenous sovereignty differ across historical, cultural, and political contexts, certain foundational themes and principles remain consistent in articulating its core dimensions (Lenzerini, 2006). Central among these is the stewardship and governance of natural resources, which are deeply entwined with indigenous peoples' spiritual beliefs, subsistence practices, and cultural identities (Ford et al., 2020). Indigenous communities have long developed intricate resource management systems rooted in generations of empirical ecological knowledge and a commitment to sustainability and intergenerational equity (Lertzman & Vredenburg, 2005). These systems often encompass practices such as rotational agriculture, sustainable forestry, selective hunting and fishing, and controlled forest burning - methods that not only conserve biodiversity but also maintain ecological balance and community resilience (Estrada et al., 2022). However, these indigenous environmental governance systems have frequently been undermined by extractivist agendas driven by colonial expansion and capitalist modes of development. The prioritisation of economic interests - often under the guise of national development or global trade - has systematically subordinated indigenous aspirations, leading to degradation of ecosystems and erosion of cultural integrity (Kohn & Reddy, 2006). In response, many indigenous groups have actively asserted their sovereignty over ancestral lands and resources as a means of resisting exploitative extraction practices and reclaiming their rights to environmental self-determination (Wouters, 2020). These assertions reflect a broader struggle not only for territorial control but also for the recognition of indigenous epistemologies and governance models in shaping sustainable futures.

At the heart of indigenous sovereignty and environmental governance lies the principle of free, prior, and informed consent (FPIC), a key normative standard in international law and indigenous rights discourse (Doyle, 2014). FPIC mandates that states, corporations, and other external actors must obtain the voluntary and informed consent of indigenous peoples before initiating any activities that may affect their lands, territories, or resources (Ward, 2011). This principle is grounded in recognition of indigenous peoples' inherent right to self-determination and their entitlement to actively participate in decision-making processes concerning matters that directly impact their cultural survival, livelihoods, and ecological heritage (Hanna & Vanclay, 2013). Despite its codification in various international frameworks, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the application of FPIC has been marked by inconsistency and contention. In numerous instances, governments and corporate entities have failed to conduct meaningful consultations or secure genuine consent from indigenous communities prior to initiating extractive or infrastructure projects such as mining operations, logging, or dam construction (Tigre & Slinger, 2020). These omissions have frequently led to conflicts, resistance movements, and protracted legal disputes, as indigenous groups mobilise to defend their rights and territories. Consequently, FPIC has become a focal point for advocacy efforts and policy reform aimed at strengthening indigenous participation, ensuring procedural justice, and upholding the principles of sovereignty and environmental stewardship (Vanclay & Hanna, 2019).

#### 4. FOUNDATIONS OF INDIGENOUS SOVEREIGNTY

Indigenous sovereignty is fundamentally anchored in the principle of consent, which affirms the inherent right of indigenous peoples to determine their political status and to establish governance systems that align with their collective needs, aspirations, and values (John, 2015). This right may manifest in diverse forms, including independent self-governing nations, collaborative governance frameworks, or hybrid models of shared authority involving local, state, or



federal institutions. Central to this conception is the principle of stewardship, which recognises the deep and enduring relationships that indigenous communities maintain with their lands, rivers, and resources (Shadian, 2010). Stewardship is not merely a utilitarian approach to environmental management, but an ethical obligation rooted in traditional ecological knowledge, spiritual beliefs, and intergenerational responsibility. Indigenous communities often draw upon these knowledge systems - or develop context-specific innovations - to manage their territories in ways that prioritise equity, sustainability, and communal well-being (Jentoft et al., 2003). Equally integral to indigenous sovereignty is the imperative of cultural revitalisation (Cobb, 2005). It encompasses the right of indigenous peoples to determine their social, educational, and health-care needs in culturally affirming ways while preserving and enhancing their unique languages, knowledge systems, and traditions (Stavenghagen, 2005). This may include the establishment of indigenous-governed educational institutions, health care services, and social support mechanisms, as well as the integration of indigenous worldviews into existing structures of governance and service provision (Williams, 2014). These efforts are essential not only for cultural survival but also for reconstitution of indigenous autonomy on their own terms. Indigenous sovereignty, however, is not a fixed or monolithic construct. It is a dynamic and evolving process shaped by historical injustices and the ongoing legacies of colonisation, assimilation, and territorial dispossession (Borrini et al., 2004). As Shrinkhal (2021) argues, indigenous sovereignty is continuously re-articulated through political mobilisation, legal advocacy, and acts of resistance aimed at reclaiming rights, affirming identities, and reshaping relationships with settler-colonial states. It represents a living, negotiated, and adaptive expression of indigenous resilience - one that is grounded in historical memory yet responsive to contemporary struggles and future aspirations.

## 5. ECONOMIC AND CULTURAL ASPECTS OF INDIGENOUS SOVEREIGNTY

The economic dimensions of indigenous sovereignty are of critical importance, particularly in light of the historical marginalisation and systemic exclusion of indigenous peoples from the benefits of economic development. For centuries, indigenous lands and resources have been exploited to fuel the prosperity of settler-colonial societies, often to the detriment of indigenous livelihoods and autonomy (Greer, 2019). The assertion of indigenous sovereignty directly challenges this extractive paradigm and seeks to empower indigenous communities to define and control their own economic trajectories (Bonds & Inwood, 2016). As Dian Million articulates in *Therapeutic Nations* (2013), achieving indigenous economic sovereignty requires a fundamental re-evaluation of dominant economic models. This involves developing alternative frameworks that centre community well-being, inter-generational equity, and ecological sustainability. Such models may include promotion of locally driven economic initiatives, support for indigenous entrepreneurship, and application of traditional ecological knowledge in sustainable resource management (Million, 2013).

These practices not only affirm economic self-determination but also align with broader goals of cultural and environmental stewardship. Inextricably linked to these economic aspirations are the cultural dimensions of indigenous sovereignty (Bauder & Mueller, 2021). Indigenous peoples possess rich and diverse cultures, languages, and worldviews that have been systematically endangered by colonial domination and assimilationist state policies (Samson & Gigoux, 2016). Cultural survival is thus central to indigenous sovereignty, which demands both the protection and active revitalisation of indigenous identities. As Taiaiake Alfred contends in *Wasáse* (2005), indigenous sovereignty entails creating spaces where indigenous cultures can thrive beyond colonial constraints. This includes initiatives such as language reclamation, culturally rooted education systems, and the safeguarding of sacred and heritage sites. These efforts are not only acts of resistance but also of resurgence - affirming the continuity and resilience of indigenous peoples in the face of enduring colonial legacies.

## 6. CHALLENGES AND IMPLICATIONS OF INDIGENOUS SOVEREIGNTY

The concept of indigenous sovereignty presents both critical challenges and transformative implications in confronting the continued oppression of indigenous peoples. One of the most prominent challenges lies in the fundamental tension between indigenous sovereignty and the sovereignty asserted by settler-colonial states. As Glen Coulthard articulates in his seminal work *Red Skin, White Masks* (2014), genuine recognition of indigenous sovereignty requires acknowledging indigenous peoples as distinct political entities with their own historical trajectories, governance systems, and cultural frameworks - often in direct opposition to the dominant narratives and institutional

structures upheld by settler states. This recognition destabilises the foundational legitimacy of settler colonial nation-states and their claim to exclusive sovereignty over contested territories.

Another internal challenge emerges within indigenous communities themselves, where differing interpretations of sovereignty may lead to divisions and contestations over its practical realisation. J. Kēhaulani Kauanui, in *Paradoxes of Hawaiian Sovereignty* (2018), highlights the existence of plural and sometimes conflicting visions of sovereignty within indigenous populations, shaped by generational, ideological, and geopolitical factors. These internal divergences underscore the need for nuanced, community-driven approaches that respect the multiplicity of indigenous perspectives while advancing collective goals. The implications of embracing indigenous sovereignty are profound and far-reaching. It calls for a fundamental reconfiguration of entrenched power structures across legal, political, economic, and cultural domains (Wensing, 2021). This transformative vision necessitates confronting the historical and ongoing legacies of colonialism and settler colonialism and engaging seriously with demands for reparations, restitution, and the return of indigenous lands and resources (Clavé-Mercier, 2022). Embracing indigenous sovereignty ultimately entails more than symbolic recognition; it requires a commitment to structural change that affirms indigenous authority, revitalises indigenous knowledge systems, and fosters conditions for genuine self-determination and justice.

## 7. ADVOCATES OF INDIGENOUS SOVEREIGNTY

Vine Deloria Jr., a leading scholar and activist, stands as a foundational figure in the discourse on indigenous sovereignty. In his later work (2018), Deloria emphasised that sovereignty is essential to understanding the relationship between indigenous peoples and the state. He argued that indigenous peoples possess a legitimate and distinct political authority grounded in their deep spiritual, cultural, and historical ties to ancestral lands. Deloria was also highly critical of Western legal and political paradigms for their persistent failure to recognise indigenous sovereignty, attributing this to fundamentally divergent worldviews regarding the human-nature relationship. While Western systems often operate on principles of dominion and commodification of land, indigenous frameworks perceive land as sacred, relational, and central to identity and governance. Another significant voice in this field is Linda Tuhiwai Smith, a prominent Māori scholar from Aotearoa New Zealand. Smith (2004) reconceptualises self-determination not solely as a political objective but as an inherently cultural and spiritual imperative rooted in the lived realities and colonial histories of indigenous communities. For Smith, self-determination is inseparable from indigenous knowledge systems - epistemologies that diverge significantly from dominant Western scientific traditions. These knowledge systems, embedded in land-based practices, oral traditions, and communal lifeways, serve as the epistemological foundation of indigenous sovereignty. Taiaiake Alfred, a distinguished Mohawk scholar, has also made substantial contributions to the theoretical and practical understanding of indigenous sovereignty. In *Wasáse* (2005), Alfred conceptualises sovereignty not only as a political aspiration but as a process of cultural resurgence. He argues that the revitalisation of indigenous languages, spiritualities, and social institutions is central to decolonisation of indigenous nations. Alfred further underscores the enduring legacy of indigenous resistance to colonialism and imperialism, calling for a return to indigenous principles of governance, the restoration of traditional lands, and reclamation of cultural identity as pathways toward genuine sovereignty.

A number of influential indigenous leaders have also exemplified this intersection of sovereignty, environmental stewardship, and activism. Evo Morales, Bolivia's first indigenous president and leader of the Movement for Socialism (MAS), brought indigenous rights and environmental concerns to the forefront of national and international policy debates. Rigoberta Menchú, an activist from Guatemala and recipient of the 1992 Nobel Peace Prize, has long advocated for indigenous rights and social justice. In Nigeria, Nnimmo Bassey, a prominent environmentalist and founder of the Health of Mother Earth Foundation, has highlighted the exploitation of indigenous lands by multi-national oil corporations and campaigned for environmental justice. Alberto Acosta of Ecuador played a key role in drafting the 2008 Constitution, which recognised the rights of nature and pluri-national character of the Ecuadorian state - an unprecedented legal advancement for indigenous and environmental rights. In North America, leaders such as Winona LaDuke and Tom Goldtooth have connected indigenous struggles to global climate justice movements. LaDuke, through her organisation Honor the Earth, promotes indigenous environmental knowledge and resistance to extractive industries. Goldtooth, as executive director of the Indigenous Environmental Network, advocates for climate and environmental justice rooted in indigenous sovereignty. Similarly, Oren Lyons of the Onondaga Nation has been a long-standing spiritual leader and international voice for indigenous environmental ethics and rights. Collectively, these figures exemplify the vital role of indigenous leadership in shaping a just and sustainable global future. Their advocacy

reinforces the understanding that indigenous sovereignty is not only a political claim, but also a pathway toward ecological resilience and collective survival in an era of planetary crisis.

In summary, indigenous sovereignty embodies the inherent right of indigenous peoples to self-determination, including the freedom to determine their political status, govern their internal affairs, and manage their resources in accordance with their customs and values (Kuokkanen, 2019). This sovereignty is deeply rooted in historical experiences of colonisation, dispossession, and cultural suppression, as well as in the ongoing efforts of indigenous communities to reclaim authority over their lands, knowledge systems, and ways of life (Anaya, 2004). Far from being limited to legal and political dimensions, indigenous sovereignty encompasses cultural, spiritual, and environmental domains, reflecting the holistic worldviews and interconnected lifeways of indigenous peoples (Shrinkhal, 2021). Despite facing persistent structural challenges - including settler-state resistance, extractive industries, and internal community tensions, the pursuit of indigenous sovereignty remains a powerful expression of resilience and decolonial agency. It represents a pathway toward restoring justice, achieving equality, and revitalising communities long marginalised by dominant systems. Crucially, recognising and supporting indigenous sovereignty is not only essential for the well-being of indigenous peoples but also for the broader ecological and social sustainability of the planet, given the vital role indigenous communities play in stewarding natural environments (Tsosie, 2007). Advancing indigenous sovereignty, therefore, is both a moral and practical imperative for building a more equitable and sustainable future.

## 8. CONCLUSION

Indigenous sovereignty empowers indigenous peoples to exercise their inherent rights to self-determination, self-governance, and the stewardship of their lands, resources, and cultural heritage. By affirming indigenous communities as distinct political entities with unique historical trajectories, knowledge systems, and ways of life, the concept of indigenous sovereignty fundamentally challenges the dominant narratives and institutional frameworks of modern nation-states. Although international legal instruments - most notably the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) - provide a normative foundation for recognising and advancing indigenous sovereignty, their implementation has been uneven and often symbolic rather than substantive. Indigenous sovereignty encompasses both economic and cultural dimensions. It advocates for indigenous communities' right to manage their own economic development in ways that prioritise community well-being, equity, and ecological sustainability. It also underscores the importance of protecting, revitalising, and transmitting indigenous languages, cultural practices, and traditional knowledge across generations. A key element of indigenous sovereignty is the principle of free, prior, and informed consent (FPIC), which affirms the right of indigenous peoples to determine their political status and select governance systems that align with their needs and values. This also involves a deep responsibility to preserve and manage their ancestral territories using traditional ecological knowledge and sustainable practices. However, the realisation of indigenous sovereignty faces numerous structural and political challenges. It often conflicts with the Westphalian notion of absolute state sovereignty, thereby necessitating a fundamental rethinking of existing power structures, legal regimes, and governance models. Despite these tensions, recognising and upholding indigenous sovereignty is essential - not only for the pursuit of justice and equity for indigenous communities, but also for fostering inclusive and sustainable societies more broadly.

## CONFLICT OF INTERESTS

None.

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