A Critical Analysis on Laws Relating to Protection of Indigenous Peoples— An International Perspective

By R. Ramasamy and V. Udayavani

ABSTRACT

"A true civilization is where every man gives to every other every right that he claims for himself."
—Robert G. Ingersoll

The term 'indigenous people,' though of recent coinage at the international level, has been in use in India for a long time. It is only with the internationalization of the rights and privileges associated with it that the use of the term 'indigenous' has come to be critically examined or even challenged in the Indian context. Only those people that have been subjected to domination and subjugation have come to constitute the component of the indigenous people. The Indian experience, it is stated, is different from that of the New World where it was marked by conquest, subjugation and even decimation. It is hence argued that it is not only the point of departure that is problematic but also the Indian experience. The health and wealth disparities between indigenous and non-indigenous populations are universal. Though modern constitutions, without exceptions, ensure citizens equality and equal protection besides right to life, liberty and property, they are yet to go a long way in accommodating the rights and interests of resident aliens.

Keywords: Indigenous, Indian, protection, interest, ethnic identity, international law, lacks, court, last resort.

"What I think is that wellbeing is living better, living well. Because . . . 'wellbeing' means being well in the family, being well in the home, in good health, not ill, and another thing is eating, or having food in the home—there's beans, corn, food; it means not suffering hunger, not suffering illness, not suffering in your thinking either, because if you're bad in your mind, that means not living well. That's what well-being is about."[3] "What sets worlds in motion is the interplay of differences, their attractions and repulsions [:] Life is plurality, death is uniformity.

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[3] Bristow, F., Stephens, C., Nettleton, C., Utz, W'achil. (2003). "Health and Wellbeing among Indigenous Peoples". London: Health Unlimited/London School of Hygiene & Tropical Medicine.

By suppressing differences and peculiarities, by eliminating different civilizations and cultures, progress weakens life and favors death. The ideal of a single civilization for everyone implicit in the cult of progress and technique impoverishes and mutilates us. Every view of the world that becomes extinct, every culture that disappears, diminishes a possibility of life!" [4] The word "Indigenous" etymologically refers to the natives, belonging naturally to the soil. As a concept it has been broadly defined as, "Those whose ancestors were the original inhabitants of lands later colonized or settled by others." It is said [by the United Nations] that the indigenous people number approximately 370 million in more than 70 countries around the world (several UN member states claim they do not have indigenous peoples inside their territories—India, China, Russia for example—but the actual total taking into account all states in the world is a number closer to 1.3 Billion). Very interestingly, it is continued that among the characteristics indigenous people share is that their self identified names (e.g., Inuit, Kayapo, Hamong, Maori) generally mean "people" and the names of their lands generally translate as "our land," reflecting the strong, fundamental relationship they maintain with their land. A number of tribes—such as the various Naga and Kol groups, the Garo, the Dophla, the Maler, the Birhor, the Bondo, the Kuiloka, the Maria, the Koracha, the Kadar, the Kurichchian, the Arayan, the Allar Malakkaram, the Malia Kuravans, the Maha Malasar, the Pariekkars, and the Malayalar Kattunayakan in India—have given themselves names that just mean "man" or "human beings." Indigenous people consider themselves part of their ecological settings. [5]

Objectives

- **To trace the available protection to indigenous people.**
- **To study the international law on indigenous people.**
- **To understand the loopholes on laws.**
- **To observe the society of indigenous people.**
- **To suggest solutions for current issues.**

Hypothesis

Null Hypothesis—The laws relating to indigenous people are not sufficient to protect their interest.

Alternate Hypothesis—The laws relating to indigenous people are sufficient to protect their interest.

Aim of The Study

The aim of this paper is to study the concept of justice for poor and to analyse protections available to indigenous people.

Research Methodology

Only secondary sources have been referenced in this study. The primary sources including interviews with the people were not possible due to financial constraints. Secondary sources include books related to indigenous people and research articles on the Indigenous persons. Ample websites and blogs have also been referred for this study. This paper was completed through descriptive methodology.

Protection of Indigenous People in India

In his published lectures, On the India Lately Discovered (1532), de las Casas surmised that the Indians are not of unsound mind, but have, according to their kind (class), the use of reason. "This is

[4] Paz, O. (1985). The Labyrinth of Solitude. New York: Grove Press.

[5] Pati, Rabindra Nath, Dash, Jagannatha. (2002). Tribal and Indigenous People of India: Problems and Prospects. APH Publishing, pg.3.

clear, because there is a certain method in their affairs, for they have polities which are orderly arranged and they have definite marriage (a particular way of getting married) and magistrates, overlords, laws, and workshops and a system of exchange, all of which call for the use of reason; they also have a kind of religion."[6] De las Casas, having spent several years as a Roman Catholic missionary among the Indians, gave a contemporaneous account of the Spanish Colonization and settlement, vividly describing the enslavement and massacre of Indigenous People in the early sixteenth century in his *History of the Indies*.[7] John Marshall,[8] following Vattel's [9] preference for people who are non-nomadic, described the Indians as

> fierce savages, whose occupation was war, and whose subsistence was drawn chiefly from the forest. To leave them in possession of their country was to leave the country a wilder men; to govern them as a distinct people was impossible because they were as brave and high-spirited as they were fierce, and were ready to repel by arms every attempt on their independence. [10]

Human rights have always been important in India and included the welfare of all, i.e., vashudhaiva- kutumbakam. They understood the concept of human beings created in the image of God certainly endows men and women with a worth and dignity from which there can logically flow the components of comprehensive human rights jurisprudence.[11]

Indigenous people have inhabited all continents since time immemorial. They have lived on their sacred lands, nurtured their spiritual and cultural values, maintained and cultivated their environment and kept their traditions alive over centuries. For long periods of time they had to face attempts of forced assimilation into societies radically different from their own. They were politically marginalized and suffered from economic, cultural and religious dispossession, a situation that to a large extent persists today.[12] Indigenous cultures not only find expression in their land, but also in their specific knowledge of the use of the land and its resources, in their medicinal and spiritual knowledge and in traditional art, beliefs and values as they have been passed on from generation to generation. Knowledge and traditional resources are central to the maintenance of identity for indigenous peoples and cannot clearly be distinguished from one another.[13] A dichotomy between land/environment, religion/spirituality and indigenous ancestry, therefore, runs counter to an essential pillar of indigenous culture and indigenous identity. This explains the great

[6] Published in de Victoria, Francisco. (1917). "De indis et de ivre belli relectioner". Classics of International Law Series. (translations by J.Bate based on Iaquer Boyer ed., 1557; Alonso Munoz ed., 1565 & Johann G.Simon ed., 1696)

[7] de las Casas, Bartolome. (1971). History of the Indies: Selections (Andree Collard, ed. and trans.).

[8] Fourth Chief Justice of United States of America from 1801-1835.

[9] An international lawyer- he is famous for his works – The Law of Nations.

[10] Anaya, S. James. (2004). Indigenous Peoples in International Law. Oxford University Press, 2nd edition, pg.23..

[11] Mishra, Prakash. (2012). Human Rights in India. Cyber Tech Publication, pg.6, para.2..

[12] Von Lewinski, Silke. (2008). Indigenous Heritage and Intellectual Property- General Resources, Traditional Knowledge & Folklane. Klumer Law International, 2nd Edition, pg.7.

[13] Daes, Erica-Irene A. (1993). Study on the Protection of the Cultural and Intellectual Property of Indigenous Peoples. E/CN.4/Sub.2/1993/28, para.24.

importance indigenous peoples attach to the issue of land rights. It also explains the call for rights in natural resources and in the knowledge of them.[14] Since time immemorial, forest has been playing a central role in the life and culture of the Indian tribes. Forests and tribal peoples have been observed to be inseparable from each other. Forest had contributed significantly and specifically to the techno-economic conditions of the tribes. In India's context, forests have not only been considered to be closely associated with the tribal cultures in a general sense, but they also treated as cherished home of the tribes. Systematic evidence on the patterns of health deprivation among indigenous peoples remains scant in developing countries. The Republic of India Constitution at Article 342 defines a tribe as "an endogamous group with an ethnic identity, who have retained their traditional cultural identity; they have a distinct language or dialect of their own; they are economically backward and live in seclusion governed by their own social norms and largely having a self-contained economy." The historical writings and scientific research today argue that before European invasion most of the indigenous groups were able to control diseases and enjoyed higher levels of mental and physical health (Colomeda and Wenzel 2002), which is revealed by the following statement:

> "Skeletal remains of unquestionable pre-Columbian date ... are, barring a few exceptions, remarkably free from disease. Whole important scourges [affecting Europeans during the colonial period] were wholly unknown... There was no plague, cholera, typhus, smallpox or measles. Cancer was rare, and even fractures were infrequent ... There were, apparently, no nevi [skin tumours]. There were no troubles with the feet, such as fallen arches. And judging from later acquired knowledge, there was a much greater scarcity than in the white population of ... most mental disorders, and of other serious conditions.[15]

Indigenous and ethnic peoples throughout the world have learnt to live in most hostile environmental condition in this universe.[16] The most interesting feature associated with these indigenous and ethnic groups has been that they are located in areas that are biologically diverse. India is a country with a large and varied ethnic society and has immense wealth due to its rich biodiversity. There are 45,000 species of wild plants, out of which 9,500 species are ethno-botanically important species. Of these 7,500 species are in medicinal use of indigenous health practices. The ethnic and indigenous people have to depend upon several wild species for fruits, seeds, bulbs, roots and tubers which are edible. The ethnic community of India has played a vital role in preserving biodiversity of several virgin forests and have conserved several flora and fauna in sacred tribal groves, otherwise these flora and fauna might have disappeared from natural ecosystems. A. marmelos is one of such trees which has been conserved since ages, under acts such as

[14] Davis, Michael. (2001)."Law, Anthropology, and the Recognition of Indigenous Cultural Systems." Law & Anthropology, 11, 298-320, (299).

[15] Report of the Royal Commission on Aboriginal Peoples, (1996),111, cited in Manual (1999).

[16] Rai, Rajiv, Vijendra Nath. (2000). The Role of Ethnic and Indigenous People of India and Their Culture in the Conservation of Biodiversity. http://www.fao.org/docrep/article/wfc/xii/0186-a1.html.

Indian Constitution Article 46 (to promote the educational and economic interest and to protect them from social injustice and exploitation); and under Article 48A (to protect and safeguard the environment, the forests and wildlife of the country). Thus, in 1982 the Committee on the Forest and Tribals of India has strongly recommended "The symbiosis between the tribal community and the forest management should be established through imaginative forestry programmes and conservation and reorganization of traditional skills of tribals". The health and wealth disparities between indigenous and non-indigenous populations are widespread.[17] The Indian government identifies communities as scheduled tribes based on a community's "primitive traits, distinctive culture, shyness with the public at large, geographical isolation and social and economic backwardness"[18] with substantial variations in each of these dimensions with respect to different scheduled tribe communities.[19] While "scheduled tribes" is an administrative term adopted by the Government of India, the term "Adivasis" (meaning "original inhabitants" in Sanskrit) is often used to describe the different communities that belong to scheduled tribes. The Adivasis are thought to be the earliest settlers in, and the original inhabitants of, the Indian peninsula, with their presence dating back to before the Aryan colonization.[20] The suboptimal health status of indigenous peoples and the health inequalities between indigenous and non-indigenous populations reflect a fundamental failure to ensure the freedom of indigenous peoples to fully realize their human, social, economic, and political potential. The traditional rights, concessions and privileges of tribals in respect of forest produce, grazing and hunting should not be abridged. Further, they should be appropriately incorporated in the record of rights. National parks, sanctuaries, biospheres, etc. should not be located close to the tribal villages. Persons displaced on account of their creation should be properly rehabilitated. The Bastar forestry project was based on years of planning by international forestry experts and was implemented in 1975 by the World Bank and the Indian government. The project sought to industrialize a backward region of Madhya Pradesh and to deal with the problem of national balance of payments. Little scientific attention was paid to the views or conditions of the 1.8 million forest dwellers of Bastar. Their role, however, was probably decisive in the project's termination in 1981. In addition to unresolved technical issues (pine plantation growth rates, land use, pulp and paper mill organization, public and private investment), the eventual hostility of tribal people reverberated to the top of the political system. Distressed by outside political interference (including the killing of their king), and under the influence of a messianic prophet during the evolution of the forestry project, the people reasserted a long history of resistance to commercial penetration of their forest.[21]

[17] Stephens, C., Nettleton, C., Porter, J, Willis, R., Clark S. (2005), "Indigenous peoples' health—Why are they behind everyone, everywhere?", Lancet 366: 10–13.

[18] India Ministry of Tribal Affairs. (2004), The national tribal policy (draft). New Delhi: India Ministry of Tribal Affairs. Available at http://tribal.nic.in/finalContent.pdf.

[19] Basu, S. (2000), "Dimensions of tribal health in India". Health Popul Perspect Issues 23: 61–70.

[20] Thapar, R.A. (1990), A History of India. New Delhi: Penguin. 384 p.

[21] Anderson, R. S., Huber, W. (1998). The hour of the fox: Tropical forests, the World Bank, and indigenous people in central India. pp.173. Seattle: University of Washington Press.

Protection of Indigenous People under International Law

The term indigenous, or similar terms such as native or aboriginal, within international institutions and international law just as in the domestic legal regimes of many countries, has long been used to refer to a particular subset of humanity that represents a certain common set of experiences rooted in historical subjugation by colonization, or something like colonialism.[22] Citizens have rights under International law against their own State with respect to its violations that have only internal effects.[23] For many kinds of violations—police brutality, press censorship, bribed or coerced judges—only the population of the delinquent state is likely to feel the effects. Other states are unlikely to protest, let alone take weightier measures to end the violations, even though the violator may have broken it, obligations erga omnes, vis-à-vis all other states or at least those within a given treaty regime.[24] More recently, international law has penetrated the once exclusive zone of domestic affairs to regulate the relationships between governments and their own citizens, particularly through the growing bodies of human rights law and international criminal law.[25] In 1956, Phillip Jessup made a hegemonic move, claiming for international lawyer not only the classic domain of international law, but also "all law which regulates actions or events that transcend national frontiers", which he dubbed "transnational law" (Phillip Jessup , Transnational Law 2, 1956).[26] As Blackstone wrote in 1765:

> The law of Nations is a system of rules, deducible by natural reason, and established by universal consent among the civilized inhabitants of the world; in order to decide all disputes, to regulate all ceremonies and civilities, and to ensure the observance of Justice and good faith, in that intercourse which must frequently occur between two or more independent states, and the individuals belonging to each.[27]

International Human Rights law point to the direct application of international law to individuals and in some instances even gives individuals direct access to international legal machinery. More than anything, these developments demonstrate that individuals, regardless of strict positivist doctrine, are now to be properly considered subjects not only of private, but also of public international law.[28] The traditional positivist doctrine was restated as late as 1955 in Lauterpacht's revision of Oppenheim's classic international law treatise: Since the law of nations is primarily a law between states, states are,

[21] Anderson, R. S., Huber, W. (1998). The hour of the fox: Tropical forests, the World Bank, and indigenous people in central India. pp.173. Seattle: University of Washington Press.

[22] See Working Paper by the chairperson-Rapporteur, Mrs. Erica-Irene A.Daer, on the concept of "indigenous people", U.N. Doc.E/CN.4/Sub.2/AC.4/1996/2 (1996) (Surveying Historical and Contemporary Practice).

[23] Evans, Malcolm D. (2010). International Law. Oxford University Press, 3rd edition, pg. 800.

[24] Barcelona Traction, Light and Power Company, Limited, Second Phase, Judgment, ICJ Reports 1970, p. 3, paras 33-34.

[25] See Slaughter, Anne-Marie and William Burke-White. (2002). "An International Constitutional Moment". 43 Harv. INT'L. J. 1

[26] Ku, Charlotte and Paul F.Diehl. (editors). (2010). International Law Classic and Contemporary Readings. Lynne USA: Rienner Publishers Inc, 3rd edition.

[27] Blackstone, W. (1765-1769). 4 Commentaries on the Laws of England 66 (1sted.)

[28] Diaz-Gonzalez, L. (1985). Second Report on Relations Between States and International Organizations (Second Part of the Topic). U.N.Doc. A/CN.4/391.

to that extent, the only subjects of the law of nations.... But what is the normal position of individuals in international law, if they are not regularly subjects there of? The answer can only be that, generally speaking, they are objects of the law of nations.[29] Human rights and fundamental freedoms have all along been the basic norms of democracy and democratic values. Though modern constitutions, without exceptions, ensure to citizens equality and equal protection besides right to life, liberty and property, they are yet to go a long way in accommodating the rights and interests of resident aliens.[30] Human rights are natural rights, which every human is entitled to possess being a human being. Though a very ancient concept, the present day nomenclature appeared only during the last century, when violation of natural fundamental rights escalated. Currently in the era of globalization, Human rights are much debated and have become of prime importance.[31] European conquest and settlement raised early questions regarding the legality and morality of European claims to the newly discovered territory. According to Francisco de Vitoria, a Spanish scholar of theology at the University of Salamanca during the first half of the sixteenth century, Indians shared in all attributes of rational human beings with natural rights and legal principles, which were to be recognized. Despite these attempts to acknowledge rights of indigenous peoples, it was not until the mid-twentieth century that international law recognized the issues of indigenous peoples.[32] While the conquest of Mexico and South American territories by the Spaniards and the Portuguese led to indigenous people being forced to pay tribute to the crown, the British colonial power relied less on the mere exercise of force than on negotiation and persuasion.[33] The tendency clearly is towards recognition of indigenous groups as peoples without recognizing a right to external self-determination. While a right to internal self-determination finds more and more acceptance among states, the extent of such a right is contentious, as it has not only political but also economic aspects. The economic side of the right to self-determination is derived from the parallel Article 1(2) of the ICCPR and the ICESCR.[34] Although human rights treaties do not require that state action have a systematic character before it can constitute a violation, in practice other than states and international organs are likely to take notice only when such is the case. But the violation and injury are rarely idiosyncratic, disconnected from a larger political system or prevailing common practices. They tend to fall within a practice or pattern—perhaps widespread torture or abuse of prisoners, electoral fraud, and repression of religious worship, gender discrimination, or disappearance of political dissenters. Human Rights norms may then threaten a State's political structure and ideology, for often government practices and policies that amount to systemic violation of human rights will appear essential to maintaining authorization rule. To the

[29] Oppenheim, L. (1955). 1 International Law 636, 639 (8th ed. Lauterpacht).

[30] Chandra, Satish. (2009). Law of Global Village- A Few Aspects. Deep & Deep Publications Pvt. Ltd, pg. 13.

[31] Mishra, Prakash. (2012). Human Rights in India. Cyber Tech Publication, pg.6, para.2..

[32] Anaya, S. James. (2004). Indigenous Peoples in International Law. Oxford University Press, 2nd edition, pg.23.

[33] Grote, Rainer. (1999)."The Status and Rights of Indigenous Peoples in Latin America", Heidelberg J. Int' l L., 59 : 497-528.

[34] Nowak, Manfred CCPR Commentary (Kehl, 1993), Art. 1, para. 39.

extent in which they are successful, pressure by other states or international organs to terminate the violations may therefore have deep and widespread structural effects within the delinquent state, far more so than would international responses to a state's violation of trade, commercial, or environmental treaties, or rules of the law of the sea. Commonplace illustrations of systemic violations whose termination would shake the viability of authoritarian regimes and increase the chances for fundamental change include denial of the right to associate and suppression of an independent press. Acute conflict may result between the state's 'Supreme law' and international norms, between a traditional conception of state sovereignty and international human rights. Currently, there are two international instruments exclusively related to the tribal and analogous peoples: the International Labor Organization (ILO) Convention 107 of 1957 concerning the protection and integration of indigenous and other tribal and semi-tribal populations in independent countries; and the ILO Convention 169 of 1989 concerning indigenous and tribal peoples in independent countries. Another international instrument, namely, the Universal Declaration of the Rights of Indigenous Peoples, was approved by the UN General Assembly in 2007 and affirmed for implementation with an Outcome Document by the UN General Assembly in 2014. While the first Convention considers the tribal and indigenous population as representing a socially and economically less developed stage than that of the general population of the country in a unilinear schema of human evolution, the later convention emphasizes viability and distinctiveness of tribal and indigenous social entities. The Human Rights Committee has continued to favour an interpretation of Article 27 of the International Covenant on Civil and Political Rights ('ICCPR')[35] that includes strong indigenous land rights. [36] In addition, the Committee on the Elimination of Racial Discrimination ('CERD') has intensified its monitoring of indigenous issues. Following its 1997 General Recommendation 23 on indigenous peoples,[37] CERD, through its monitoring process and interpretation of human rights standards, has positively contributed to indigenous rights, often promoting the collective element in indigenous rights. In the Saramaka Case, the Court concluded that: the natural resources found on and within indigenous and tribal people's territories that are protected under Article 21 are those natural resources traditionally used and necessary for the very survival, development and continuation of such people's way of life.[38] The United Nation had proclaimed 1993 the "International Year for the World's Indigenous People". In view of the development of the so-called indigenous peoples, declaration of the "Indigenous People Year (1993)" is definitely a laudable step, but not enough. It is quite appreciable that many World and National (India) Councils have been organized to set up the rights of such people. The ILO has also taken timely steps to define their state and rights in its conventions. European settlers invoked the concept of terra nullius for

[35] International Covenant on Civil and Political Rights, opened for signature on December 16, 1966, 999 UNTS 171 (entered into force March 23, 1976).

[36] Äärelä and Näkkäläjärvi v Finland, HRC, Communication No 779/1997, UN Doc CCPR/C/73/D/779/1997 (October 24, 2001)

[37] CERD, Report of the Committee on the Elimination of Racial Discrimination, UN GAOR, 52nd sess, Annex V, UN Doc A/52/18/ (SUPP) (September 26, 1997) (General Recommendation No 23: Indigenous Peoples)

[38] Saramaka People v Suriname [2007] Inter-Am Court HR (ser C) No 172 [122].

asserting their rights over the territories in respect of which they did not enter into any treaty with the indigenous political authorities. In May 1982 the Economic and Social Council (ECOSOC) of the UN authorized the Human Rights Commission for the establishment of an annually Working Group on Indigenous Populations to review the developments, promotion and protection of human rights and fundamental freedoms of indigenous populations and to give special attention to the evolution of standards concerning the rights of indigenous populations. No discussion of indigenous people's rights under international law is complete without a discussion of self-determination, a principle of the highest order within the contemporary international system. Indigenous peoples have repeatedly articulated their demands in terms of self-determination, and, in turn, self-determination precepts have fueled the international movement in favor of those demands. Affirmed in the United Nations Charter [39] and other major international legal instruments, self-determination is widely acknowledged to be a principle of customary international law and even jus cogens, a peremptory norm. The regulated relationships are principally between the duty-bearing State and rights bearing non-state actors—that is, individual or institutional actors that are neither part of government, nor so closely associated with the State as to have their actions attributed to it. With few exceptions, States alone are charged with the duties imposed by international law, principally the duty to respect the declared rights. Failure to fulfill these duties constitutes a violation of international law. As human rights treaties were negotiated at different times over several decades, they changed in both substance and strategy. The overlay political obstacles to change were evident enough from the start. Compliance can be said to occur when the actual behavior of given subject conforms to prescribed behavior, and non-compliance or violation occur when actual behavior departs significantly from prescribed behavior. For experts on human rights, it is clear that the protection of individuals from violation of human rights and humanitarian law requires appropriate mechanisms to enforce the law. For decades, international law lacked sufficient mechanisms to hold individuals accountable for the most serious international crimes. The problem is that it is precisely when the most serious crimes were committed that UN Member State courts were least willing or able to act because of widespread or systematic violence or because of involvement of agents of the State in the commission of crimes.

When state courts fail to act as enforces of international laws, cooperation from states is required at all stages of proceedings, such as by executing arrest warrant, providing evidence, and enforcing sentences of the convicted. Co-operation is absolutely crucial. But State courts will never be able to end impunity alone. Its success will depend upon the support and commitment of states, international organizations and civil society. The court is complementary, as we note, to national jurisdictions and states will continue to have the primary responsibility to investigate and prosecute crimes. The State courts being only a court of last resort. There will be situations where national systems do not work properly or are unable to work. Because the court's jurisdiction is limited to territories of states parties, continued ratification of the statute is essential to the court having a truly global reach. We have to follow much more intensive as well as extensive

[39] U.N. Charter art. 1, para.2.

steps at this end. An opportunity to call attention to their ways of life and discrimination and disadvantages they face should be given. Enormous charges have overtaken these people, with economic developments such as mining, the construction of dams and extensive logging, destroying the foundation of many of their cultures, displacing and impoverishing them. Often, indigenous people have not been parties of the decisions affecting their societies. We need to help them address their needs, promote an understanding of their cultures and incorporate indigenous communities into the decision-making process. Socioeconomic status differentials substantially account for the health inequalities between indigenous and non-indigenous groups in India. However, a strong socioeconomic gradient in health is also evident within indigenous populations, reiterating the overall importance of socioeconomic status for reducing population-level health disparities, regardless of indigeneity.

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