

**The New Legal Context of Indigenous Peoples' Rights:
The United Nations Declaration on the Rights of Indigenous Peoples
[Abstract]**

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The United Nations Declaration on the Rights of Indigenous Peoples is a momentous step both for indigenous peoples and the nations in which they reside. For the first time, the global community recognizes the unique rights of indigenous peoples and aspires to protect those rights. The new declaration is shaped by the historical trends of international law, and it will be implemented within the context of local and national law. To provide a better understanding of the declaration and to prepare citizens for its implementation, this essay examines how the international legal approach to rights will affect its implementation. Additionally, this article assesses issues of interpretation that may occur when the declaration is implemented. An examination of the application of the declaration in the context of American law provides an example of potential conflicts that may arise between national law and the declaration. Other legal sources of indigenous rights are described to provide a fuller picture of the ways in which indigenous peoples can protect their rights. Overall, this essay aims to give scholars and the general public grounding in the legal context of the declaration for future research on and observation of the declaration as it is implemented globally.

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