A Reflection On Achievements in the 1st Decade of the UN Declaration on the Rights of Indigenous Peoples

Ten years of the implementation of the United Nations Declaration on the Rights of Indigenous Peoples: good practices and lessons learned

Wilton Littlechild, IPC
International Chief and Former Member of the Expert Mechanism on the Rights of Indigenous Peoples

Chief Deskaheh
Haudenosaunee (Cayuga)

Denied access to the League of Nations in 1923 & 1925

Ratana
Maori Spiritual Leader
UN Conferences on Indigenous Peoples, 1977 & 1981, Geneva Switzerland

Geneva, 1977
Indigenous-Specific Mechanisms

- United Nations Permanent Forum on Indigenous Issues
- Special Rapporteur on the Rights of Indigenous Peoples
- Expert Mechanism on the Rights of Indigenous Peoples
- United Nations Voluntary Fund for Indigenous Peoples
- Senior Official to the UN Secretary-General
The Special Rapporteur on the Rights of Indigenous Peoples, 2001
(re-named by the HRC 15th session, September, 2010)

Special Rapporteur
Vicky Tauli-Corpuz
UN Expert Mechanism on the Rights of Indigenous Peoples
Realizing the Rights of Indigenous Peoples

The International Legal Framework
International Legal Framework

- The International Labour Organization Conventions No. 107 and 169
- The UN Declaration on the Rights of Indigenous Peoples (UN Declaration)
- The OAS Declaration on the Rights of Indigenous Peoples
- The Convention on the Rights of the Child (General Comment #11)
- The Paris Agreement on Climate Change
- The Convention on Biological Diversity
Ten Most Significant Accomplishments and Contributions

1. Our Elders and Spiritual Leaders on the Environment and Spirituality
2. Recognition of our Inherent Rights: Our Right to Self-Determination
3. Honour and Respect of our “Inter-national” Treaties and Treaty Rights (UN Study and Final Report on Treaties, Agreements and Constructive Arrangements by Professor Miguel Alfonso Martinez)
4. Inclusion of Women, Children and Persons with Disabilities (UN Permanent Forum)
5. Recognition of Indigenous Laws (OAS)
Ten Most Significant Accomplishments and Contributions

6. Recognition of the Indigenous Family (OAS)
7. Recognition of Ceremony (Feasts) at the World Summit on Food (FAO)
8. Recognition of Holistic Health and Wellness: Medicine Wheel (WHO)
9. Inclusion of Culture: Traditional Games and Sports (World Forum on Sports/World Summit on Physical Education)
10. Indigenous Leadership as Special Rapporteurs, Advocates for Positive Resolution of Issues
Truth and Reconciliation Commission of Canada’s Final Report & Calls to Action

- History of Schools
- The Missing Children
- School Legacy issues:
  - Education
  - Culture and Language
  - Spirituality
  - Health
  - Justice
  - Governance
  - Poverty
  - The Missing & Murdered
  - Child Welfare
- Reconciliation

For the child taken,
For the parent left behind.
TRC Conclusions

PRINCIPLES OF RECONCILIATION

1. UN Declaration on Rights of Indigenous Peoples is the framework for reconciliation.

2. First Nations, Inuit & Métis peoples have Treaty, constitutional and Treaty rights that must be recognized and respected.

3. Reconciliation is process of healing relationships that requires public truth sharing, apology, commemoration and redress of past harms.

4. Reconciliation requires action to address destructive impacts on Aboriginal education, language and culture, health, child welfare, administration of justice, economic opportunity and prosperity.
TRC Conclusions

PRINCIPLES OF RECONCILIATION

5. Reconciliation must create more equitable society, closing gaps in social, health & economic outcomes.

6. All Canadians are Treaty peoples & share responsibility for mutually respectful relationships.

7. Perspectives of Aboriginal Elders & Knowledge Keepers regarding concepts & practices of reconciliation are vital to long-term reconciliation.
TRC Conclusions

PRINCIPLES OF RECONCILIATION

8. Aboriginal cultural revitalization, & integration of Indigenous knowledge systems, oral histories, laws, protocols & connection to land are essential to reconciliation process.

9. Reconciliation requires political will, joint leadership, trust building, accountability, transparency, & investment of resources.

10. Reconciliation requires sustained public education, dialogue, & youth engagement about history & legacy of residential schools, Treaties & aboriginal rights, & past and present contributions of Indigenous peoples to Canadian society.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

43. We call upon federal, provincial, territorial, and municipal governments to **fully adopt and implement** the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.

44. We call upon the Government of Canada to develop a **national action plan, strategies, and other concrete measures** to achieve the goals of the *United Nations Declaration on the Rights of Indigenous Peoples*.

**ii. Adopt and implement** the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

24. We call upon medical and nursing schools in Canada to require all students to **take a course dealing with Aboriginal health issues**, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, and Indigenous teachings and practices. This will **require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism**.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

27. We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
28. We call upon law schools in Canada to require all law students to take a course in Aboriginal people and the law, which includes the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and antiracism.
42. We call upon the federal, provincial, and territorial governments to **commit to the recognition and implementation of Aboriginal justice systems** in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the Constitution Act, 1982, and the *United Nations Declaration on the Rights of Indigenous Peoples*, **endorsed by Canada** in November 2012.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

46. We call upon the parties to the Indian Residential Schools Settlement Agreement to develop and sign a Covenant of Reconciliation that would identify principles for working collaboratively to advance reconciliation in Canadian society, and that would include, but not be limited to:

iii. Full adoption and implementation of the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

48. We call upon the church parties to the Settlement Agreement, and all other faith groups and interfaith social justice groups in Canada who have not already done so, to formally adopt and comply with the principles, norms, and standards of the United Nations Declaration on the Rights of Indigenous Peoples as a framework for reconciliation. This would include, but not be limited to, the following commitments:

i. Ensuring that their institutions, policies, programs, and practices comply with the United Nations Declaration on the Rights of Indigenous Peoples.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

48.

ii. Respecting Indigenous peoples’ right to self determination in spiritual matters, including the right to practice, develop, and teach their own spiritual and religious traditions, customs, and ceremonies, consistent with Article 12:1 of the United Nations Declaration on the Rights of Indigenous Peoples.

iii. Engaging in ongoing public dialogue and actions to support the United Nations Declaration on the Rights of Indigenous Peoples.

iv. Issuing a statement no later than March 31, 2016, from all religious denominations and faith groups, as to how they will implement the United Nations Declaration on the Rights of Indigenous Peoples.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

50. In keeping with the United Nations Declaration on the Rights of Indigenous Peoples, we call upon the federal government, in collaboration with Aboriginal organizations, to fund the establishment of Indigenous law institutes for the development, use, and understanding of Indigenous laws and access to justice in accordance with the unique cultures of Aboriginal peoples in Canada.
57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.
67. We call upon the federal government to provide funding to the Canadian Museums Association to undertake, in collaboration with Aboriginal peoples, a national review of museum policies and best practices to determine the level of compliance with the United Nations Declaration on the Rights of Indigenous Peoples and to make recommendations.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

69. We call upon Library and Archives Canada to:

i. **Fully adopt and implement** the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Joint-Örterlicher Principles*, as related to Aboriginal peoples’ **inalienable right** to know the truth about what happened and why, with regard to **human rights violations** committed against them in the residential schools.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

70. We call upon the federal government to provide funding to the Canadian Association of Archivists to undertake, in collaboration with Aboriginal peoples, a national review of archival policies and best practices to:

i. Determine the level of compliance with the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Joint-Orentlicher Principles, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
86. We call upon Canadian journalism programs and media schools to require education for all students on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations.
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

92. We call upon the corporate sector in Canada to **adopt** the *United Nations Declaration on the Rights of Indigenous Peoples* as a reconciliation framework and to **apply its principles, norms, and standards** to corporate policy and core operational activities **involving Indigenous peoples and their lands and resources**. This would include, but not be limited to, the following:
Calls to Action: UN Declaration on the Rights of Indigenous Peoples

iii. Provide education for management and staff on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.
"No relationship is more important to me and to Canada than the one with Indigenous Peoples. It is time for a renewed, nation to nation relationship with Indigenous Peoples, based on recognition of rights, respect, cooperation, and partnership."

Prime Minister Justin Trudeau
Reconciliation

“In particular I expect you to deliver on your top priorities:

- To support the work of reconciliation, and continue the necessary process of truth telling and healing, work with provinces and territories, and with First Nations...to implement recommendations of the Truth and Reconciliation Commission, starting with the implementation of the United Nations Declaration on the Rights of Indigenous Peoples...”

Prime Minister Justin Trudeau
The Honorable Carolyn Bennett, Minister of Indigenous and Northern Affairs, at the UN Permanent Forum on Indigenous Issues (10 May 2016)

“I am here to announce, on behalf of Canada, that we are now a full supporter of the Declaration without qualification.”
“Reconcili-action”

- Spirituality must come back to leadership.
- Indigenous women must take a more prominent role in leadership.
- We must build on the strengths of our people.
- We must work very, very hard on unity.
Ermineskin, Alberta, Canada
Ermineskin, Alberta, Canada
FROM THE FOUR DIRECTIONS
HAI HAI.

Thank you.