

Public statement

Anniversary of global adoption of *UN Declaration on the Rights of Indigenous Peoples*: No backtracking on solemn commitments to human rights and reconciliation

September 13th, 2024

In a landmark decision earlier this year, the Supreme Court of Canada concluded that the *United Nations Declaration on the Rights of Indigenous Peoples* is now part of the positive law of Canada.¹

This is partly a consequence of the federal *UN Declaration Act* which requires consistency between the laws of Canada and the provisions of the *UN Declaration*,² as well as other key federal laws imbedding a commitment to implement the *Declaration*.³

It is also a consequence of the nature of the *Declaration* itself. Adopted by the UN General Assembly on September 13, 2007, the *UN Declaration* states the global “minimum standards” for upholding the individual and collective human rights of Indigenous Peoples. It is the product of more than two decades of intensive deliberation and consensus-building amongst States and Indigenous Peoples. The duty to implement the *Declaration* has since been repeatedly affirmed in consensus resolutions of the UN General Assembly.⁴

Unfortunately, in Canada, the *Declaration* was highly politicized from the outset, delaying meaningful efforts toward its implementation by more than a decade. Over the years, the Coalition has issued numerous statements and factsheets attempting to correct false and misleading claims about the *Declaration*.⁵

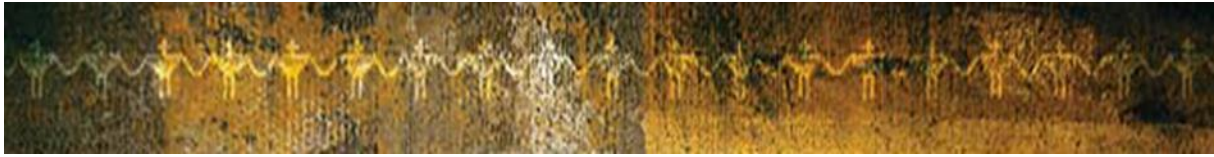
¹ *Attorney General Quebec v Attorney General Canada*, 2024 SCC 5 paras 4, 15. For commentary on this decision, and a second Supreme Court ruling also from this year, see: Declaration Coalition, *Supreme Court of Canada decisions underline the significance of the UN Declaration on the Rights of Indigenous Peoples in Canadian law*, 24 May 2024. <https://www.declarationcoalition.com/2024/05/24/coalition-statement-supreme-court-of-canada-decisions-underline-the-significance-of-the-un-declaration-on-the-rights-of-indigenous-peoples-in-canadian-law/>

² *United Nations Declaration on the Rights of Indigenous Peoples Act*, S.C. 2021, c. 14.

³ For example, *Indigenous Languages Act*, S.C. 2019, c. 23 and *An Act respecting First Nations, Inuit and Métis children, youth and families*, SC 2019, c. 24.

⁴ For example, in [A/RES/70/232](#), [A/RES/69/159](#), and [A/77/460](#)

⁵ See for example, *Interpreting the UN Declaration on the Rights of Indigenous Peoples: Myths and Misrepresentations*, and *Free, prior and informed consent factsheet*, June 2018 (<https://www.declarationcoalition.com/wp-content/uploads/2022/03/FPIC-factsheet-June-2018-Declaration-Coalition-1-2.pdf>)



Now the governments of Canada, British Columbia, and the Northwest Territories have all enacted legislation to facilitate their implementation of the *UN Declaration*.⁶ Progress is being made, yet it seems that some still question the value of the *Declaration*.

In British Columbia, provincial Conservative leader John Rustad has stated that if his party is elected, he will repeal that province's *UN Declaration* implementation legislation, though he supported this legislation when it was unanimously adopted by the BC legislature in 2019.

Rustad has claimed that repealing the legislation is necessary to provide certainty and stability for landowners and industry. However, it is clear that abandoning an implementation plan that is already in progress, backtracking on promises to Indigenous Peoples, ignoring Supreme Court jurisprudence, and violating Canada's international human rights commitments will lead to conflict and uncertainty, not stability and clarity.

Implementation of the *Declaration* is a long and complex process, and it is far from realized. This is not because of problems with the *Declaration*; it is the consequence of how much work remains to be done to overcome deeply entrenched colonialism and discrimination in Canadian law and policy.

Indigenous Peoples deserve fast progress toward resolving the many injustices that continue to cause harm to individuals, families and communities, including poverty, a lack of affordable housing, substandard health and education, and a lack of clean drinking water. Every politician should support efforts to alleviate these harms and uphold basic human rights.

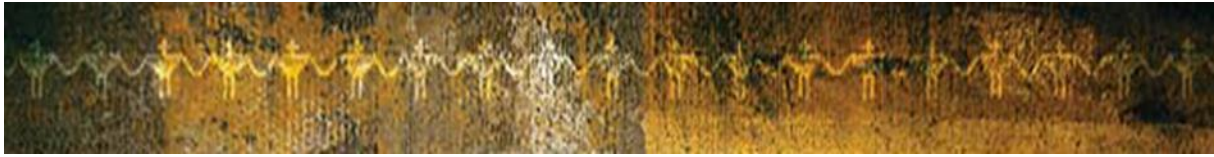
Today, on the anniversary of the global adoption of the *Declaration*, we want to emphasize the importance of continued progress toward fulfilling Canada's human rights obligations. Legislation to implement the *Declaration* was adopted by the Canadian Parliament, and in British Columbia and the Northwest Territories. A wide spectrum of political parties, including all parties in the House of Commons, have expressed support for the *UN Declaration*.⁷ We must continue to stand together to affirm the rights of Indigenous Peoples and implement the *UN Declaration*.

The Coalition for the Human Rights of Indigenous Peoples

⁶ *United Nations Declaration on the Rights of Indigenous Peoples Act*, S.C. 2021, c. 14; *Declaration on the Rights of Indigenous Peoples Act*, SBC 2019, c. 44; *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act*, SNWT 2023, c. 36.

⁷ For example: the Conservative government in 2010 [here](#), the Liberal government [here](#), and the NDP [here](#).

The Coalition for the Human Rights of Indigenous Peoples (www.declarationcoaliton.com)



This statement was endorsed by the following organizations and individuals:

Amnistie Internationale Canada
Francophone
Ana Collins
British Columbia Treaty Commission
Canadian Friends Service Committee
(Quakers)
Cheryl Knockwood
Chief Edward John
Ellen Gabriel, Kanehsatà:ke Land Defender
First Nations Summit
Grand Council of the Crees (Eeyou Istchee) /
Cree Nation Government

Indigenous World Association
Lea Nicholas Mackenzie
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Matthew Norris, President, Urban Native
Youth Association
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Columbia Assembly of First Nations
Sashia Leung
Tl'azt'en Nation
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