



UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

OVERVIEW

The United Nations Declaration on the Rights of Indigenous Peoples (the UN Declaration) was adopted by the UN General Assembly on September 13, 2007. The UN Declaration sets out minimum human rights standards that are necessary 'for the dignity, survival and well-being of Indigenous Peoples'.

Governments and Indigenous Peoples from around the world worked together for decades to achieve this success. First Nations played a key role in this work.

Canada is now part of eight consensus resolutions of the United Nations affirming the UN Declaration. This includes working with Indigenous peoples to develop national action plans and other measures to support implementation.

The AFN has passed numerous resolutions calling for the full and meaningful implementation of the UN Declaration including development of a federal legislative framework to support implementation (e.g. Resolution 97/2017, *Support for Bill C-262, An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples*).

Under the Canada-AFN MOU on Joint Priorities, signed on June 12, 2017, Canada has committed to "work in partnership on measures to implement the United Nations Declaration on the Rights of Indigenous Peoples, including co-development of a national action plan and discussion of proposals for a federal legislative framework on implementation".

In 2016, MP Romeo Saganash tabled Private Members Bill C-262, *The United Nations Declaration on the Rights of Indigenous Peoples Act*. This Bill would require Canada to work with Indigenous peoples to ensure federal law is consistent with the UN Declaration and to work with Indigenous peoples to develop a National Action Plan. First Nations have expressed strong support for Bill C-262.

In January 2018, National Chief Bellegarde wrote to Prime Minister Trudeau to acknowledge the government's expressed support for Bill C-262 and the need for engagement with First Nations respecting Canada's stated interest in additional initiatives.

UPDATE

On November 29, 2018, Bill C-262 commenced second reading in the Senate. The Senate sponsor of the Bill, Senator Murray Sinclair, gave an informative speech to the Upper House of Canada.

National Chief Bellegarde met with the Independent Senators Group on November 20, 2018, on Bill C-262 and other legislative priorities for First Nations.

NEXT STEPS

- Bill C-262 is currently in second reading in the Senate.
- The AFN will continue to call for support from all Members of Parliament and Senators, and inform First Nations of developments.
- The AFN has put forward several clarifying amendments that are consistent with the principle of the Bill. These additions consist of the inclusion of the doctrines of discovery and terra nullius in the bill when

- recognizing doctrines of superiority. Secondly, an addition in the preamble to include the four principles that guide the approach to working with First Nations: Recognition of rights, respect, cooperation and partnership. Thirdly, the importance of Treaties and other agreements should be highlighted consistent with the UN Declaration.
- The AFN is advocating for the Senate to pass Bill C-262.

