



Keynote Presentation

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Efforts to Engage Internationally

- ❖ International relations were begun on contact, with ongoing negotiations on trade, relations and other aspects of learning to live together being developed. Treaties are broadly understood as international documents, as they were entered into as between sovereign Nations
- ❖ Indigenous Nations understood themselves in a state of equality, generosity and sharing with the western people they welcomed and assisted.
- ❖ The colonial approach of our treaty partners was less transparent and partly based in eurocentric precepts such as the Doctrine of Discovery (which is alive and well today.)
- ❖ When League of Nations was established, Indigenous Peoples such as Chief Deskaheh (Haudenosaunee Cayuga) - pictured at right - went to the League of Nations in 1923 and 1925 and was denied access.







United Nations Declaration on the Rights of Indigenous Peoples

Adopted by General Assembly Resolution 61/295 on 13 September 2007

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and good faith in the fulfilment of the obligations assumed by States in accordance with the Charter,

Affirming that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,

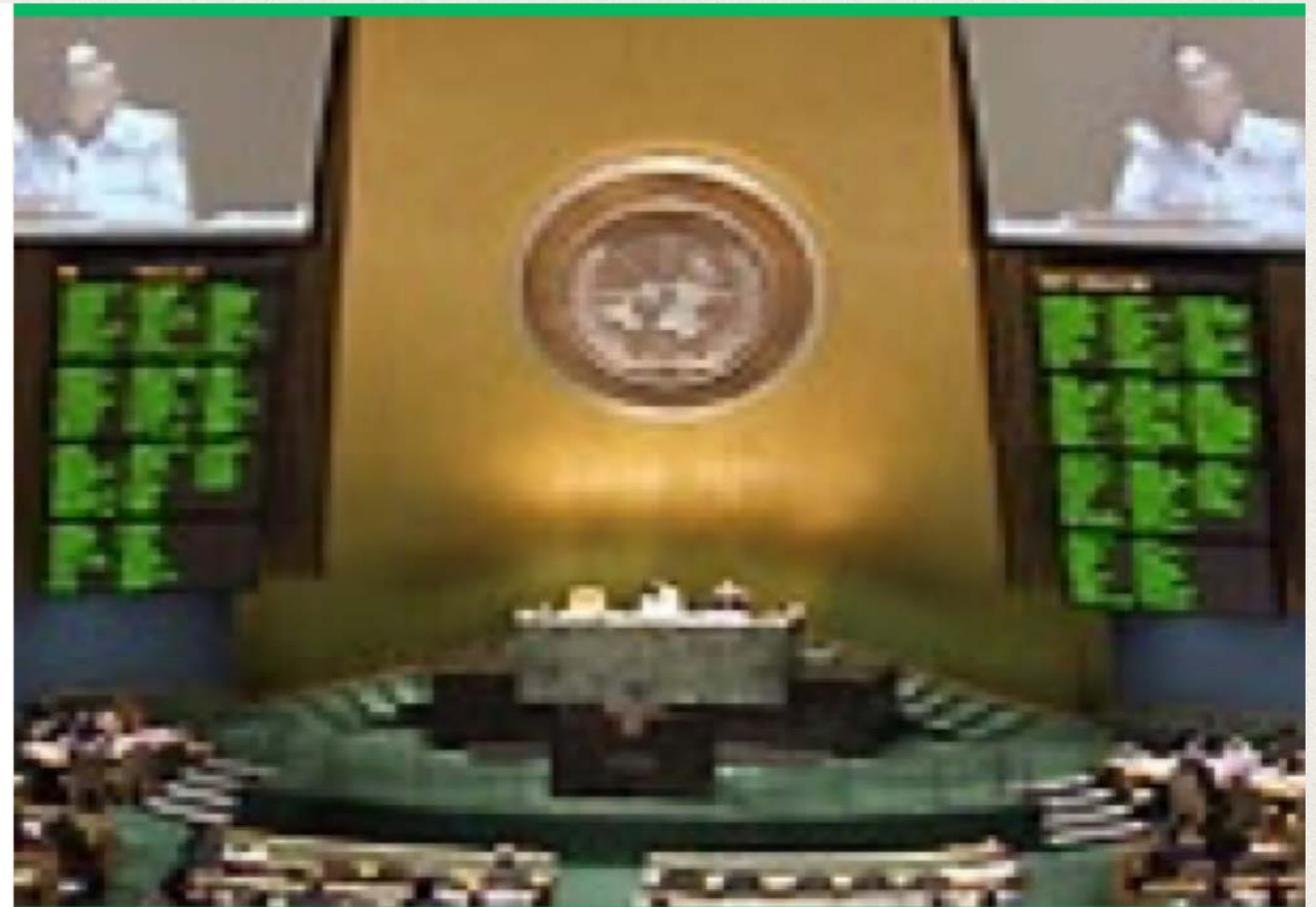
Affirming also that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,

Affirming further that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

Concerned that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,

Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,



Canada, United States, New Zealand and Australia vote NO to the UN Declaration in 2007

All four States have since changed their positions:

- ❖ Australia announced their endorsement in 2009
- ❖ New Zealand announced their endorsement at the UN Permanent Forum on Indigenous Issues in May of 2010
- ❖ Pres.Obama announced US endorsement in December 2010
- ❖ Minister Carolyn Bennett announced Canada's endorsement at the UN Permanent Forum on Indigenous Issues in May 2016
- ❖ Minister Bennett returned to the UNPFII in 2017 to officially state that Canada also endorsed the UNDRIP right of Free, Prior and Informed Consent



Minister Bennett in 2016:

- ❖ “It means nothing less than a full engagement on how to move forward with adoption and implementation, done in full partnership with First Nations, the Métis Nation and Inuit Peoples. It will also include Canada’s provinces and territories, whose cooperation and support is essential in this work. Canada has already begun making real the Declaration on the Rights of Indigenous peoples... We are investing in housing, infrastructure, health, and child welfare... UNDRIP reflects the spirit and intent of the Treaties.”

Content of the Declaration

- ❖ The UN Declaration does not create new or special rights for Indigenous peoples. Instead, the UN Declaration elaborated upon existing international human rights instruments and clarifies how those rights apply to Indigenous peoples given their “specific cultural, historical, social and economic circumstances.” Some scholars, international lawyers and international bodies have concluded that some provisions of the UN Declaration reflect existing customary international law.

Content

24 Preambular paragraphs and 46 operative paragraphs:

Preambular paragraphs = background, context, parameters

FOR THE:

Operative articles, setting down actual rights.

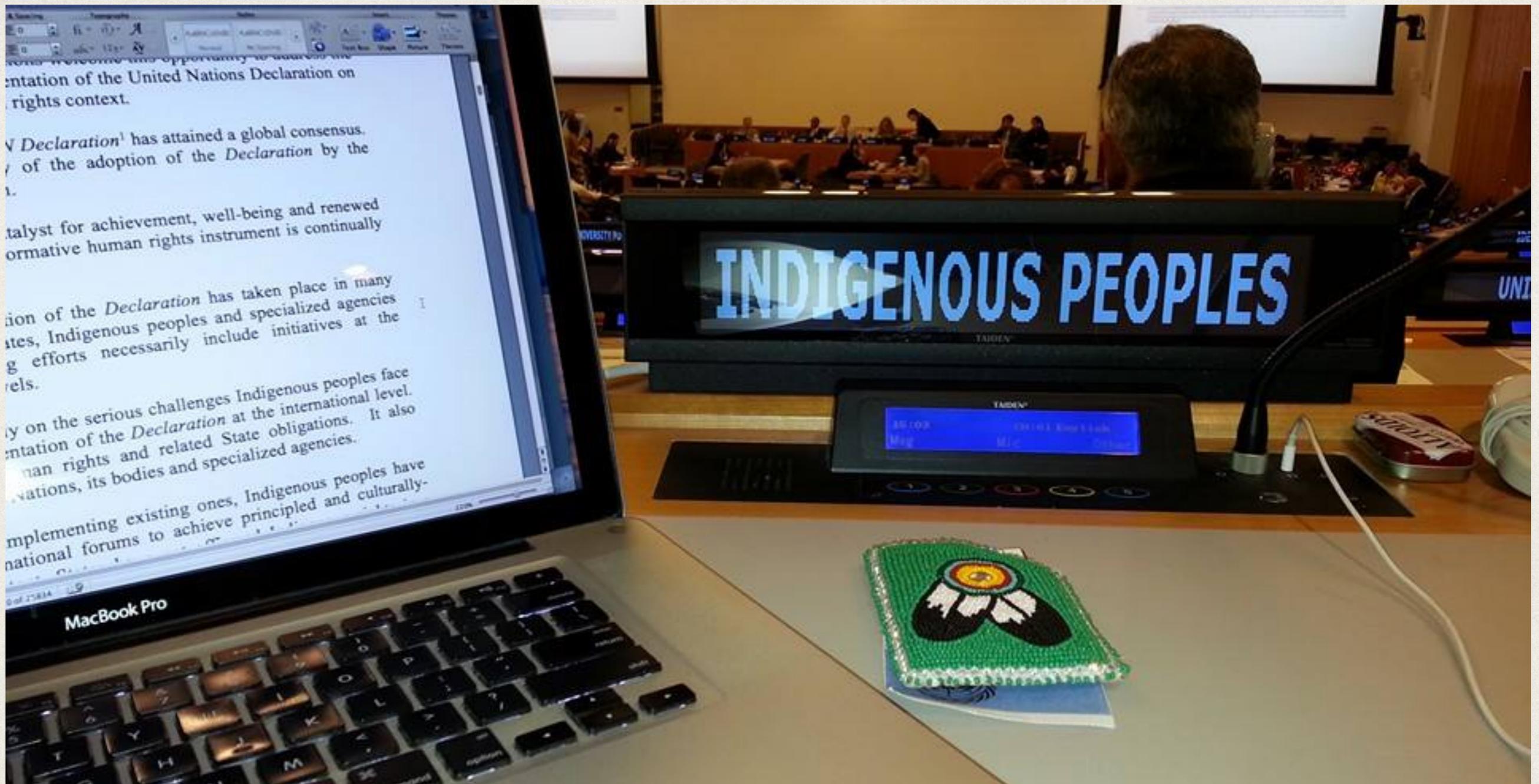


Health, Food and Well-Being are Human Rights

- ❖ “Everyone has the right to a standard of living adequate for the health and well-being of himself & of his family...including food”
Universal Declaration of Human Rights December 10, 1948
- ❖ “...In no case may a people be deprived of its own means of subsistence.” - *Article 1 in Common, International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights*
- ❖ “Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their Identity and vital medicinal plants, animals and minerals...”*UNDRIP Article 24, para. 1*

Various Environmental Standards

- ❖ Sustainable Development Goals
- ❖ Minamata Convention on Mercury
- ❖ Stockholm Convention on Persistent Organic Pollutants
- ❖ UNFCCC
- ❖ Many others



Questions? Comments?

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