

International Organization of Indigenous Resource Development

An NGO in consultative status to the United Nations
Economic and Social Council

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Agenda Item 6: UPR Response of Canada to the Recommendations

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Thank you for this first opportunity, Mr. President, to address the Human Rights Council's periodic review on Canada. It was, in our view, the first substantive test of the Universal Periodic Review on the Issues and rights of Indigenous Peoples. Our delegation participated throughout in good faith and placed great hope on this new UN mechanism. A hope for justice and respect.

We acknowledge Canada's response and take careful note of its acceptance to continue "to promote and protect human rights through evolving international human rights standards". We observe, however, on quick analysis that Canada rejected 28 (13 partially) of the 68 recommendations. Twelve of the rejections impact Indigenous Peoples directly. Canada states it "cannot or does not accept" the recommendations on the ILO Convention 169, the CRC reservations on Indigenous children and most importantly the UN Declaration on the Rights of Indigenous Peoples. These are international instruments the world has or is accepting as evolving international instruments. If Canada "remains strongly committed to the rights of Indigenous Peoples", as it states, we respectfully call on this HRC eleventh session to urge Canada to review its position and work together with us in the implementation of international human rights obligations. We note also that there is not one word about its existing legal obligations under the numbered Treaties which are being violated even during this session. Ironically and sadly the practical means Canada is seeking to fulfill follow up to Treaty body and UPR recommendations are contained in these (above stated) human rights instruments they reject.

Looking forward we are encouraged to note five recommendations (10 partially) have been accepted specific to Indigenous Peoples in Canada. Our delegation adds our voice to interventions on Indigenous women and children, plus concerns on current events. We also fully support Canada's commitment to tabling the outcome of its UPR in Parliament especially because Parliament has voted for adoption of the UN Declaration on the Rights of Indigenous Peoples (April 08, 2008). As to its commitment to enhancing mechanisms to promote awareness and understanding of international obligations within the federal public service we would urge through you Mr. President the inclusion of both Chambers of Parliament. More importantly, however, we need a permanent process domestically i.e. a mechanism and procedure related to the implementation of international human rights obligations generally and specifically for Indigenous Peoples.

Finally we again offer an existing legal framework that Treaties provide, it's a partnership for better relations within which the five key areas of focus Canada accepts can be implemented. For example, by working together to improve Education outcomes of First Nations. In conclusion we underscore Canada's commitment to consider future recommendations of the Indian Residential Schools Truth and Reconciliation Commission. We will need more than just consideration to ensure justice and respect for our peoples. Thank you.

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