

**UN Permanent Forum on Issues
Twenty-Second Session
Thursday April 20, 2023**

Agenda Item 4: Discussion on the six mandated areas of the Permanent Forum (economic and social development, culture, environment, education, health and human rights), with reference to the United Nations Declaration on the Rights of Indigenous Peoples and the 2030 Agenda for Sustainable Development

Speaker: Donald Nicholls, Grand Council of Crees / Cree Nation Government

Joint statement of the Canadian Coalition for the Human Rights of Indigenous Peoples, including:

Amnistie Internationale Canada Francophone; Association Tinhinan; British Columbia Treaty Commission; Canadian Friends Service Committee (Quakers); Femmes Autochtones Quebec/Quebec Native Women; First Nations Summit; Grand Council of the Crees (Eeyou Istchee)/Cree Nation Government; Musqueam First Nation; Union of BC Indian Chiefs; Urban Native Youth Association; Dr. Chief Wilton Littlechild; Cheryl Knockwood, Chair, Nova Scotia Human Rights Commission; Laurie Buffalo, Council member, Samson Cree Nation; Hup-Wil-Lax-A, Kirby Muldoe, Grassroots Human Rights Defender; Dr. Sheryl Lightfoot, Associate Professor of Political Science and Public Policy, University of British Columbia; Susan Bobbi Herrera, Alberta Centennial Ambassador; Lea Nicholas-MacKenzie.

We are pleased to present the following Joint Statement on behalf of a number of Indigenous Nations and organizations, as well as human rights organizations in Canada. This statement addresses the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* via National Action Plans at the State level.

Recommendations for the Permanent Forum on Indigenous Issues:

1. THAT, consistent with their international human rights and Treaty obligations, it is crucial for States, in consultation and cooperation with Indigenous Peoples, to develop comprehensive National Action Plans to implement fully the *United Nations Declaration on the Rights of Indigenous Peoples*. In addition, in North, South, and Central America and the Caribbean, the *American Declaration on the Rights of Indigenous Peoples* must be implemented – where, on any given issue, the standard in the *American Declaration* is higher than in the *UN Declaration* such as in article XXIII on the participation of Indigenous Peoples and contributions of Indigenous legal and organizational systems. These National Action Plans must be formulated and adopted in partnership with Indigenous Peoples, in a manner consistent with article 19 of the *UN Declaration* and paragraph 3 of the Outcome Document of the World Conference on Indigenous Peoples.

2. THAT, consistent with paragraph 32 of the World Conference on Indigenous Peoples, United Nations agencies, funds and programmes support the implementation of National Action Plans to achieve the ends of the *UN Declaration*.

Nearly ten years ago, Member States of the United Nations made a significant commitment by consensus in the Outcome Document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples. States committed, in Paragraph 8 of this Outcome Document, to “**cooperating with indigenous peoples, through their own representative institutions, to develop and implement national action plans**, strategies or other measures.”

The *UN Declaration* recognizes, in preambular paragraph 8, “the urgent need to respect and promote the inherent rights of indigenous peoples.” However, it is nearly ten years after the World Conference, and we have seen very little global progress on National Action Plans.

This is not to say we have not seen positive developments regarding the *UN Declaration*. We commend the States and regions who have made legislative commitments to the *UN Declaration*. As a Coalition from Canada, we encourage States who have yet to make these legislative commitments to look to Canada and to the province of British Columbia for positive examples of legislation to implement the *UN Declaration*. Both *Acts* include the need to develop Action Plans in cooperation and consultation with Indigenous Peoples.

For example, the federal legislation in Canada states that, “The Minister must, in consultation and cooperation with Indigenous Peoples and with other federal ministers, prepare and implement an action plan to achieve the objectives of the *UN Declaration*.”

States have a responsibility to prioritize National Action Plans in consultation and cooperation with Indigenous peoples. We are aware of Canada and New Zealand’s efforts with respect to developing National Action Plans.

In Canada, work on the National Action Plan is currently in progress. However, there are legitimate concerns about how much can be achieved by the two-year deadline imposed in the legislation, which is rapidly approaching. There is an urgent need for continued collaboration and cooperation between the government and rights-holders to ensure the priorities of rights-holders are reflected in the National Action Plan. It is critical that rights-holders are centred in this process with free, prior and informed consent at the forefront. As well, states must provide adequate funding and resources for rights-holders to be able to engage on an equal level to State governments during this ongoing collaboration and consultation.

We urge States to prioritize the development of National Action Plans consistent with their international human rights and Treaty obligations. We look to the United Nations for support on the development of these plans, as per paragraph 32 of the Outcome Document of the World Conference on Indigenous Peoples.

Thank you.