

Amnesty International Canada /Amnistie Canada Assembly of First Nations Canadian Friends Service Committee (Quakers) Dene Nation First Nations Summit Grand Council of the Crees (Eeyou Istchee) Indigenous World Association International Indian Treaty Council (IITC) KAIROS: Canadian Ecumenical Justice Initiatives Kanehsatake Cultural Center National Association of Friendship Centres Native Women's Association of Canada Treaty Four First Nations Union of British Columbia Indian Chiefs

MEDIA ADVISORY

UN Committee urged to examine discrimination against Indigenous peoples during review of Canada's human rights record

16 February 2012

On February 22 and 23, Canada's record on combating discrimination will be examined by a high level body of the United Nations. The Committee on the Elimination of Racial Discrimination (CERD) is the independent expert body that monitors compliance with the international treaty of the same name.

As a signatory to the Convention, Canada is required to report regularly to the Committee on measures taken to comply with its provisions. Key issues concerning the rights of Indigenous peoples were glossed over or ignored in Canada's report.

More than 35 Indigenous nations, regional and national Indigenous peoples' organizations, human rights and social justice organizations have filed their own alternative reports.

The submissions cover a wide range of urgent concerns including violence against Indigenous women, extractive industries on Indigenous lands, the high rates of incarceration of Indigenous peoples, protection of Indigenous peoples' economic, social and cultural rights, implementation of *the UN Declaration on the Rights of Indigenous Peoples* and Canada's actions in the international arena to undermine the *Declaration* and others standards for the protection of Indigenous rights.

More than 15 Indigenous Nations and organizations will be sending representatives to participate in the process and speak directly to CERD members about their concerns.

"Indigenous peoples in Canada face widespread discrimination and denial of our fundamental rights, including unacceptable living standards faced by far too many of our families and communities, the disappearance and murder of hundreds of Indigenous women, threats to our languages and cultures and the ongoing failure to recognize and uphold our Aboriginal and Treaty rights, including our rights to lands, territories and resources," said Grand Chief Matthew Coon Come of the Grand Council of the Crees (Eeyou Istchee). "International attention is needed because the government of Canada is failing to meet its domestic and international legal obligations to address these urgent human rights concerns."

The Committee urges states to consult with Indigenous peoples' organizations and NGOs before making their reports. However, Canada's latest report to the Committee was submitted without consultation or the involvement of Indigenous peoples and human rights organizations.

“It’s important that the Committee hear from Indigenous peoples because Canada’s report contains so many crucial gaps and omissions,” said Danika Littlechild, legal counsel for the International Indian Treaty Council, which coordinated a joint shadow report with 11 other Nations and organizations.

Although Canada is currently before the Federal Court in a landmark human rights complaint over discrimination in the funding of services to First Nations children on reserve, Canada’s report to the Committee makes no mention of this case.

“The situation of First Nations children is just one example of the kinds of urgent issues that deserve close scrutiny because Canada is not living up to the legal commitments it made in ratifying the Convention and other international human rights instruments,” said Teresa Edwards of the Native Women’s Association of Canada.

When the Committee last reviewed Canada in 2007, it expressed concern over Canada's processes for settlement of Aboriginal land claims. Robert Morales, Chief Negotiator for the Hul'qumi'num Treaty Group, said, “Canada continues to fail to meet its international obligations to respect Indigenous land rights under conditions of equality, and Canadian negotiation and litigation processes continue to pose extreme hurdles to indigenous peoples' efforts to protect, title, and demarcate their traditional lands.”

Canada also failed to respond to direct questions from the Committee’s last review, including a request to report back on measures to hold Canadian corporations accountable for their activities on the lands of Indigenous peoples in other countries. Submissions include testimonies from Indigenous peoples in the US, Mexico and Guatemala experiencing human rights violations by Canadian mining companies operating in their homelands.

Grand Chief Stewart Phillip, President of the Union of BC Indian Chiefs said, “Canada's endorsement of the *UN Declaration on the Rights of Indigenous Peoples* loses its meaning when the government repeatedly takes action that devalues this human rights instrument in Canada and internationally.”

“UN level review processes like the upcoming CERD hearings play a crucial role in ensuring that all states live up to their human rights obligations,” said Craig Benjamin of Amnesty International. “Canada must show leadership in taking the process seriously. That means giving meaningful and urgent attention to the concerns that are being brought forward by Indigenous peoples and to the UN recommendations that will come out of this process.”

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BACKGROUND

The review session is being held at the United Nations in Geneva. The session will be webcast by the United Nations at <http://www.ccprcentre.org/home/215>

Submissions to the Committee are posted online at:
<http://www2.ohchr.org/english/bodies/cerd/cerds80.htm>

Alternative submissions included:

- Amnesty International
- Assembly of First Nations
- Chiefs of Ontario
- First Nations Child and Family Caring Society of Canada, KAIROS: Canadian Ecumenical Justice Initiatives and others - Child Welfare
- First Nations Summit
- First Nations Women Advocating Responsible Mining
- Grand Council of the Crees (Eeyou Istchee) and others - Nagoya Protocol
- Grand Council of the Crees (Eeyou Istchee), Canadian Friends Service Committee (Quakers) and others– *UN Declaration*
- Haudenosaunee of Kanehsatà:Ke – Bill S24
- Hul'qumi'num Treaty Group
- Indigenous Bar Association
- International Indian Treaty Council, Confederacy of Treaty 6 First Nations, Dene Nation, First Nations Summit and others
- Indigenous Network on Economies and Trade and others
- Kontinónhstats - The Mohawk Language Custodians and others – Language and Culture
- Lawyer's Rights Watch Canada and the BC CEDAW Group – Violence Against Indigenous Women
- Native Women's Association of Canada
- Nishnawbe Aski Nation – Housing, Youth Suicide, Drugs and Policing
- Six Nations of Grand River
- Treaty 4 First Nations – Treaty Implementation
- Treaty 4 First Nations and others – Bill C10
- Tsilhqot'in Nation
- Union of British Columbia Indian Chiefs – Specific Claims