

NEWS RELEASE

UN Committee calls for “comprehensive strategy” to uphold the human rights of Indigenous peoples in Canada

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The United Nation’s highest body for combating racism is urging Canada to take comprehensive action to end discrimination against Indigenous peoples.

In a report released this week, the UN Committee on the Elimination of Racial Discrimination expressed concern over Canada’s failure to properly respect the land and Treaty rights of Indigenous peoples, noting “the rigidly adversarial positions taken by Canada” in land negotiations and that decisions over resource development are often made without proper consultation or the consent of the affected peoples.

The Committee also expressed concern over a wide range of inequalities and disparities between Indigenous and non-Indigenous people in Canada, including the high rates of violence faced by Indigenous women, the large numbers of Indigenous children being placed in state care, “excessive use of incarceration” in respect to Indigenous people in trouble with the law, persistent levels of poverty among Indigenous communities and inadequate access to employment, housing, drinking water, health and education, “as a result of structural discrimination.”

Recommendations from the Committee include calls for:

- A national plan of action to implement the *UN Declaration on the Rights of Indigenous Peoples*.
- Creation of a Treaty Commission.
- Sufficient funding to ensure adequate child welfare services in First Nations reserves and an end to the removal of First Nations children from their families.
- Good faith implementation of the right of consultation and free, prior and informed consent “whenever their rights may be affected by projects carried out on their lands.”
- Strengthened efforts to end discrimination and violence against Indigenous women including a national plan of action on gender-based violence against Indigenous women.
- “Speeding up” the provision of safe drinking water.
- Giving preference, wherever possible, to alternatives to imprisonment for Indigenous offenders.

On many of these recommendations, CERD requested that Canada report back within one year on the concrete measures that it has taken.

The Committee also expressed concern over the impact of Canadian corporations, particularly mining companies, on the lands of Indigenous peoples in other countries. The Committee called on the federal government to “take appropriate legislative measures to prevent transnational corporations registered in Canada from carrying out activities that negatively impact on the enjoyment of rights of indigenous peoples in territories outside Canada, and hold them accountable.”

Indigenous peoples’ organizations and human rights groups are urging Canada to take the recommendations seriously and to work in collaboration with Indigenous peoples to ensure that they are implemented.

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Assembly of First Nations
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BACKGROUND

The International Convention on the Elimination of all forms of Racial Discrimination is a legally binding international treaty to which Canada is a signatory. The Committee on the Elimination of Racial Discrimination (CERD) is the independent expert body that oversees compliance with that treaty. Last month, Canada’s record was reviewed at a Committee meeting in Geneva. The review process is a key mechanism for ensuring that states live up to their obligations under the treaty.

More than 35 Indigenous nations, national and regional Indigenous peoples’ organizations, human rights and social justice organizations filed their own alternative reports. Some 20 Indigenous Nations and organizations sent representatives to Geneva to participate in the process.

An “advanced, unedited” version of the Committee’s conclusions and recommendations was released yesterday.

The Concluding Observations are posted online at:
<http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.CAN.CO.19-20.pdf>

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