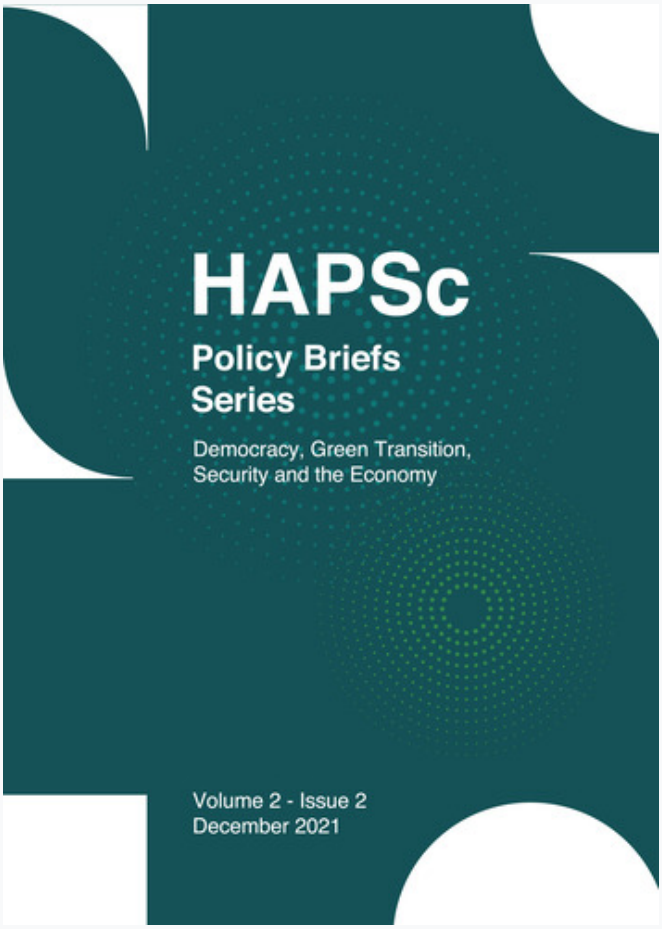
HAPSc Policy Briefs Series

Vol 2, No 2 (2021)

HAPSc Policy Briefs Series



Making Indigenous Peoples' Rights in Canada Visible

Anastasia-Maria Ntalakosta

doi: 10.12681/hapscpbs.29487

To cite this article:

Ntalakosta, A.-M. (2021). Making Indigenous Peoples' Rights in Canada Visible. *HAPSc Policy Briefs Series*, *2*(2), 14–23. https://doi.org/10.12681/hapscpbs.29487

 ISSN: 2732-6578 (print version) 2732-6586 (online)

Making Indigenous Peoples' Rights in Canada Visible[1]

Anastasia-Maria Ntalakosta[2]

Abstract

Although the United Nations have established mechanisms to exercise political authority and influence states' policies and even though the global civil society puts pressure on their actions, indigenous peoples continue to face discrimination and violations of their rights. Canada constitutes a great example of a democratic country that is supposed to respect and protect human rights but violates the aboriginal rights extensively. The massive energy projects, Coastal GasLink pipeline, Trans Mountain pipeline and Site C dam, being developed in North and West Canada, do not respect the traditional lands and resources of the indigenous populations that live in the region and have been strongly condemned by the First Nations, the actors of the global civil society and the UN. Nonetheless, the Canadian government continues to fully support their construction. This paper aims to analyse the violations conducted against indigenous populations' lands by the Canadian government and the reaction of the UN and global civil society, using a series of qualitative and quantitative data based on papers, analyses and reports of Institutes, Study Centers and Organizations.

Keywords: indigenous peoples; land rights violation; Canada; United Nations; civil society.

Introduction

There was "*an alarming increase in attacks, killings and the criminalization of the activities of indigenous human rights defenders*" according to the annual report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples published on 14 July 2020 (OHCHR, 2020: 15). The case of Canada is being selected to be analysed, because even though the state of Canada is considered to be one of the freest countries in the world, based on Freedom House (2021), in recent years great concerns have been raised regarding the challenges that indigenous peoples face in the country. This paper focuses on the violation of their land rights correlated to the infrastructure development of North and West Canada and concentrates on the action of the United Nations (UN) and major actors of the global civil society, such as Amnesty International and Human Rights Watch.

Although the Canadian legal framework safeguards the aboriginal rights to a certain extent, according to the report of the UN Special Rapporteur on the rights of indigenous peoples, James Anaya (2014: 23), the country encounters a chronic crisis. In 2019, the Committee on the Elimination of Racial Discrimination expressed its concerns over the prolongation in the construction procedure of large-

[1] To cite this paper in APA style: Ntalakosta, A. M. (2021). Making Indigenous Peoples' Rights in Canada Visible. *HAPSc Policy Briefs Series, 2*(2), 14-23. DOI: 10.12681/hapscpbs.29487

[2] Department of International and European Studies, University of Piraeus, Greece.

scale development projects on indigenous communities' traditional lands, such as the Site C dam and the approval of new infrastructure initiatives, such as the Trans Mountain Pipeline Extension and the Coastal Gas Link pipeline "*without the free, prior and informed consent of affected indigenous peoples*" (CERD, 2019: 1).

The international legal framework for indigenous peoples' rights

The first major step in recognizing and protecting indigenous populations' rights was the adoption of the Indigenous and Tribal Peoples Convention, by the International Labour Organization (ILO) in 1989. As far as land rights are concerned, states shall recognize and have regard to the "*total environment of the areas which the peoples concerned occupy or otherwise use",* incorporating the safeguard of the natural resources belonging to these regions (ILO, 1989: 5). However, this Convention is legally binding exclusively for states that have ratified it (ILO, 1989: 11) and these include only 24 countries so far (ILO, n.d.).

In the course of time, the UN has developed certain mechanisms to raise awareness of indigenous issues and enhance their role within the UN system, such as the Permanent Forum on Indigenous Issues, the Special Rapporteur's mandate and the Expert Mechanism on the Rights of Indigenous Peoples (UN DESA, n.d.).

In September 2007, the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted. As Article 26 clearly underlines, "*Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired"* (United Nations, 2008: 10). Moreover, the Article 32 stresses that "*states shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources [...]*" (United Nations, 2008: 12). The statement is not legally binding upon Member States and is characterized as a recommendation (Economic and Social Council, 1962). Nonetheless, in accordance with the UN Economic and Social Council "*in so far as the expectation is gradually justified by State practice, a declaration may by custom become recognized as laying down rules binding upon States*" (1962: 15).

The Canada Case

I. The Legal Framework

Canada has not ratified the Indigenous and Tribal Peoples Convention of 1989 (ILO, n.d.) and voted against the UNDRIP in 2007 (UN DESA, n.d.). However, in 2016, the Canadian government decided

to fully support the Declaration and officially adopted it (Fontaine, 2016). Despite that, the government failed to integrate the Declaration into the Canadian Constitution until the 22nd of June 2021 (Department of Justice Canada, 2021).

The Canadian Constitution of 1982 was among the first ones worldwide that recognized the aboriginal rights, indicating three categories: the Indian, Inuit and Métis populations (Ministry of Justice, 2021: 56). Since then, in various cases the Canadian courts have affirmed Aboriginal peoples' rights to lands (Anaya, 2014: 5). The courts across Canada have also determined the mandatory consultation and conciliation between the state and the indigenous communities on the activities that could have an impact on their lives prior to making decisions (UN DESA, 2021: 98).

The inherent right of self-government related to the identity, culture, tradition, land and natural resources of indigenous peoples' communities, is enshrined in the Canadian Constitution (Anaya, 2014: 6). In this context there are numerous territorial self-governance agreements between these populations and the provincial governments and the federal Government that authorize the former to "*create their own constitution, as well as their own regulations on land, resources, [...]"* (Lindeman, 2019). According to the Land Claims Agreements Coalition there are also 26 "*comprehensive land claim"* or "*modern*" agreements that have been signed between the Crown and indigenous communities and settle their land and resource rights (Land Claims Agreements Coalition, n.d.). Although these agreements along with multiple laws and policies can be demonstrated as good practices and have positive outcomes, Anaya (2014: 18) states that they present numerous challenges, such as the long duration of the negotiation procedure primarily caused by the contradictory approach of the Canadian government that downplays or even rejects the recognition of aboriginal rights. Additionally, as far as First Nations are concerned, the regime that predominates in the exercise of self-government remains the Indian Act which does not allow the effective implementation of this constitutionally secured right (Anaya, 2014: 13).

II. The industrial development in Canada violating indigenous populations' rights

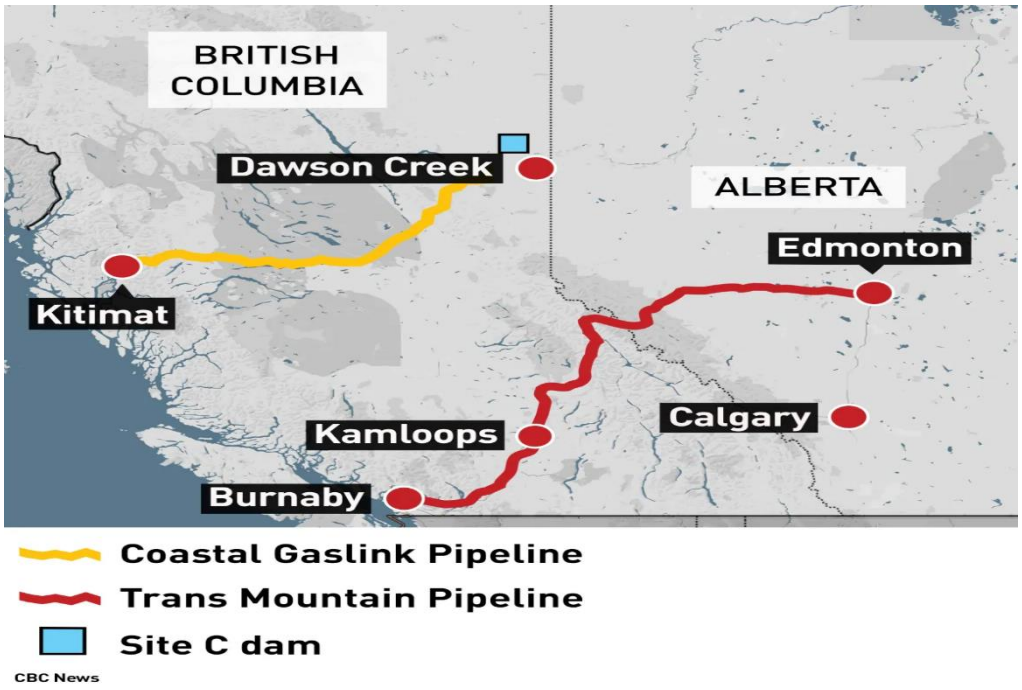
The Coastal GasLink Pipeline

The Coastal GasLink Pipeline that crosses the northern region of British Columbia was approved in 2014 by the BC Environmental Assessment Office (EAO) (B.C. Ministry of Environment, 2014). A vital part of the CGL route traverses the territory of the Wet'suwet'en community, with the hereditary chiefs rejecting the pipeline construction, estimating that it will damage both their traditional lands and their activities, such as hunting and fishing (Office of the Wet'suwet'en, 2014: 13). Although the band councils that have endorsed the project have the right to make decisions over individual reserves

based on the Indian Act (Hunsberger & Larsen, 2021: 5), the indigenous group claims that hereditary leaders can assert authority over the whole traditional area. In the case of "*Delgamuukw v. British Columbia"* in 1997, the Supreme Court of Canada indeed recognized that the "*Wet'suwet'en hereditary chiefs were the rightful holders of title to their unceded territories*". However, the case was sent back to trial and thus the title claim of the Wet'suwet'en nation has remained unresolved (Kestler-D'Amours, 2020)[3].

Although the so-called Wet'suwet'en pipeline conflict had spread across the country, in October of 2019, the Executive Project Director of the B.C. EAO accepted the five-year extension of the Certificate (B.C. Ministry of Environment, 2019). After the Supreme Court of B.C. granted an injunction in 2018 ordering the defendants to express their objection without blocking the access to the project (Coastal GasLink Pipeline LTD. v. Huson Freda et al, 2018: 9), the police enforced the decision in January 2019, arresting 14 protesters (Hunsberger & Larsen, 2021: 2). As Dhillon and Parrish from *The Guardian* reveal (2019), "*Canadian police were prepared to shoot indigenous land defenders*". One year after the massive protests, the CGL's construction progressed, reaching now almost 50% completion (CGL, 2021).

Figure 1: The Coastal GasLink pipeline (CGL), the Trans Mountain pipeline and the Site C dam



Source: CBC, 2020.

[3] For more about the "*Delgamuukw v. British Columbia"* case, see: Delgamuukw v. British Columbia, 3 S.C.R (1997). Available at*:* https://scc-csc.lexum.com/scc-csc/scc-csc/en/1569/1/document.do (Accessed: 18/08/2021).

The Trans Mountain Expansion

The Trans Mountain Expansion (TMX) running from Alberta to British Columbia, was initially approved by the Canadian government and the National Energy Board in 2016, but in 2017 a legal case was opened against them, after the protest of indigenous communities, environmental actors and Vancouver and Burnaby cities (Kraushaar-Friesen & Busch, 2020: 4). The Federal Court of Appeal (FCA) decided against the TMX in 2018 concluding that the state failed in its obligation to consult First Nations in advance of endorsing the project (Tsleil-Waututh Nation et al v. Attorney General of Canada et al, 2018: 7). Shortly after these conclusions, Prime Minister Justin Trudeau's government purchased the TMX and in 2019 the project was approved once more by the government (Kraushaar-Friesen & Busch, 2020: 4). The FCA also decided in favour of the pipeline expansion, concluding that this time "*adequate and meaningful*" consultations had been conducted (BBC, 2020).

As the Aboriginals claim, the pipeline "*threatens thousands of clean glacier creeks, streams and lakes.* [...] *We have seen first-hand that government and corporations do not invest enough into cleaning up environmental disasters from these projects*" (Kroemer, 2019: 96). The violation of the aboriginal land rights is highly correlated with the increased impacts of climate change from expanded fossil fuel use that result in the degradation of the marine ecosystem in the British Columbia coast. It is argued that the project poses serious threats to the sovereignty and cultural rights of the indigenous peoples as well as the health predominantly of the Tsleil-Waututh Nation, through contamination by chemical toxins and hazardous biotoxins and restrained access to traditional foods (Jonasson et al., 2019: 507-509).

The Site C dam

The Site C dam, a dam and hydroelectric generating station that lies in the B.C province *would significantly affect the current use of land and resources for traditional purposes by Aboriginal peoples*" and "*these effects cannot be mitigated*", according to the Report of the Joint Review Panel that was conducted on behalf of the federal Minister of the Environment and his counterpart in B.C. in May 2014 (Joint Review Panel, 2014: Summary iv, 109).

However, a few months later, the federal government approved the construction. The Decision Statement mentions that B.C. Hydro shall adopt measures to diminish the effects to use of lands and resources, even though the Joint Review Panel had concluded that the impacts cannot be addressed (Environment and Climate Change Canada, 2014: 2, 20). Since the beginning of the construction procedure in 2015, the First Nations groups in B.C. have started a legal fight against the controversial

Site C dam, with their appeal being rejected by the FAO in 2017 (Prophet River First Nation & West Moberly First Nations v. Attorney General of Canada et al, 2017: 10) and their bid for an injunction order being dismissed by the B.C. Supreme Court in 2018 (CBC, 2018). After a short period of talks being conducted during 2019 between the First Nations, the B.C. Hydro and the B.C. government, the parties did not reach an agreement, with the indigenous peoples continuing their fight and expecting the results of the trial that will begin in March 2022 (Oud, 2019).

III. The UN and the global civil society

In the context of the UNDRIP, James Anaya had already recommended in his 2014 report that resource extraction should not take place "*on lands subject to aboriginal claims without adequate consultations* [...]", regarding the indigenous peoples' concerns over TMX and the Site C dam (Anaya, 2014: 18, 22). In November 2020, the UN Committee on the Elimination of Racial Discrimination (CERD) addressed the permanent representative of Canada to the UN and condemned the construction of these projects due to the lack of "*the free, prior and informed consent*" of indigenous populations (Li, November 2020: 1). The Committee had called upon Canada to halt any construction processes initiated related to the TMX, the Site C dam and the CGL pipeline "*until free, prior and informed consent is obtained*" from the aboriginal groups affected. The Canadian government was further urged to ensure that the Royal Canadian Mounted Police (RCMP) will not apply force to the Secwepemc and Wet'suwet'en nations and along with any relative services will depart from their traditional territories (CERD, December 2019: 1-2).

In January 2020, Amnesty International Canada addressed directly to the Prime Minister of Canada, underscoring the urgency of achieving full compliance with the CERD's decisions (Neve, Langlois, 2020). A few months later, the human rights agency submitted a report to the UN Human Rights Committee, highlighting the fact that the Site C dam and the Trans Mountain and Coastal Gaslink pipelines continue to proceed, and the Royal Canadian Mounted Police remains in the region, arresting land and human rights defenders against CERD's conclusions (Amnesty International, 2021: 5-6). The agency had raised awareness for the destructive impact of Site C on the human rights of indigenous peoples since 2016 and was calling the federal and provincial governments to immediately suspend the project (Amnesty International, 2016: 3-4, 19).

Human Rights Watch commenting on the TMX approval in 2019, claims that "Thus far, Canada has favoured short-term economic interests over meeting emissions targets", demonstrating the environmental impact of the project (HRW, 2020). The human rights agency addresses the Crown-Indigenous Relations and Northern Affairs Canada, recommending measures to be adopted to ensure

the respect and protection of indigenous populations' authority over their lands and resources (HRW, 2020: 116-117).

Likewise, in the Minorities Rights Group International (MRG) report released in 2019, Kanahus Manuel, an indigenous activist describes her peoples' fight against the major development projects, particularly regarding the TMX pipeline (Kroemer, 2019: 95-98). MRG recommends states to ensure that any development initiatives demand to take into consideration of aboriginal communities' rights and in case that they are affected, the projects should be halted (Kroemer, 2019: 17-18).

Conclusions

In all three cases examined above it is proved that land rights were infringed. Although CERD called upon the halt of the construction of these projects due to lack of adequate consultations with the indigenous communities concerned and the human rights agencies urged Canada to abide by CERD's decisions, the government did not respond to the call, thus continuing violating their land rights.

Since the decisions made are not legally binding, the UN's exercise of power as a political authority is limited. Although the aim of this paper is not to provide an extensive list of specific suggestions, transforming the UNDRIP into a resolution with legal binding effects and implementing economic and political sanctions on any states that violate its commitments would contribute to the protection of indigenous peoples' rights. Specifically in the case of Canada, it is strongly recommended to solve aboriginals' claims to their ancestral lands and establish a legal and institutional framework to ensure adequate consultation concerning all projects affecting indigenous communities. As Kanahus Manuel says "Everything we are is from the land… Right now, one of the biggest threats to our land and livelihood is industry, as it has always been".

References

Amnesty International (2016). Canada: The point of no return: The human rights of indigenous peoples in Canada threatened by the Site C dam. Available at: https://www.amnesty.org/en/documents/amr20/4281/2016/en/ (Accessed: 18/08/2021).

Amnesty International (2021). Canada: Submission to the UN Human Rights Committee, List of Issues Prior to Reporting. Available at: https://www.amnesty.org/en/documents/amr20/4149/2021/en/ (Accessed: 18/08/2021).

B.C. Ministry of Environment (2014). ENVIRONMENTAL ASSESSMENT CERTIFICATE # E14-03. Available at: https://projects.eao.gov.bc.ca/api/public/document/58868fd3e036fb010576876e/download/Environmental%20Assessment%20Certificate%20%23E14-03%20for%20the%20CGL%20Project%20dated%20October%2023%2C%202014..pdf (Accessed: 18/08/2021).

BBC (2020). Court victory for disputed Trans Mountain pipeline project. Available at: https://www.bbc.com/news/world-us-canada-51317384 (Accessed: 18/08/2021).

CBC (2018). First Nations 'deeply frustrated' after B.C. Supreme Court dismisses Site C injunction. Available at: https://www.cbc.ca/news/canada/british-columbia/site-c-west-moberly-first-nation-injunction-1.4877673 (Accessed: 18/08/2021).

Coastal GasLink (2021). Statement from Coastal GasLink President Tracy Robinson. Available at: https://www.coastalgaslink.com/whats-new/news-stories/2021/2021-07-29-statement-from-coastal-gaslink-president-tracy-robinson/ (Accessed: 18/08/2021).

Coastal GasLink Pipeline LTD. v. Huson F., Naziel W., Doe J., Doe J. et al (2018). Available at: http://forestaction.wdfiles.com/local--files/caravan/CGL%20vs%20Unistoten%20injunction%20application.pdf (Accessed: 18/08/2021).

Committee on the Elimination of Racial Discrimination (2019). PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING AND URGENT ACTION PROCEDURE. Available at: https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/CAN/INT_CERD_EWU_CAN_9026_E.pdf (Accessed: 18/08/2021).

Department of Justice Canada (2021). Legislation to implement the United Nations Declaration on the Rights of Indigenous Peoples becomes law. Available at: https://www.canada.ca/en/department-justice/news/2021/06/legislation-to-implement-the-united-nations-declaration-on-the-rights-of-indigenous-peoples-becomes-law.html (Accessed: 18/08/2021).

Dhillon, J. & Parish, W. (2019). Exclusive: Canada police prepared to shoot indigenous activists, documents show, The Guardian. Available at: https://www.theguardian.com/world/2019/dec/20/canada-indigenous-land-defenders-police-documents (Accessed: 18/08/2021).

Dhillon-Kane, L. (2020). Work must stop on Trans Mountain, Site C, LNG pipeline until First Nations approval, UN committee says, CBC. Available at: https://www.cbc.ca/news/canada/british-columbia/un-racism-committee-trans-mountain-site-c-coastal-gaslink-pipeline-1.5417343 (Accessed: 18/08/2021).

Environment and Climate Change Canada (2014). Decision Statement Issued under Section 54 of the Canadian Environmental Assessment Act, 2012. Available at: https://www.ceaa-acee.gc.ca/050/documents/p63919/100567E.pdf (Accessed: 18/08/2021).

Fontaine, T. (2016). Canada officially adopts UN declaration on rights of Indigenous Peoples, CBC. Available at: https://www.cbc.ca/news/indigenous/canada-adopting-implementing-un-rights-declaration-1.3575272 (Accessed: 18/08/2021).

Freedom House (2021). Freedom in the World 2021: Canada. Available at: https://freedomhouse.org/country/canada/freedom-world/2021 (Accessed: 18/08/2021).

Hunsberger, C., & Larsen, R. K. (2021). The spatial politics of energy conflicts: How competing constructions of scale shape pipeline and shale gas struggles in Canada. In: Energy Research & Social Science, 77, 102100. Available at: https://www.sciencedirect.com/science/article/pii/S2214629621001936 (Accessed: 18/08/2021).

International Labour Organisation (1989). Indigenous and Tribal Peoples Convention, 1989 (No. 169). Available at: https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.16_Indigenous%20and%20Tribal%20Peoples%20Convention.pdf (Accessed: 18/08/2021).

International Labour Organisation (n.d.). Ratifications of C169 -Indigenous and Tribal Peoples Convention, 1989 (No. 169). Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:312314 (Accessed: 18/08/2021).

Joint Review Panel (2014). Report of the JOINT Review Panel SITE C CLEAN ENERGY PROJECT BC Hydro. Available at: https://www.ceaa-acee.gc.ca/050/documents/p63919/99173E.pdf (Accessed: 18/08/2021).

Jonasson, M. E., Spiegel, S. J., Thomas, S., Yassi, A., Wittman, H., Takaro, T et al. (2019). Oil pipelines and food sovereignty: Threat to health equity forindigenous communities. *Journal of public health policy*, 40(4), 504-517.

Kestler-D'Amours, J. (2020). Understanding the Wet'suwet'en struggle in Canada, Al Jazeera. Available at: https://www.aljazeera.com/news/2020/3/1/understanding-the-wetsuweten-struggle-in-canada (Accessed: 18/08/2021).

Kraushaar-Friesen, N. & Busch, H. (2020). Of pipe dreams and fossil fools: Advancing Canadian fossil fuel hegemony through the Trans Mountain pipeline. *Energy Research & Social Science*, 69, 101695.

Kroemer, A. (2019). Canada. In: Minority and Indigenous Trends 2019, Minorities Rights Group International. Available at: https://minorityrights.org/wp-content/uploads/2020/08/2019_MR_Report_170x240_V7_WEB.pdf (Accessed: 18/08/2021).

Land Claims Agreements Coalition (n.d.). What is a modern treaty? Available at: https://landclaimscoalition.ca/modern-treaty/ (Accessed: 18/08/2021).

Lindeman, T. (2019). Landmark agreement gives indigenous 'forgotten people' power to self-govern, The Guardian. Available at: https://www.theguardian.com/world/2019/jul/04/canada-metis-nations-indigenous-agreement (Accessed: 18/08/2021).

Ministry of Justice (2021). THE CONSTITUTION ACTS 1867 to 1982. Available at: https://laws-lois.justice.gc.ca/PDF/CONST_TRD.pdf (Accessed: 18/08/2021).

Nathan Braun to Joel Forrest (2019). Coastal GasLink Pipeline Project. In: Environmental Assessment Office. Available at: https://projects.eao.gov.bc.ca/api/document/5da9f6fe5cbf570021016fa2/fetch/350810_Forrest_FINAL.pdf (Accessed: 18/08/2021).

Neve, A. & Langlois, F.-I. (2020). Open letter urges Canadian, B.C., and Alberta governments to heed UN racism committee's call to respect indigenous rights, Amnesty International. Available at: https://amnesty.ca/news/open-letter-urges-canadian-bc-and-alberta-governments-heed-un-racism-committees-call-respect/ (Accessed: 18/08/2021).

Office of the Wet'suwet'en (2014). Wet'suwet'en Title and Rights and Coastal GasLink. Available at: http://www.wetsuweten.com/files/Wetsuweten_Title_and_Rights_report_to_EAO_for_Coastal_GasLink_Application.pdf (Accessed: 18/08/2021).

Oud, N. (2019). First Nations renew legal fight against Site C dam after talks end with B.C. government, CBC. Available at: https://www.cbc.ca/news/canada/british-columbia/first-nations-renew-legal-fight-against-site-c-dam-after-talks-end-with-b-c-government-1.5261815 (Accessed: 18/08/2021).

Prophet River First Nation & West Moberly First Nations v. Attorney General of Canada et al, FCA 15 (2017). Available at: https://s3.documentcloud.org/documents/3405535/A-435-15-20170123-R-E-O-OTT-20170123114813-TRU.pdf (Accessed: 18/08/2021).

Tsleil-Waututh Nation et al v. Attorney General of Canada et al, FCA 153 (2018). Available at: https://decisions.fca-caf.gc.ca/fca-caf/decisions/en/343511/1/document.do (Accessed: 18/08/2021).

UN Department of Economic and Social Affairs (2021). STATE OF THE WORLD'S INDIGENOUS PEOPLES: Rights to Lands, Territories and Resources, 5th Volume. Available at: https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2021/03/State-of-Worlds-Indigenous-Peoples-Vol-V-Final.pdf (Accessed: 18/08/2021).

UN Department of Economic and Social Affairs (n.d.). United Nations Declaration on the Rights of Indigenous Peoples. Available at: https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html (Accessed: 18/08/2021).

UN Department of Economic and Social Affairs, Indigenous Peoples (n.d.). Available at: https://www.un.org/development/desa/indigenouspeoples/about-us.html (Accessed: 18/08/2021).

UN Economic and Social Council (1962). Report of the Commission on Human Rights (E/3616/Rev. l), at para. 105, 18th session.

UN Human Rights Council (2014). Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya, Addendum: The situation of indigenous peoples in Canada, A/HRC/27/52/Add. Available at: https://www.ohchr.org/Documents/Issues/IPeoples/SR/A.HRC.27.52.Add.2-MissionCanada_AUV.pdf (Accessed: 18/08/2021).

UN Human Rights Council (2020). Report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples, A/HRC/45/22. Available at: https://undocs.org/A/HRC/45/22 (Accessed: 18/08/2021).

United Nations (2008). United Nations Declaration on the Rights of Indigenous Peoples. Available at: https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf (Accessed: 18/08/2021).

Yanduan Li to Leslie Norton (2020). Available at: https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/CAN/INT_CERD_ALE_CAN_9296_E.pdf (Accessed: 18/08/2021).