Canada’s submission for strengthening the language on Indigenous Peoples

Supported by: Australia, Ecuador, Mexico, Pacific SIDS and the Philippines

Explanatory text

Globally, because of their strong ties to ecosystems and exposure to risks, Indigenous Peoples bear a disproportionate burden of the effects of plastic pollution, climate change, environmental degradation, biodiversity loss, pollution, and unsustainable development practices. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) promotes the full and effective participation of Indigenous Peoples in all matters that concern them, including in relation to their lands and territories, health, culture, spirituality, governance, and self-determination.

The term ‘local communities’ does not appear in the UNDRIP, marking an important distinction for Indigenous Peoples. A joint statement by the UN Permanent Forum on Indigenous Issues, the Special Rapporteur on the Rights of Indigenous Peoples, and the Expert Mechanism on the Rights of Indigenous Peoples, prepared in Geneva, July 2023, pointed out that “the characteristics, nature, and origins of the rights of Indigenous Peoples are very different from other groups. Therefore, Indigenous Peoples should not be grouped with an undefined set of communities that may have very different rights and interests”

Proposed edits

1. The preamble should recall the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), affirm that nothing in the instrument shall be construed as diminishing or extinguishing the existing rights of Indigenous Peoples as set out in UNDRIP. The instrument must also acknowledge that Parties should, when taking action to address plastic pollution, respect, promote and consider human rights and the rights of Indigenous Peoples in accordance with relevant international obligations and instruments.

2. The term “Indigenous Peoples” should be separated from the term “local communities”, consistent with UNDRIP and with the latest developments from the three UN mechanisms specific to Indigenous Peoples.

3. The instrument should recognize the importance of Indigenous knowledge and its distinctiveness from local knowledge, everywhere relevant, and acknowledge that Indigenous knowledge should be utilized alongside science on equal terms.

4. The instrument should specify that national implementation of measures, such as those relating to national plans and just transition of workers, should reflect the unique position of Indigenous Peoples as distinct from stakeholders.

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1 Microsoft Word - Statement Three Mechanisms.docx (un.org)