

**Canadian Yearly Meeting of the Religious Society of Friends
Minute of record on the UN Declaration on the Rights of Indigenous Peoples**

August 18, 2010

50. Canadian Friends Service Committee (CFSC) - Minute of Record on the UN Declaration on the Rights of Indigenous Peoples: Lynne Phillips introduced the Quaker Aboriginal Affairs Committee (QAAC) of CFSC; and Jennifer Preston, its programme co-ordinator, and told us the history of the work on this well-seasoned minute. Jennifer introduced the minute and made it clear that it is not only an indigenous rights issue, but a human rights issue. Canada is now the only state that actively opposes this UN Declaration. We approve this minute as follows:

On September 13th 2007, the United Nations General Assembly adopted the *UN Declaration on the Rights of Indigenous Peoples*. Canadian Yearly Meeting celebrates this significant achievement and believes that it will be a meaningful tool in the struggle for justice and dignity for Indigenous peoples around the world. Indigenous peoples are amongst the most impoverished, disadvantaged, and vulnerable, globally. Friends' concern for justice and human rights must also be a concern for Indigenous rights.

The *Declaration* is an international human rights instrument that lays out established human rights in a context specifically applicable to Indigenous peoples. It does not create new rights, nor is it a legally binding document, but it does provide guidance and a recognized standard for addressing the systemic discrimination and marginalization of Indigenous peoples around the globe. It also reflects obligations already established in national and international law. It can be used by governments, courts and other institutions to interpret legal obligations.

The *Declaration* affirms Indigenous peoples' basic human rights including protection from discrimination and genocide, the right to self-determination and rights to traditional lands, territories and resources. It also recognizes the right of Indigenous peoples to have meaningful control over their own lives including culture, religion, language, education and health. The *Declaration* instructs governments to obtain free, prior and informed consent when making decisions affecting Indigenous peoples.

The *Declaration* is the culmination of more than two decades of exacting and tenacious labour. Indigenous peoples from around the globe were involved in negotiating the text from inception to completion. Canadian Yearly Meeting had the privilege of supporting their work on behalf of Friends World Committee for Consultation and Friends world-wide. This responsibility was mainly carried out by the Quaker Aboriginal Affairs Committee of Canadian Friends Service Committee. Friends worked directly with Indigenous representatives to respond to their requests. This international work continues through CFSC's participation in UN mechanisms that address the concerns of Indigenous peoples. FWCC's consultative status gives us the capacity to witness negotiations, to collaborate in writing intervention speeches and press releases, and to arrange opportunities for representatives from Nation States, human rights groups, and Indigenous peoples to feel safe while engaging in frank and honest off-the-record discussions.

The work of implementing the *Declaration* is just beginning. As we gather in Winnipeg for the 2010 annual sessions of Canadian Yearly Meeting, we are especially aware of the need to address the legacy of entrenched discrimination against Indigenous peoples, as acknowledged at the recent launch of Canada's Truth and Reconciliation Commission in Winnipeg. The *Declaration* is one piece of true reconciliation. Realizing the standards set out therein is the work before us now; we encourage Friends to engage with implementation of the *Declaration* as way opens in their own lives. Above all, the *Declaration* is a document of hope. We hope that it will help us go forward in good faith into a better future for all people.

We thank CFSC and all Canadian Friends and their associates for their ongoing dedication to this work. We must follow our hopes and listen to the song in our hearts as we hear the basic Truths in our souls for those

things which are correct and right. We encourage Friends to engage with this human and indigenous rights work in their local Meetings.

August 21, 2009

70. **Minute on Declaration of Rights of Indigenous Peoples:** We approved the draft minute from CFSC, based on a minute from Vancouver Monthly Meeting, as follows:

Canadian Yearly Meeting of the Religious Society of Friends fully endorses the *United Nations Declaration on the Rights of Indigenous Peoples* adopted by the UN General Assembly on 13 September, 2007. We do not agree with the vote of the Canadian government, one of only four countries which voted against the Declaration. We note with appreciation that Australia has subsequently reversed its negative position. We call upon the Canadian Government to follow Australia's lead. This would support the will of the majority of our Members of Parliament, given that the Canadian House of Commons approved the endorsement and implementation of the Declaration on 8 April 2008.

The Declaration does not create new rights, but elaborates on the inherent rights of Indigenous peoples worldwide. It provides a principled framework and Indigenous context for interpreting existing international human rights instruments, such as the Universal Declaration on Human Rights, the two human rights Covenants and the International Convention on the Elimination of All Forms of Racial Discrimination. The Declaration is therefore highly relevant to Canada's existing international obligations. Our federal government's refusal to accept this Declaration as a minimum standard of human rights is contrary to Canada's long-standing tradition of supporting and protecting human rights through the use of international human rights instruments. Furthermore, the federal government continues to mislead its citizens with statements about the Declaration that are inaccurate and contrary to international human rights laws.

We respectfully request the federal government to endorse the Declaration. We call on all provincial and municipal governments in Canada to urge the federal government to endorse and implement the Declaration. We also remind all levels of government that they should abide by the Declaration's terms and spirit in all dealings and interactions with Indigenous Peoples even if the federal government takes no supportive action. International Human Rights instruments are accepted as universal once adopted by the General Assembly of the United Nations.

We ask the Clerks of all Canadian Yearly Meeting Monthly Meetings to contact the appropriate persons in their provinces, encouraging municipal and provincial leaders to make their voices heard in requesting that our federal government support the *UN Declaration on the Rights of Indigenous Peoples*, in keeping with the democratic process upheld by our House of Commons.

We ask CYM to take the requested actions, and we ask Quaker Aboriginal Affairs Committee (QAAC) and CFSC to draft a minute of record to bring back for approval at CYM 2010. We ask that QAAC ensure that Monthly Meetings and Worship Groups have the resources necessary to carry this concern forward. Extensive background information on the Declaration can be found on the Quaker Aboriginal Affairs Committee webpage at http://cfsc.quaker.ca/pages/projects_abor.html.