

Tawaw kahkiyaw,  
okimâwak, nâpewak, iskwewak, kêhtëak, oskâyak. Okimaw piyisiw awasis  
nitisihkason. Miyo kisikaw anoch.

I am pleased address the 17<sup>th</sup> session of the Permanent Forum, on the theme  
of Indigenous peoples' collective rights to lands, territories and natural resources.

Around the globe, Indigenous Peoples continue to face violations of our rights by  
governments and businesses.

In Canada, First Nations are exercising our inherent rights, title and jurisdiction  
over our lands and territories and call on governments to respect those rights and to  
meet the standard of free, prior and informed consent. Consent is the essence of  
treaty-making and we have the right to determine our own priorities for  
development.

Consent issues have arisen in regard to major projects from pipelines and  
hydroelectric developments to the storage and transportation of nuclear waste.

Canada has much work to do yet to provide redress for laws and policies founded  
in racist colonial doctrines to rationalize the taking of our traditional lands and  
resources. Such laws include the Natural Resources Transfers Acts, 1930 which  
violate our Treaty rights and inherent rights and title- rights that are affirmed by  
the UN Declaration.

Canada has expressed its unqualified support for the UN Declaration on the Rights  
of Indigenous Peoples. There are proposals to advance implementation which are  
being assessed by Indigenous peoples and our governments.

We commend the government of Canada for supporting Bill C-262, the United  
Nations Declaration on the Rights of Indigenous Peoples Act.

Canada is also advancing legislation to deal with impact assessments of  
development projects. We have called on Canada to explicitly include the 2030  
Agenda for sustainable development, and the government's commitment to comply  
with the UN Declaration, including FPIC. It is not too late to include such elements  
in this draft legislation.

The Assembly of First Nations supports Indigenous peoples in other regions. We  
are currently working with Indigenous peoples from Ecuador in their legal battle in

Canada against Chevron regarding massive environmental damage inflicted on their territories. While there was success in the courts of Ecuador, Chevron refused to pay the awarded damages. This battle has now moved to the Canadian courts, as Chevron's subsidiary has assets in Canada. Chevron has responded with unacceptable attacks on the lawyer supporting our sisters and brothers in Ecuador. Retaliation in any region against defenders of Indigenous peoples' human rights must be condemned.

Free, prior and informed consent is a focus of concern for many states. FPIC was not created in the UN Declaration. It is an aspect of the right to self-determination, affirmed in the international human rights Covenants. States cannot cherry pick human rights.

Consent is the essence of treaty-making between self-determining nations. Indigenous peoples have the right to determine our own priorities for development.

The Outcome Document of the World Conference of Indigenous Peoples affirms State commitments to FPIC. We must ensure such commitments are honoured. You simply cannot tell a people that they have no right to say "no", regardless of the level of destruction or the consequences. What is needed are better processes, joint processes, designed with Indigenous peoples.

Indigenous Peoples must be part of decision-making when our rights and well-being are at stake. Working with us to figure out what that looks like is the smart thing to do. It will lead to fewer acrimonious decisions. Fewer court battles. More timely decisions. Better outcomes for us all.

I share four recommendations.

- 1) That States work in partnership with Indigenous Peoples to develop legislative and decision-making processes to ensure respect for Indigenous Peoples' rights to lands, territories, and resources – including free, prior, and informed consent.
- 2) That States meet commitments and obligations to dismantle colonial laws, policies and operational practices, and end litigation practices grounded in denial of Indigenous peoples' rights. States should protect and enforce Indigenous peoples' rights, especially in a litigation context.