Breakout 3C: Implementing UNDRIP: Tool or Distraction?
10: 45AM-12:15PM
Lorraine Land, Brenda Gunn, Craig Benjamin, Diana Kwan

Lorraine Land

The UNDRIP was presented as a tool, specifically a compass for land claim implementation; it is a way of both assessing where we are and achieving some of the outlined principles. These principles need to be understood from nuanced approach that recognizes them holistically, rather than simply as a checklist. Many implementation challenges are related to 'soft' commitments (i.e. cultural protection, language, and education), yet land and resource rights tend to dominate the conversations. The UNDRIP can be used as a compass for addressing these social and cultural issues and protecting a way of life.

Brenda Gunn

Modern law distinguishes between different systems and groups of Indigenous peoples, resulting in the creation of difference. Comparatively, the UNDRIP is more universalized, as it recognizes that Indigenous peoples have fundamental rights that need to be applied equally. Yet, how these rights are implemented is context-specific. The UNDRIP can be used as a tool to reset the relationship between Indigenous and non-Indigenous people, moving beyond command and control; this renewed relationship needs to be founded on partnership and mutual respect, it is far from a unilateral process.

Craig Benjamin

There are concerns about the consistency in terms of how the government approaches the UNDRIP. A legislative framework for implementing the UNDRIP would help reduce the reliance on the government of the day's response to and interpretations of the UNDRIP. Collaborative development of a national action plan is needed to legislatively implement the Declaration. This action plan would be a "systematic, comprehensive, multi-sectoral and sustained approach adequately supported and facilitated by strong institutional mechanisms."

Diana Kwan

The implementation of the UNDRIP can be understood as both a tool and a distraction.
The key distraction is the political environment. Diana pointed to the difference between recognition and enabling the Declaration; the UNDRIP emphasizes the recognition of Indigenous rights, yet what is understated is how do we move forward, what are the actions, and what commit us. As such, the UNDRIP can be a useful tool moving towards a space of indigenous governance, yet it needs to be paired with comprehensive mechanisms for implementation.