

Implementing the UN Declaration on the Rights of Indigenous Peoples in the Northwest Territories

How is the UN Declaration being implemented?

Working in collaboration and cooperation

Article 38 of the UN Declaration directs governments to work in cooperation and collaboration with Indigenous peoples to implement the UN Declaration. Accordingly, in the Mandate of the Government of the Northwest Territories, 2019-2023, the 19th Legislative Assembly directed the Government of the Northwest Territories (GNWT) to move forward in cooperation with Indigenous peoples to implement the UN Declaration.

Making the UN Declaration a shared priority

Indigenous Governments and Organizations (“IGOs”) of the NWT have clearly stated that implementing the UN Declaration is a priority for them, and the GNWT understands that it cannot do this alone. The NWT Council of Leaders (NWTCOL) also identified the UN Declaration as a priority and established a working group of officials from all interested IGOs and the GNWT. The working group’s recommended approach for the next steps to implement the UN Declaration included the development of a law unique to the NWT and its culture that implements the UN Declaration in the NWT. A Memorandum of Understanding (MOU) was also developed to guide the relationship between the GNWT and IGOs to undertake this work. The working group worked by consensus to develop a law and an MOU through this shared process with the support of the NWT Council of Leaders.

What's happening now?

On March 29, 2023, the GNWT introduced the proposed *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act* in the Legislative Assembly, developed in partnership with IGOs through the NWTCOL working group of officials. The Act aims to formalize the mechanisms that the GNWT will use to ensure that future laws, regulations, policies, procedures and arrangements are consistent with human rights as outlined in the Declaration.

Elsewhere in Canada, other governments have started developing legislation and then working with Indigenous organizations. This approach does not reflect the partnership the GNWT wishes to have with IGOs in the NWT. All aspects of this proposed law have been written together by the GNWT and IGOs.

The NWTCOL has also agreed to the new MOU proposed by the working group of officials. The MOU is intended to govern the relationship necessary for the continued collaborative approach that will implement the UN Declaration in the Northwest Territories. It commits the GNWT to work in collaboration and cooperation with IGOs to prepare and implement an Action Plan for achieving the objectives of the UN Declaration. The Action Plan is expected to set the direction for ongoing collaboration between the GNWT and IGOs to advance key actions toward the implementation of the UN Declaration by the GNWT

What does this mean for IGOs?

The GNWT believes it is important to first understand what implementing the UN Declaration means to IGOs before taking any actions. This work is already happening through the collaborative development of an Action Plan and the proposed *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act*. While some existing laws and policies already reflect some aspects of the rights affirmed in the UN Declaration, there remain significant gaps and many areas where work still needs to be done.

The MOU and legislation commit the GNWT to continue collaborating with IGOs to use the UN Declaration as a framework for reconciliation. Implementing the UN Declaration will be a long-term effort by the GNWT, done in collaboration with IGOs.

For more information about the UN Declaration, go to
www.eia.gov.nt.ca/un-declaration