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GICJ Report on the 10th Session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)

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Introduction:

The 10th Session of the Expert Mechanism on the Right of Indigenous People's (EMRIP) took place at the United Nations Office at Geneva, from 10 July to 14 July. Representatives from States, indigenous people, indigenous peoples' organisations, civil society, and inter-governmental organisations participated at this meeting.

Despite recent advances on the rights of indigenous people there remains a lot that needs to be done. Geneva International Centre for Justice (GICJ) is well aware of the various dire situations that indigenous people face across the globe, and therefore, supports the United Nations Declaration on the Rights of Indigenous People (UNDRIP) and calls for its full implementation.



Item 5: Interactive dialogue with national human rights institutions, regional human rights institutions and similar mechanisms



During the interactive dialogue, several important points were raised by the panellists that need serious consideration. The Right to Free and Prior Consultation and Consent is crucial for indigenous peoples and must be exercised as, especially in the past, they have not been

consulted and cannot give consent in numerous cases. Even today in many cases indigenous peoples are not consulted nor given prior and informed consent when administrative and legislative measures that will affect them are taking place. This practice of negligence towards indigenous peoples occurs on all levels, from the private and business sector, to the national and international level which ultimately brings about adverse consequences. In light of this, the panel added that the granting of concessions must also be taken into consideration. It was also noted that in many regions indigenous peoples, including defenders of territories are most affected by homicides, physical violence, discrimination, and other forms of intolerance. To this regard there is a lack of legislation and basic norms for the protection of indigenous peoples in these instances and to deal with it there needs to be increased facilitation with the already present Civil Society Organisations (CSOs).

In many countries, such as Mexico, there is still a disparity between victims, the government, and the situation on the ground. For example, on the situation of land issues and the prosecution of indigenous leaders. In other instances, however, there is some improvement.

Deficit language, such as Kiwi and Maori, is beginning to cease and education and health issues are increasingly brought into discussions. Regarding the environment, in some regions rivers have the same legal rights as human beings; for instance, in the Te Urewera Act in New Zealand. Such advancements, the panel noted, are a way of recognising the indivisibility of the land and the Maori people.



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New Zealand: Maori People.

The panel went on to remind us that while we acknowledge such advancements, fall-backs, and challenges it is important to keep in mind that achieving objectives, such as those in the United Nations Declaration for Right of Indigenous Peoples (UNDRIP) is a continuous battle. In Kenya, for instance, a similar process has been put in place and even though it has been slow in taking effect it is important to recognise that it is present and that currently some indigenous people have legal assistance. This should inevitably become widespread with regards to protecting sacred sites, territories etc. procedures are moving in the right direction but there needs to be more collaboration with Human Rights Institutions (HRIs) and relevant stakeholders.

The panel also noted that it is important to highlight areas that deserve considerable attention such as indigenous women, mining activities, linguistic rights and that it is important that people put in work and effort in their divisions. For these reasons, a new mandate that incorporates the cooperation with National Human Rights Institutions (NHRIs) is necessary. A new mandate will also give specific demands on language, promote access of indigenous peoples to justice, and provide training for public officials; for it is through training and education that the rights of indigenous peoples can be defended and protected. It is also crucial to ensure that the reporting processes are re-enforced. Strictly speaking, the Declaration should be homegrown.

The floor was open to the participants of EMRIP to make comments, recommendations, or ask questions. Contributors re-iterated that in order to achieve the goals of the Declaration capacity-building needs to be enhanced and States should accept country-visits by appointed experts. For best practices and tools, the 2013 Guide should be utilised with relation to HRIs and UN systems such as

EMRIP in order to implement decisions taken. Someone also pointed that while Rights are provided for through dialogues and legislation there remain worries about the reality on the ground; as well, in some regions/countries there is no recognition of the word “indigenous people”.

Contributors from the floor also re-emphasised that one of the duties of EMRIP is to provide space for dialogue between states and relevant stakeholders and to provide contributions. A representative from West Africa again brought to attention the issue of language, noting that in Africa the language concerning indigenous peoples is more towards English and not so much in French; also, they recommended that the participation of women should be in all processes. Regarding NHRIs, a speaker from the floor noted that there are limitations such as budget and the lack of resources adds constraints to their work and that there is a disconnect between international obligations and national commitments. Lastly, someone brought up the notion of having a legally binding Declaration. The panellists added to the contributions of speakers from the floor with some suggestions and answers. Mainly, they addressed the issue of language and that while more needs to be done, there are translations, brochures, and leaflets in many languages to inform indigenous peoples of the rights. Books, languages, and songs needs more attention particularly so that children can also know their rights.



Item 6: Celebrating 10 years of UN Declaration

To celebrate the *'Ten Years of the Implementation of the United Nations Declaration on the Rights of Indigenous Peoples: good practices and learning'*, Chief Wilton Littlechild addressed the Session giving a little background and history that included the efforts and struggles of the towards achieving the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The very first attempt to address concerns to the United Nations on indigenous peoples was at the then League of Nations in 1923. Chief Deskaheh travelled to Geneva, Switzerland who opened their doors for him to speak for the Six Nations and represent indigenous peoples in North America after being denied access in the United States. Maori spiritual leader, W.T. Ratana was also denied access in 1925. It was not until 1977 when the 'second wave of indigenous peoples', by way of peaceful protest, were able to access the United Nations and attempt to make their voices heard.

"From no voice to some voice." - Chief Littlechild

Chief Littlechild went on to acknowledge that today, there are five specific mechanisms that consider and address the concerns of indigenous people. These mechanisms include the UN Permanent Forum, the Special Rapporteur (who looks into the violations committed against indigenous peoples), the Expert Mechanism (EMRIP), the Voluntary Fund, and most recently a Senior official who was appointed in the Secretary General's Office. Regarding



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The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

legal frameworks, the International Labor Organisation (ILO) and the UN Declaration have measures in place that can work in conjunction to address injustices against indigenous peoples; the Convention on the Rights of the Child makes mention to indigenous peoples, and the Paris Agreement is the first-time indigenous peoples are mentioned in a legally binding instrument.

He then recounted that when addressing the UN some years ago he asked the chairperson if the elders could make an invocation of thanksgiving, to which they performed a prayer song. This marked an acknowledgement of the practices of indigenous peoples, he also mentioned that the elders and spiritual leaders contributed to the current recognition of spiritual rights. In another meeting the elders were asked to speak to which they asked the audience; who is going to speak for my brother the fish, who is going to speak for my brother the bird, who is going to represent the four-legged animal that dies so that we can live, who is going to argue for clean air and water? These inquiries led to environmental consciousness at the UN, which led to the recognition of the environment and subsequently the responsibility towards the earth, for example, climate change.

To this degree, honouring and respecting international treaties is key towards achieving justice for indigenous peoples as well as the importance in recognising women, people with disabilities, family, culture, health etc. Chief Littlechild then went on to recount the tragedy of the Residential School Legacy in Canada and the history of schools as an illustration of the effect, which in this case were adverse effects, of schools particularly on indigenous people. The notable school legacy issues are education, culture and language, spirituality, health, justice, governance, poverty, the missing and murdered, and child welfare.

The most suitable framework/road map for reconciliation is the UN Declaration on the Rights of Indigenous Peoples. As well, in the UN Declaration there are 16 out of 94 articles on the rights of indigenous peoples, therefore, we ask governments to follow the UN Declaration. Additionally, lawyers and law students, schools, and judges should be trained and educated on the Declaration. It is also vital to call on governments to recognize indigenous systems as many indigenous communities often do have reconciliation systems and measures already put in place; church parties and museums should also be called on to recognize and look into the Declaration.

He went on to underline key reconciliation measures for indigenous peoples.

Reconciliation measures for indigenous peoples:

- Implement UNDRIP as **the framework/road map for reconciliation**;
- Consider the 16 of 94 calls on action on rights of indigenous peoples;
- Call on governments to follow UNDRIP;
- UNDRIP education in schools and UNDRIP training for lawyers and law students, and judges;
- Call on governments to recognize indigenous systems of reconciliation;
- Call on church parties to recognize UNDRIP;
- Call on museums to recognize UNDRIP;
- Involve municipal governments and the private sector;
- Use the Declaration as part of the healing of the dark past;
- Involve and use journalists, journalism schools, and the media;
- Commit to a renewed nation to nation relationship with indigenous peoples based on rights (said by the PM of Canada);
- Spirituality must come back to leadership;
- Indigenous women must take a more prominent role in leadership;
- We must build on the strengths of our people;
- We must work hard on unity.

OHCHR representative

A representative from the Office of the High Commissioner on Human Rights (OHCHR) and the United Nations Department for Economic and Social Affairs (UNDESA) took the floor to speak on development and national action plans to achieve the goals in the Declaration, saying that they are developing guidance notes on these issues are taking place together with indigenous peoples and other stakeholders. Additionally, one can keep up to date with these developments on their websites or via social media.

There are four factors that constitute the 'guidance notes':

1. All articles in the UNDRIP are interconnected – it is crucial that the National Action Plans reflect all rights;
2. National Action Plans should reflect that the Declaration acts as a framework,
3. Participation of indigenous peoples in all consultations is crucial and their own processes and procedures should be respected;
4. Establish close partnerships with marginalized people.

Interactive Dialogue:

Participants who made statements from the floor gave insights from their communities and provided recommendations towards the UNDRIP. For instance, a representative for indigenous peoples from Ecuador said that the rights of indigenous peoples must be more visible as it is important for combating different forms of discrimination and that it is necessary to have an international binding framework in order to address the activities of Trans National Corporations (TNCs). The representative from Kenya gave awareness that the process for reclaiming land for indigenous peoples has seen some challenges and even though they are recognized by the government they are still marginalized. Moreover, the government is using other crises to divert from the issues of indigenous peoples and currently they still continue to lose their land. She finished by asking the panel, "Why do indigenous peoples continue to suffer in their own lands?"

The representative from Norway highlighted that the Ten-Year Anniversary is a call for celebration but we need to keep in mind that many challenges persist. For example, as noted by the representative of New Caledonia, in their country indigenous people are already condemned to be climate refugees, many of their children are not in education and turn to drugs as a result, unemployment remains high; regarding training, little is being done to ensure competencies with respect to judges and lawyers and a new prison is going to build where 80% of the detainees are most likely to be illiterate. Considering the situation of indigenous people in New Caledonia, their representative said it really feels as though nothing has changed.

The Indigenous Women of Congo said that, despite the adoption of law there is lack of implementation and indigenous communities have trouble understanding the law as it is in the French language. Therefore, they recommend that language be disseminated more broadly and to implement awareness raising campaigns and build capacities for trainers within indigenous communities that

could also help with translating laws. Relating, the representative of Peru highlighted that 15% of the indigenous peoples in Peru alone have their own mother tongue.

In Mexico, the Declaration is the main tool for defending indigenous peoples and it acts as a roadmap as it provides important and necessary guidelines, noted the indigenous parliamentarians of Mexico. Additionally, the Declaration has become the backbone as it also



supplements other goals. For indigenous people in Mexico, the right to self-determination and consultations is vital as is the need to guarantee education. UNDRIP is regrettably not applicable in Indonesia because they are very diverse, explained the representative from Indonesia. Many indigenous people are criminalized and indigenous leaders are jailed. The Indonesian government should, therefore, facilitate dialogue with indigenous peoples.

Laws in India say that the government should inform indigenous communities prior to activities that may be harmful or put them in danger, however, they are not doing so. TNCs in India, such as DeLoitte, are continuing to take lands from indigenous people and continue their mining activities despite resistance. A representative from South Africa also noted the negative activities by TNCs and extractive industries and indicated that they still remain a threat. The representative from India recommended that the Indian government should guarantee the protection of land territories. Another representative from India Law Resource Centre added that the Declaration was already considered as a landmark ten years ago but today still, many indigenous peoples have their rights violated. Thus, there is a need to identify good practices and lessons learned, and a need for expertise to determine what is good practice. The Unified Tribes of India spoke on denotification in India.

The Centre of Imara Multidisciplinary Studies recalled that UNDRIP does not give indigenous peoples new rights and that intellectual property rights and heritage should be recognised. They also pointed out that the Declaration covers education and ensures that people are able to transmit information to future generations. The World Bank said that there is a need for key initiatives to advance good practices and lessons learned. The World Bank has taken steps to raise awareness within their bank staff and looks to achieve their “twin goals of ending poverty and boosting shared prosperity in the

countries in which they live". Currently, they are supporting 10 countries in Central Africa by increasing capacities of their representatives. The World Bank ended by noting that indigenous peoples are crucial within the framework and they have a right to inclusive development.

On another legal basis, the centre for governance and innovation in Canada noted that bringing together legal systems helps the laws support each other and implementation means states can work together with indigenous peoples. Finally, the African Networks and Indigenous women commended EMRIP and UNDRIP but also noted that there is a gap in certain countries in Africa regarding implementation. Various issues regarding rights such as health, droughts, and refugee camps amongst others since the colonial period have been ignored by UN agencies in some regions. The situation of Pygmy, Masaai etc. as well as women and children who die in and during child birth have also been overlooked and not recognised.

Item 7: Indigenous people's participation in the United Nations System

On Wednesday 12 July, Agenda **Item 7 on Indigenous people's participation in the United Nations System** was carried out at The Human Rights and Alliance of Civilizations room.

Participants took the floor to discuss about the still existing limitations on the participation of Indigenous peoples at the United Nations Mechanisms. Despite alternative solutions taken by the General Assembly, like the Un Voluntary Fund for Indigenous Peoples to support organizations to participate in relevant procedures of the UN., there are still limitations for indigenous peoples' organisations that do not have an ECOSOC certification. However, indigenous peoples have the right to participate through their own representative institutions, thus it has been addressed that the NGO accreditation process is not appropriate for indigenous institutions, which differ substantially from NGOs in design, purpose and authority. Indigenous representatives not certified with ECOSOC consultative status are denied entry into many UN meetings which indigenous NGOs can access. It should be allowed that indigenous institutions designated have the same access as NGOs, to ensure that Indigenous peoples can



effectively take part in the decision-making process on matters that affect their rights. It should be ensured for these institutions to be able to participate in UN mechanisms even if they don't have the consultative status.

The Delegation of Mexico proposed that representatives of Indigenous peoples should be accredited not only to participate but to have voice and vote in the decision-making process concerning indigenous peoples, and should be selected according to their level of roots and attachment with their communities, their real experience and knowledge about the indigenous theme and of the normative framework that regulates indigenous peoples.

Conclusions and recommendations of the Session

At the end of the 10th Session of EMRIP several participants gave final words, concluding remarks and most importantly additional recommendations for the EMRIP. Some of the highlights included further study on the right to health and cultural heritage with respect to indigenous peoples. Several representatives recommended further investigation into the widespread abuse of indigenous peoples, such as the representative from New Zealand who mentioned the plight of Maori children and incarceration. Panama highlighted the lack of intercultural approach regarding sexuality care and emotional health and to further address criminalisation, marginalization, and other such forms of discrimination. A very important recommendation was on the importance of traditional medicine, particularly regarding its approach. Another point regarding health was the recognition of the World Indigenous Games for the health and well-being of people and the power of sports to heal.

During the discussion of Item 9 members of civil society recommended EMRIP, member states, and all relevant stake holders to:

- Create a fund for supporting indigenous languages;
- Recognize the oceans;
- Recognize indigenous peoples with disabilities;
- Recognize indigenous peoples with different sexual orientation and identification;
- Publish general guidance on cross-cutting issues and consider the inputs by NHRIs;
- Encourage more dialogue;
- Give special attention to indigenous peoples whose voices have been absent in these meetings;
- Enhance accessibility in consideration that not all have internet access;
- Create tools that can guide implementation processes and develop tool kits;
- Administer invitations so people can see first-hand effects of climate change;
- Consider "Full Guarantees" as the theme for 2018;
- Use the outcome document as a base document.

GICJ conclusions and position

The many hardships that indigenous people encounter in many regions of the world must be acknowledged and brought to the attention of the international community, and especially governments as they are obligated to guarantee the full rights of indigenous people. Poignant issues such as self-determination, education, land rights, discrimination, and intellectual property need to be addressed with respect to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in accordance with international law and international humanitarian law.

GICJ is particularly concerned about the violations, abuses, and incarceration of people from the indigenous community who in some cases are also human rights and environmental defenders. Transnational corporations, extractive industries, and other big businesses have been found guilty on numerous occasions of



www.redpowermedia.wordpress.com/2015/07/page/7/

such violations yet they often escape accountability due to their influence and financial power. Moreover, they have capabilities and means to obtain para-militaries that engage in illegal activities for the sake of profit at the expense of indigenous peoples and their lands.

GICJ also notes and strongly condemns the various forms of discrimination and intolerance that many indigenous people face due to their ethnicity, cultural background, or way of living. To eliminate these injustices towards indigenous peoples GICJ highly recommends that all relevant parties implement UNDRIP as it provides a relevant and practical framework as well as best practices.

Side Events

Side Event organised by American Association of Jurists, on “The Situation of the Mapuche People in Argentina”

GENEVA (14 July 2017) – The parallel meeting to the Expert Mechanism on the Rights of Indigenous Peoples, titled as “The Situation of the Mapuche People in Argentina” took place during midday, at Room XXV.

The moderator of the discussion was H.R. Antonia, Representative of American Association of Jurists, there was one panellist, Fernando Kosovsky, Lawyer from Argentine specialized in Rights of Indigenous People in Argentina. He would discuss about the situation of the Mapuche People in Argentina.

Fernando Kosovsky mentioned that Indigenous rights have been progressing in the country over the years. After the colonial era, there were laws in Argentina that promoted the conversion of remaining communities to Catholicism. Likewise, the indigenous communities were removed from their lands. However, in the last century, the international treaties of Human Rights and the Declaration of the Rights of Indigenous Peoples began to be ratified. Likewise, law 23302 was adopted, where land is expected to be awarded to indigenous people. Soon after, the integral law of the Indigenous people of Argentina was created. Under the new legal conditions, the self-determination of the Mapuche people is incorporated along with equality and respect for their forms of life and traditions. Currently in Argentina, the Law on Protection of Indigenous Peoples is resolute and in line with international human rights law.

The law now recognizes land plundering, and it now mandates its investigation. It also prohibits forced displacement. The law protects the indigenous people by naming them landowners by right, without administrative procedures. He also noted that no community in Argentina has used violence to recover their territory, and that all recoveries have been

peaceful. However, Argentina still faces challenges in protecting the Mapuche community and indigenous communities, with extractive transnational corporations whose interests in land management are juxtaposed with the interests of the Mapuche communities.

**Side Event organised by Maloca Internationale, on
“Indigenous medicines in globalization: good practices and difficulties in the
construction of an international indigenous economy”**

GENEVA (14 July 2017) – The parallel meeting to the Expert Mechanism on the Rights of Indigenous Peoples, titled as “Indigenous medicines in globalization: good practices and difficulties in the construction of an international indigenous economy” took place in morning, at Room XXV.

The moderator of the discussion was Rodrigo Pailaléf, from the Permanent Mission of Chile to the United Nations. The panellists were Marco Vasquez, Representative of Feu d’Itzachilaitlan; Leonardo R. Perez, Representative of Maloca International; and Sonia Murcia Roa, Representative of Maloca International. The panel would discuss about The commercialization of indigenous ancestral medicines and the mechanisms to protect the intellectual right of these practices for indigenous communities in Latin America.

Leonardo Perez took the floor to mention that the medicinal plants of indigenous peoples are meant to be shared with the world but it is necessary to protect the rights of these peoples. It is a latent dilemma in the EMRIP Mechanism.

Sonia Murcia, said that in Colombia the constitution grants certain advantages with respect to indigenous communities. Firstly, natural parks and archaeological heritage are protected as unseizable. On the other hand, the indigenous communities of the State are reinvented and recovered, recognizing Colombia as a multi-ethnic and multicultural country.

Marco Vasquez affirmed that the reconstruction of native peoples and the construction of history has not been easy. The most important thing is to remember that the knowledge and

the territory are very intertwined. Indigenous communities are very secretive and it is important to recognize that these practices allow the transmission of generational knowledge. Also, Intellectual property laws should be developed and implemented for these groups.

**Side Event organised by Centre for International Governance Innovation, on
“UNDRIP Implementation – Braiding International, Domestic and Indigenous Laws**

GENEVA (July 13, 2017) - The Centre for International Governance Innovation, together with leading Canadian Indigenous legal academics and practitioners, held a side-event on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) with respect to national and domestic legal frameworks. The panellists came from Canada and all had knowledge and expertise in this field. The event took place during midday, at room XXVII.

To begin with, one of the panellists presented her book project and special report that concentrated and investigated the challenges facing indigenous peoples in Canada, especially concerning the extraction of minerals. They found and noted that treaties made with indigenous people are treated differently from international law. Therefore, they decided to look at these treaties with a different perspective, for instance, conducting meetings with Europeans and indigenous peoples of Canada.



Some of the key issues in the report included a strong desire to look at implementation and use the UNDRIP as a framework¹. Using Canada as an example, they looked at implementation and noted that

¹ Many organisations and associations have also strongly suggested using UNDRIP as a framework due to its contents, which incorporates best practices etc.

is it not just about bringing international law and applying it, for one must take acknowledge that indigenous laws existed well before international law. Hence, they considered what braiding international, domestic, and indigenous laws look like regarding transsystemic laws. They then proposed that all three must be brought together and all three must have equal weight. In this instance, they suggest that national law (in this case Canadian law) should take a step back in order to provide more space for indigenous law and at the same time strengthen all three legal principles, that is, international, national/domestic, and indigenous law. On this point Chief Wilton Littlechild, who was in the audience, noted that “braiding” traditionally illustrates “strength in unity”.

The panel then illustrated that the UNDRIP can be used as a guideline to national/domestic law because laws will come across indigenous peoples when applied on the ground. Therefore, the Declaration can be used for land-rights, territories, and other relevant rights regarding indigenous peoples. Additionally, when encountering a particular indigenous community their specific laws have to be addressed and there are also new circumstances that come into exist that national laws cannot address. The Declaration also has training for judges and lawyers – though currently, there is a handbook for corporations and lawyers but there is no handbook for judges. International law is untethered from the constraints of national law thus it has the space and freedom to expand boundaries, so for instance, when considering self-determination, the Declarations should be used as a guide towards this process.

It should be noted that there continues to be the assumption that national law has control over indigenous law, however, this is not the case and this idea is conceptually flawed². Hopefully, the panel admitted, the implementation of UNDRIP will go down the path where indigenous laws are acknowledged and respected, especially by the relevant actors, as they can provide provisions in areas where other legal principles lack. For instance, consider indigenous laws with regards to their lands and the environment; in many instances, indigenous people have been conducting their own environmental assessments, for example, with regards to pipelines where consent to do so is almost never granted whereas UNDRIP talks about consent. The panel also noted, however, that though it has always existed the tension of legal systems is coming out more and more.

The panel then discussed the indigenous community in Canada noting that eight years from 2017 will mark 300 years since the Treaty with Europeans was signed and recalling that rights holders within their communities continued to hold and defend their rights, for had they not done so there would be

² It was noted that the current government of Canada apparently does not have in mind that national law controls indigenous law.

no treaty today. In light of this it is crucial to acknowledge and recognise that at the heart of UNDRIP is the right to self-governance and self-determination.

It is absolutely crucial and most important that indigenous groups take UNDRIP back to their nations and present it with practical ways of implementation. For instance, in 2013 much of the UNDRIP language was included in indigenous laws. Though many may question why they should get involved with international law and UNDRIP if it's not legally binding, they must acknowledge and take into account that it is legally influential and persuasive, noted the panel, and it impacts states into action.

To this end, the straight-forward recommendations they provided were:

- Supporting local initiatives and raising awareness of UNDRIP;
- Support local initiatives to implement UNDRIP;
- Acknowledge voluntary funds that supports participants to attend events (such as EMRIP).

Towards the end of the panel presentation indigenous language rights, which is a concern shared by many, if not all, was discussed. Some countries have advanced in this area but many, such as Canada, are still lagging behind. For instance, their Constitution has two languages (English and French) and if parents want their children to learn another language they have to do it at the government's expense hence they encounter some unwillingness and barriers. The United Nations Educational, Scientific and Cultural Organisation (UNESCO) recognizes at least 90 languages (though two have now become extinct) whereas Canada only recognizes approximately 60 languages.

As well, the ageing population of speakers must be taken into consideration as they are sometimes the only reliable means of transferring this knowledge to the next generation. Schools, in this instance plays a fundamental role in reviving languages and recognizing the linguistic rights of indigenous peoples. They can even help grand-children who are unable to communicate with their grandparents.

Therefore, it is vital to start at the basis with indigenous customary laws³ in order for the right for indigenous peoples to pass down their own culture to future generations. Lastly, funding must be taken into consideration especially in terms of allocation towards best practices.

³ For example, in Canada it would be "Cree":
"Iyiniw Miyikowisowina" – that which is given to the peoples.

