

Rapid Synthesis

Identifying Approaches to Adopt and Implement
the United Nations Declaration on the Rights of
Indigenous Peoples

29 November 2019



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**Rapid Synthesis:
Identifying Approaches to Adopt and Implement the
United Nations Declaration on the Rights of Indigenous Peoples
90-day response**

29 November 2019

Forum+

The goal of Forum+ is to generate action on the pressing social-system issues of our time, based on the best available research evidence and systematically elicited citizen values and stakeholder insights. We aim to strengthen social systems – locally, nationally and internationally – and get the right programs, services and products to the people who need them. By social systems we mean the following government sectors and program areas: citizenship, children and youth services, community and social services, consumer protection, culture and gender, economic development and growth, education, employment, financial protection, food safety and security, government services, housing, infrastructure, public safety and justice, recreation, and transportation. With Forum+, we are building on McMaster’s expertise in advancing human and societal health and well-being.

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Timeline

Rapid syntheses can be requested in a three-, 10-, 30-, 60- or 90-business-day timeframe. This synthesis was prepared over a 90-business-day timeframe. An overview of what can be provided and what cannot be provided in each of the different timelines is provided on the Forum’s Rapid Response program webpage (www.mcmasterforum.org/find-evidence/rapid-response).

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Conflict of interest

The authors declare that they have no professional or commercial interests relevant to the rapid synthesis. The funder played no role in the identification, selection, assessment, synthesis or presentation of the research evidence profiled in the rapid synthesis.

Merit review

The rapid synthesis was reviewed by a small number of policymakers, stakeholders and researchers in order to ensure its scientific rigour and system relevance.

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PREFACE

This rapid review was requested in March 2019 by the Office of Indigenous Health within the British Columbia (B.C.) Ministry of Health. The goal of this document was to identify best practices for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in Canada and internationally. The project was guided by a steering committee with members from the British Columbia Association of Aboriginal Friendship Centres, British Columbia Ministry of Health (Office of Indigenous Health and the Partnerships and Innovation Division), First Nations Health Authority (FNHA) in British Columbia, and the McMaster Health Forum. This rapid review was grounded in Western epistemology and approaches to systematic searching and analysis, and included Indigenous voices to inform key informant selection and as key informants themselves (most of whom identified as Indigenous). With this methodological approach in mind, the steering committee established the scope and approach for two key components of this report: 1) a synthesis of the literature that provides insights about best practices for implementing UNDRIP; and 2) key informant interviews with 17 stakeholders from Australia, Brazil, Canada, New Zealand, Sweden and the United States. Potential key informants were initially identified by the FNHA and the Office of Indigenous Health, and those to be invited were prioritized during a steering committee meeting. Additional key informants were identified by those who were interviewed.

Over the course of this project, there have been a number of key developments. It is important to reflect on these developments to contextualize the work being done to implement UNDRIP, and to recognize the progress that has been made by Indigenous groups and activists. On 24 October 2019, the Government of British Columbia introduced *Bill 41 – 2019: Declaration on the Rights of Indigenous Peoples Act*. This Bill was co-developed by the province and the First Nations Leadership Council and was passed unanimously on 26 November 2019. The signing of this Bill represents a significant step forward in the implementation of UNDRIP. Many have applauded its framework for shared decision-making between government and Indigenous communities, and its active upholding of the standard of free, prior, and informed consent. (1-3)

Recently, other jurisdictions have also made positive strides towards the implementation of UNDRIP. On 2 November 2020 the Government of the Northwest Territories created a Special Committee on Reconciliation and Indigenous Affairs. The current government has committed to the implementation of UNDRIP, pledging to follow the steps of B.C.(4) More recently, on 3 December 2020 the federal government introduced Bill C-15 in the House of Commons. If passed, this legislation would require the government to ensure that laws are consistent with the articles of UNDRIP, and would require an action plan for the implementation of UNDRIP.(5)

Despite the positive step forward, the colonial forces that have perpetuated violence and trauma on Indigenous communities for centuries continue to inflict harm. On 10 February 2020, the RCMP invaded and conducted forcible arrests in Unisto’ot’en territory in British Columbia, where Indigenous land defenders stood protecting the lands of the Wet’suwet’en from proposed Coastal GasLink pipeline developments. Between January 2019 and March 2020, it has been estimated that the RCMP spent more than \$13 million on maintaining a constant police presence in the heart of the Wet’suwet’en Nation territory.(6; 7)

Canada’s justice system has a long and painful history of inflicting trauma on Indigenous communities, and recent events have highlighted these injustices. The 1784 Haldimand Proclamation guaranteed Six Nations the Haldimand Tract, which lies six miles to either side of the Grand River in Southern Ontario. However, Canada has not abided by this agreement and continues to develop lands along the tract. Indigenous peoples have been defending one part of this Haudenosaunee territory since 19 July 2020, in response to a land development that had been planned without free, prior, and informed consent. On 22 October 2020, an Ontario Superior Court Justice granted a permanent injunction against the 1492 Land Defenders, ordering them to leave the land. This order was reinforced by significant Ontario Provincial Police presence. This is not an isolated event. Since 1970, 81% of injunctions filed by developers and corporations against First Nations have been granted.(8; 9)

In 1999, the Supreme Court affirmed the treaty rights of Mi'kmaw fishers in Nova Scotia, granting Indigenous fishers the right to independent fishing. However, the court gave the Department of Fisheries and Oceans the power to restrict this freedom, and Mi'kmaw fishers have faced limitations since. In September 2020, the Sipekne'katik First Nation government instated its own Rights Implementation Fishery, granting a number of lobster-fishing licences to Indigenous community members. This decision was met with violent opposition by non-Indigenous fishers, who removed Mi'kmaw-owned traps, set a van on fire, and destroyed Mi'kmaw catch. On 9 November 2020, a coalition of Mi'kmaw First Nations announced a billion-dollar deal with Clearwater Seafoods, which will give the community considerable autonomy in commercial fishing. Other bands continue to launch self-regulated lobster fisheries.(10-12)

It is important to reflect on the limitations of this paper. The two main authors of this report are white settlers, and data was collected and analyzed from this perspective. Given the timeframe for which this rapid synthesis was initially requested, the methodology of this rapid synthesis focused on identifying insights from systematic reviews and primary studies. While some grey literature was incorporated from stakeholder interviews, a more in-depth review of this data would provide additional insight into community voices. One reviewer importantly noted that peer-reviewed literature often lags behind other news and media sources, and important perspectives were likely missed. While efforts were made to engage a broad group of Indigenous peoples, the views portrayed in this report cannot represent the diversity and range of experience for all communities in this country.

KEY MESSAGES

Question

- What are best practices for adopting and implementing the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in Canada and internationally?

Why the issue is important

- UNDRIP was adopted by the General Assembly on 13 September 2007, establishing minimum standards for governments to recognize the rights and freedoms of Indigenous peoples.
- The Declaration established a universal framework which recognizes and affirms the human rights and fundamental freedoms of Indigenous peoples globally, with a particular emphasis on self-determination, cultural identity, the right to free, prior and informed consent, and protection from discrimination.
- National and sub-national governments of countries that have adopted UNDRIP have supported the minimum standards required to protect the survival, dignity, and well-being of Indigenous peoples.
- Despite belatedly signing UNDRIP, the rights of Indigenous groups in Canada are insufficiently reflected in national legislation, policies and practices, given that legislation has been proposed but has yet to be enacted.

What we found

- We identified three systematic reviews, one non-systematic review and 24 primary studies and policy analyses focused on the implementation of UNDRIP in specific countries (Australia, Bolivia, Canada, Columbia, Nepal, Nicaragua and Nigeria) or globally. We also conducted interviews with 17 key informants from Australia, Brazil, Canada, New Zealand, Sweden and the United States. Twelve of these informants are Indigenous, and the five non-Indigenous informants work in partnership with Indigenous communities. During the interviews, we asked key informants: 1) to describe any best practices related to the implementation of UNDRIP in general in their country, or in relation to any of the 13 thematic domains outlined below; 2) to identify barriers to the full adoption and implementation of UNDRIP in their country; 3) what role should governments, Indigenous Nations, communities, and leaders play in implementing UNDRIP; and 4) what they viewed as the most important next steps for the implementation of UNDRIP in their country.
- Using the United Nations' Indigenous Navigator tool, which was designed to monitor the implementation of UNDRIP globally, we summarized federal-level action across the major themes of UNDRIP, which include: 1) general human rights and fundamental freedoms without discrimination; 2) self-determination; 3) cultural integrity; 4) lands, territories and resources; 5) fundamental rights and freedoms; 6) participation in public life; 7) legal protection, access to justice and remedy; 8) cross-border contacts; 9) freedom of expression and media; 10) general economic and social development; 11) education; 12) health; and 13) employment and occupation.
- Overall, self-determination and free, prior, and informed consent were central to a number of studies, which found that jurisdictions should emphasize early and ongoing consultation and engagement with Indigenous communities in order to obtain free, prior, and informed consent when projects, policies or decisions would affect Indigenous peoples or their territories.
- Ongoing consultation and engagement are typically taken to mean a consultative process that has clarity and transparency, with consistent focus on the tenets of free, prior, and informed consent with space for Indigenous peoples to voice what should be included in the recognition of community rights.
- Indigenous groups should be central to environmental protection programs and renewable energy research, in their role as planners, designers, managers and/or equal partners.
- Access to justice and remedy includes access to adequate and equitable legal proceedings, as well as consideration of customary law and respect for Indigenous systems of justice in these proceedings.
- Access to health services and traditional health practices are essential to self-determination.
- An overarching theme from the key informants was that almost all indicated that, in their view, there are very few examples that could be classified as 'best practices' for implementing UNDRIP, and many identified British Columbia as a leader in the area.
- Two additional key themes emerged from discussions about the lack of 'best practices', with both focused on what is needed to generate meaningful progress towards implementing UNDRIP: 1) generating commitment to implementing UNDRIP; and 2) implementing UNDRIP by ensuring self-determination through, free, informed and prior consent and co-creation processes over the long term.

QUESTION

What are best practices for adopting and implementing the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in Canada and internationally?

WHY THE ISSUE IS IMPORTANT

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the United Nations General Assembly on 13 September 2007. The vote was passed by a majority of 144 states, with 11 countries abstaining from the vote. Australia, Canada, New Zealand and the United States were the only countries to vote against the Declaration. In defending this initial decision, Canada's representative pointed to overly broad provisions that may challenge matters previously settled by treaty. However, these countries have since reversed this position and expressed support for UNDRIP.⁽¹⁾ The United Nations (UN) has not adopted an official definition of "Indigenous" given the diversity of Indigenous Peoples around the world, but they do provide the following description: "Practicing unique traditions, they [Indigenous Peoples] retain social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live. Spread across the world from the Arctic to the South Pacific, they are the descendants - according to a common definition - of those who inhabited a country or a geographical region at the time when people of different cultures or ethnic origins arrived. The new arrivals later became dominant through conquest, occupation, settlement or other means."⁽¹³⁾ In addition, the UN understanding of Indigenous has been developed based on the following:

- "Self- identification as indigenous peoples at the individual level and accepted by the community as their member
- Historical continuity with pre-colonial and/or pre-settler societies
- Strong link to territories and surrounding natural resources
- Distinct social, economic or political systems
- Distinct language, culture and beliefs
- Form non-dominant groups of society
- Resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities."⁽¹³⁾

Box 1: Background to the rapid synthesis

This rapid synthesis mobilizes both global and local research evidence about a question submitted to the Forum's Rapid Response program. Whenever possible, the rapid synthesis summarizes research evidence drawn from systematic reviews of the research literature and occasionally from single research studies. A systematic review is a summary of studies addressing a clearly formulated question that uses systematic and explicit methods to identify, select and appraise research studies, and to synthesize data from the included studies. The rapid synthesis does not contain recommendations, which would have required the authors to make judgments based on their personal values and preferences.

Rapid syntheses can be requested in a three-, 10-, 30-, 60- or 90-business-day timeframe. An overview of what can be provided and what cannot be provided in each of these timelines is provided on the McMaster Health Forum's Rapid Response program webpage (www.mcmasterforum.org/find-evidence/rapid-response).

This rapid synthesis was prepared over a 90-business-day timeframe and involved five steps:

- 1) submission of a question from a policymaker or stakeholder (in this case, the British Columbia Ministry of Health);
- 2) identifying, selecting, appraising and synthesizing relevant research evidence about the question;
- 3) conducting key informant interviews;
- 4) drafting the rapid synthesis in such a way as to present concisely and in accessible language the research evidence; and
- 5) finalizing the rapid synthesis based on the input of at least two merit reviewers.

For this rapid synthesis, we also worked collaboratively with a steering committee that included the British Columbia Association of Aboriginal Friendship Centres, the British Columbia Ministry of Health and the First Nations Health Authority in British Columbia.

The Declaration is a mechanism for recognizing the rights of Indigenous people globally, with a particular emphasis on self-determination, cultural identity, the right to free, prior and informed consent, and protection from discrimination. The document consists of 46 articles, detailing specific standards that should be taken by governments to recognize and respect the rights of Indigenous peoples. In supporting the Declaration, governments have made a commitment to ensuring the implementation of free, prior, and informed consent, and abiding by the minimum standards required to protect the survival, dignity and well-being of Indigenous peoples.(14; 15) In Table 1, we provide an overview of the key areas of UNDRIP. The themes included in Table 1 were systematically developed by the United Nation’s Indigenous Navigator, which is a set of tools designed to affirm and recognize the rights put forth by UNDRIP through structural, process and outcome indicators.(16) This navigator was created in response to the inequities that remain after the development and adoption of UNDRIP, and resulted from a partnership between Indigenous peoples organizations, non-governmental organizations (NGOs), UN agencies and National Human Rights Institutions. The 13 thematic domains presented by the Indigenous Navigator are: 1) general human rights and fundamental freedoms without discrimination; 2) self-determination; 3) cultural integrity; 4) lands, territories and resources; 5) fundamental rights and freedoms; 6) participation in public life; 7) legal protection, access to justice and remedy; 8) cross-border contacts; 9) freedom of expression and media; 10) general economic and social development; 11) education; 12) health; and 13) employment and occupation. For each of the 13 thematic areas, we list the key UNDRIP articles and their description.

In examining the implementation of UNDRIP in Canada, it is essential to consider the political context of the country, provinces and territories. The Government of Canada has established a number of commissions to study and report on Indigenous issues in the country. For instance, the Royal Commission on Aboriginal Peoples was established in 1991 to report on the impact of government policy on Aboriginal peoples in Canada.(17) This Commission was established in the wake of the Oka Crisis, when people from the community of Kanasatake in Quebec defended their territory from colonial land development. In the aftermath of 78 days of protest, the commission determined that a fundamental restructuring of relationships between non-Indigenous and Indigenous people in Canada was crucial.(18; 19) Further, the Truth and Reconciliation Commission of Canada was active from 2008 to 2015, and was established with the intent to acknowledge the harms experienced by Indigenous peoples due to Canada’s residential school system. The Commission culminated in the release of a series of reports detailing the experiences of residential school survivors, principles of truth and reconciliation shared by those who testified to the commission, as well as 94 “Calls to Action” for reconciliation with Indigenous peoples. These calls were rooted in the articles of UNDRIP, as the Declaration was positioned to be the foundation for reconciliation across jurisdictions.(20; 21)

In 2016, the Canadian federal government established the National Inquiry into Missing and Murdered Indigenous Women and Girls to address the national tragedy of violence against Indigenous women and girls. In June 2019, the National Inquiry's Final Report, *Reclaiming Power and Place*, was published. This report summarized the testimonies of over 2,380 survivors, relations, and experts across the country, which points to continuing cycles of trauma and violence that have been inflicted on Indigenous women and girls living in Canada. This violence is perpetuated by colonial laws and institutions, and was deemed a cultural genocide by the inquiry.(22) Based on the findings, the report includes 231 Calls for Justice, supporting the implementation of UNDRIP by pointing to needed actions in the areas of health, security, justice and culture, as well as by emphasizing the continued involvement of Indigenous perspectives and participation in bringing about change.(23)

Despite the federal government expressing support for the implementation of UNDRIP, the rights of Indigenous groups continue to be insufficiently reflected in national legislation, policies and practices.(16; 24) Indigenous communities continue to report violations against basic human rights, such as the denial of principles of free, prior, and informed consent.(25) The Declaration has broad implications for law and policy, with each of its 46 articles contributing to its significance.(26)

Box 2: Identification, selection and synthesis of research evidence

We identified research evidence (systematic reviews and primary studies) by consulting with a librarian and searching 11 databases in April 2019: Access UN, Applied Social Sciences Index and Abstracts, Canadian Public Policy Collection, International Bibliography of Social Sciences, International Political Science Abstracts, Politics Collection, Political Science Database, PubMed, Social Science Abstracts, Social Sciences Citation Index and Social Systems Evidence (www.socialsystemsevidence.org). In Social Systems Evidence we searched for UNDRIP OR (Indigenous AND rights). In the remaining databases, we searched for: 1) UNDRIP OR "UN Declaration on the rights of Indigenous Peoples"; and 2) (indigen* OR aborigin* OR native OR indian OR metis OR inuit* OR inuk OR eskimo OR "first nations" OR maori OR "pacific islander" OR "torres strait islander" OR autochtone) AND rights.

The results from the searches were assessed by one reviewer for inclusion. A document was included if it fit within the scope of the questions posed for the rapid synthesis.

For each systematic review we included in the synthesis, we documented the focus of the review, key findings, last year the literature was searched (as an indicator of how recently it was conducted), methodological quality using the AMSTAR quality appraisal tool (see the Appendix for more detail), and the proportion of the included studies that were conducted in Canada. For primary research (if included), we documented the focus of the study, methods used, a description of the sample, the jurisdiction(s) studied, key features of the intervention, and key findings. We then used this extracted information to develop a synthesis of the key findings from the included reviews and primary studies.

Table 1: Overview of the UNDRIP Principles (14)

UNDRIP theme (16)	Key articles in UNDRIP addressing the themes	Excerpts from the UNDRIP articles
General enjoyment of human rights and fundamental freedoms without discrimination	Articles 1, 46(2,3)	Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights, and international human rights law.
Self-determination	Article 3	Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
Cultural integrity	Articles 8(1), 8(2), 11, 12(1), 15(1), 34	Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs.
Lands, territories and resources	Articles 25, 26(1,2)	<p>Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas, and other resources, and to uphold their responsibilities to future generations in this regard.</p> <p>States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the Indigenous peoples concerned.</p>
Fundamental rights and freedoms	Articles 1, 46(2,3)	In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.
Participation in public life	Articles 5, 18	<p>Indigenous peoples have the right to (...) participate fully, if they so choose, in the political, economic, social and cultural life of the State.</p> <p>Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.</p>
Legal protection, access to justice and remedy	Articles 13(2), 40	States shall take effective measures to ensure that [...] Indigenous peoples can understand and be understood in

		political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.
Cross-border contacts	Article 36(1)	Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders. States, in consultation and cooperation with Indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.
Freedom of expression and media	Articles 16(1), 16(2)	Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
General economic and social development	Articles 20(1), 21(1), 23, 32(2)	Indigenous peoples have the right (...) to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.
Education	Articles 14(1), 15(1)	Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information. States shall take effective measures, in consultation and cooperation with the Indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among Indigenous peoples and all other segments of society.
Health	Articles 24(1), 29(3)	Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
Employment and occupation	Article 17(1, 3)	Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

WHAT WE FOUND

From our searches outlined in Box 2, we identified a total of 28 relevant documents, which included three systematic reviews, one non-systematic review and 24 primary studies.

In addition, we conducted interviews with 17 key informants to identify ‘best practices’ for implementing one or more of the 13 thematic domains from the Indigenous Navigator tool from the United Nations, which is used to monitor the implementation of UNDRIP. Potential key informants were initially identified by the FNHA and the Office of Indigenous Health, and those to be invited were prioritized during a meeting with the steering committee members for the project. The interviews were conducted with people in Canada who gave a national and provincial perspective (with most key informants being from British Columbia, Alberta, Manitoba and Ontario), as well in five other countries (Australia, Brazil, New Zealand, Sweden and the United States). From each jurisdiction, we initially invited a small number of key informants to interview who were well positioned to identify best practices in their jurisdiction, relevant documents and legislation related to it, and other key informants (either in their jurisdiction or others included in our analysis) who could provide additional insights. Most of the key informants identified as being an Indigenous person and the five key informants who indicated that they were non-Indigenous described themselves as someone who had worked in partnership with Indigenous groups for a long time, and as having been involved in an in-depth way with Indigenous-focused research and/or policy (including efforts to develop and/or monitor the implementation of UNDRIP). All but two of the key informants had a primary affiliation as a researcher (but most also had multiple policy and/or community-based roles). The other two key informants included a manager of an Indigenous-led health organization/region in another country and a leader of a community-based Indigenous organization in Canada.

We summarize the findings from the literature below, followed by a summary of the insights identified from key informants from each of the included jurisdictions.

Key findings from the literature about best practices for adopting and implementing UNDRIP in Canada and internationally

We identified three systematic reviews, one non-systematic review and 24 primary studies related to the implementation of UNDRIP. Generally, findings from the included literature focused on recommendations for the implementation of UNDRIP across a number of themes. A short summary of these findings has been provided in the narrative below, with additional details provided in Table 2. Our summary is structured around the thematic domains reflected in UNDRIP, which we described in Table 1.

General human rights and fundamental freedoms without discrimination

We found one primary study that commented specifically on human rights and fundamental freedoms among Indigenous populations, focusing on Canada and the United States. Local movements have the potential to result in a global response leading to change in governance. For instance, this report cited the Idle No More movement in Canada, a response to the introduction and passing of Bill C-45, which violated Indigenous rights, recognized and affirmed in Canadian legislation, treaties, and UNDRIP. This Bill amended the *Indian Act* and changed the way in which major waterways on Indigenous territories could be surrendered, such that a democratic process of consent was erased.⁽²⁷⁾ The Idle No More movement was rooted in the protection of lands and waters, and raised awareness of a variety of inequities affecting Indigenous groups.⁽²⁸⁾ This report argued that these movements call attention to a lack of transparency from governments, and emphasized the need for ongoing consultation when supporting Indigenous rights.⁽²⁹⁾

The author of one report examining the protection of Indigenous rights in Canada acknowledged that the Government of Canada has perceived UNDRIP as an aspirational document. However, this report posited that the provisions of UNDRIP are reflected in the reform of national policies in certain jurisdictions (e.g.,

Bolivia), and that this important document may be used in the interpretation of domestic laws. Ongoing consideration should be given to how the principles of UNDRIP fit within the Canadian legal landscape, and how this landscape may be developed to further the rights of Indigenous groups. Fundamentally, UNDRIP is a powerful tool for political recognition and cultural empowerment.(30)

Self-determination

A number of primary studies and reports examined the implementation of self-determination as described in UNDRIP, with a particular focus on self-government and autonomous institutions, customary law, and free, prior, and informed consent. One policy review assessed the Indigenous rights recognized within UNDRIP, emphasizing the key importance of self-determination and Indigenous political involvement in implementing the declaration. This review also outlined five main purposes to the declaration:

- 1) ending discrimination against Indigenous groups and communities globally;
- 2) promoting control over land;
- 3) strengthening Indigenous institutions, cultures, and traditions;
- 4) respecting Indigenous practices regarding the environment; and
- 5) contributing to peace by demilitarizing Indigenous land.(31)

A number of studies drew on case examples from specific jurisdictions, including the Australian context. One study examined the Australian Intervention in Aboriginal Communities in the Northern Territory. This intervention was developed in response to inquiries into child abuse in remote communities, with the government stating that its goal was to safeguard human rights. A legislative package was written, creating reforms that substantially affected the lives of Aboriginal communities. This intervention was met with intense criticism by Australians widely, as it was deemed to be discriminatory and without consultation. Meaningful participation in decision-making must be at the core of self-determination, such that communities control their own affairs.(32) Another paper examined the work of the National Aboriginal Community Controlled Health Organization in Australia. Written from the perspective of one member of the Aboriginal and Torres Strait Islander peoples, the importance of community collaboration in health decision-making was emphasized in this report. Specifically, the author of this report pointed to the essential role that Indigenous communities must play as partners in the implementation of UNDRIP.(33)

The principle of free, prior, and informed consent was explicitly explored in a number of studies. One report examined the ongoing process of consent in Canada, providing a definition for Indigenous consent in this context:

- “free” means consent obtained free of coercion;
- “prior” means the continuous engagement of Indigenous groups throughout the process; and
- “informed” means the provision of all necessary and unbiased information for the proposed project.

Further, this report posited that changes to legislative measures should be made to support the ongoing support and commitment to this standard.(34) Another report examined legislative and programming efforts in Australia aimed at protecting and supporting Aboriginal rights. This report demonstrated that a number of Australian initiatives fall short of UNDRIP standards. For instance, consultative models for land claims must further engage Aboriginal communities and obtain free, prior, and informed consent.(35) Finally, the standard of consent was examined in the Bolivian context. In this report, authors noted that the implementation of free, prior, and informed consent has the potential to highlight political conflicts, as tension between social groups with competing beliefs are brought to the forefront. As a result, this report posited that attention to micro-politics within communities is an essential component of the constant commitment to upholding this standard.(24)

Authors also commented on the notion of ownership, control, access and possession (OCAP). For instance, one study cited the effect of standardizing data ownership and sharing on participation in research. Research projects initiated alongside and in collaboration with Indigenous communities and/or initiated by Indigenous members demonstrate more responsible engagement.(36)

Obstacles to free, prior, and informed consent were acknowledged in a number of studies. For instance, one report pointed to the importance of considering local context. In the Yukon, for example, factors including the wait for government action may be interfering with the process of this standard.(37) In addition, another report highlighted that few land-use planning efforts have explicitly engaged in free, prior, and informed consent.(38)

Cultural integrity

We found one systematic review that examined Indigenous youth experiences with sport and recreation. Canada has expressed support for this UNDRIP article stating that Indigenous communities have the right to protect traditional sports and games. This review found that Indigenous cultures are of central importance to this issue, and that engagement with traditional sport and recreation offers an important means of culture transmission between generations. Further, it has been shown that the negative effects of racism experienced by Indigenous youth can be addressed through unique connection to land and community.(39)

One collection of reports posited that the empowerment of Indigenous peoples hinges on government recognition of community views and experiences. Currently, Canada’s response to UNDRIP is rooted in the politics of rights and resources rather than respect for cultural integrity.(30)

The importance of Indigenous language rights was reflected on in one report, which provided recommendations for the federal government in addition to further consultation with Indigenous communities. These recommendations included the recognition that Indigenous peoples have the right to pass language between generations, to provide federal funding to support this right, and to establish a national institute of Indigenous languages to disseminate knowledge. Indigenous languages are a sacred right, but are endangered without the support of educational programs and explicit language rights.(40)

Lands, territories and resources

Three reviews and two studies examined the recognition and conservation of Indigenous lands, territories and natural resources. Past research and commentary has demonstrated that many Indigenous communities are not connected to the public water system, lack running water, and/or do not have indoor plumbing. The federal government has yet to dedicate adequate funding and infrastructure to this crisis.(41)

One non-systematic review evaluated source-water protection programs in Canada and the United States, where inadequate water treatment often results in drinking-water advisories in Indigenous communities. This review found that there is a need for adequate studies on source-water protection in Indigenous communities.(42) One systematic review evaluated Indigenous communities’ involvement in Canada’s renewable energy sector, where 65% of electricity is generated from renewable sources. The election of a new Canadian federal government in 2015 signalled an increased commitment to the implementation of UNDRIP, which was reflected in an increase in the number of studies on this topic soon after the election in 2016. However, a greater number of community-based studies are required to understand varying motivations for renewable energy among Indigenous communities.(43) A separate review concluded that Indigenous involvement in climate research is essential, and emphasis should be placed on community-initiated research and the engagement of communities from the beginning of projects.(36)

One primary study examined Indigenous autonomy in Bolivia. While the country’s constitution incorporated “Indigenous autonomies” in response to calls for territorial self-governance, the extent of Indigenous autonomy in Bolivia remains limited. The authors of this report posit that contemporary boundaries of states

are not always in alignment with pre-colonial Indigenous territories, inherently limiting the extent to which territorial autonomy may be achieved.(44) One report examined the recognition of Indigenous Peoples' Territories and Areas Conserved by Indigenous Peoples and Local Communities (ICCAs), such as Sagarmatha National Park in Nepal. This park served as a case example for the recognition of ICCAs, as ongoing difficulty with government has placed these areas in a vulnerable and unrecognized position. International rights treaties must promote these practices and support the rights of Indigenous groups.(45)

Fundamental rights and freedoms

One primary study explicitly compared the definition of human rights and the definition of Indigenous rights set out by UNDRIP. Focusing on Indigenous communities in the Canadian North, three main discourses were explored:

- 1) international law, which depicts power as shifting;
- 2) self-governance; and
- 3) Indigenous polities.

Together, these discourses illustrate that political processes have limitations. Narratives of self-determination are often state-centred, such that Indigenous sovereignty is not recognized to the standard of UNDRIP. The author of this report emphasized that while progress towards the implementation of UNDRIP is being made, the principles of this declaration must be embedded in government processes.(46)

Participation in public life

One non-systematic review found that Indigenous communities are often excluded from the source-water protection process in Canada and the United States. Policy and governance issues were often cited as barriers to the successful implementation of source-water protection programs. Often, these policies are rooted in colonial systems of knowledge and are not appropriate for the context they serve.(42) We found one report that commented on the importance of First Nations jurisdiction over social policy. This was cited as a key component of true autonomy, and a role that would support the cultures and institutions of Indigenous groups.(47)

One systematic review examined Indigenous participation in climate research, emphasizing the use of Indigenous knowledge systems in the pursuit of science research. Here, Indigenous participation was defined as the involvement of collectively held Indigenous knowledge systems in research pursuits. Highest levels of Indigenous involvement in this field were observed in northern Canada and Alaska. As previously mentioned, studies initiated by Indigenous groups and studies involving groups from the beginning stages reported higher levels of engagement.(36)

Legal protection, access to justice and remedy

Access to justice and remedy includes access to adequate and equitable legal proceedings, as well as consideration of customary law in these proceedings.

One report examined Indigenous rights in relation to the court system in Colombia, emphasizing the incorporation of Indigenous perspectives into case law. However, the authors of this report noted that the very nature of legal adjudication may be limited in its reflection of Indigenous culture and ways of knowing. These limitations may be overcome through the establishment of institutions that include Indigenous voices. For instance, the Constitution of Bolivia recognizes the country as a plurinational state, which must be governed by an intercultural entity. As a result, at least two of the seven judges on the Plurinational Constitutional Court must be Indigenous.(48) However, power relations between the Bolivian government and Indigenous groups still exist, and Indigenous groups practise their valued norms alongside liberal-republican norms.(49)

One primary study examined the standard of free, prior, and informed consent in international law. This standard has been addressed in international and domestic courts, with many countries being held accountable for legislative process. The author of this paper posits that the standard of free, prior, and informed consent is compatible with Canadian constitutional law, and that an Aboriginal Parliament merits revisiting in order to support implementation of UNDRIP.(34)

Cross-border contacts

One report spoke to the importance of Indigenous leaders in the advocacy for state-to-state relations in Canada. Specifically, this report points to Inuit peoples as having developed a common identity through their reframing of the Arctic space. The Inuit Circumpolar Conference was implemented into the Nuuk General Assembly in 1980 and brought together Inuit populations from across the globe. This Conference has enabled Inuit autonomy and discussion, and has played a significant role in the decolonization of Inuit spaces.(30)

Freedom of expression and media

One primary study examined self-determination as a key standard of UNDRIP, citing public pressure on governments as being key to ensuring accountability. The author of this report points to the benefit that can arise from the strategic use of social media outlets, which can share Indigenous issues with the public. Further, sharing these stories in the media may transmit knowledge to younger generations.(31)

One report focusing on the implementation of UNDRIP in Canada stressed the notion that the government must take on the responsibility of communicating the purpose of UNDRIP to non-Indigenous Canadians. This communication must emphasize that UNDRIP focuses on the basic rights of Indigenous peoples.(26)

General economic and social development

General economic and social development refers to the right to food, development, social protections and access to services among Indigenous groups. One systematic review evaluating community involvement in the renewable energy sector reflected on the importance of community buy-in, collaborative spaces, and investment in education and research building Indigenous engagement. There is a range of motivations for the development of renewable energy, including autonomy and self-determination, the redress of historical injustices, reduction of environmental destruction, and cost savings. These economic and social motivations require meaningful partnerships between Indigenous and Settler Canadians.(43) A separate primary study indicated that economic and social developments are inextricably tied to self-determination. The implementation of UNDRIP requires states to broaden their Eurocentric perspective of the western legal system.(31)

Education

One report examined the process of “Indigenization” in Canadian academic institutions. The authors of this paper acknowledged a continuum of Indigenization, consisting of Indigenous inclusion, reconciliation indigenization, and decolonial indigenization. While the latter is considered to be the most progressive approach, Canadian institutions were found to largely focus on inclusion. Decolonial Indigenization focuses on remaking higher institutions through the use of treaty-based models of governance, and the resurgence of Indigenous politics, culture, knowledge and skills. As it stands, academic institutions have not reached a consensus on the approach to Indigenization. There is a need for consensus on policy and for focus on decolonial visions within institutions. (50)

One report argued that educational reform must be a priority for Nunavut. There is no university in the Arctic, and therefore many Inuit peoples are not represented in policy-making positions requiring post-

secondary education. As a result, there is a lack of ownership over educational systems in the eastern Arctic. Nunavut is the only jurisdiction in which quality control of schooling is not regulated by locally elected school boards, and there is a stark disconnect between community decision-making and education provision. This gap exists due to a number of systemic barriers including funding, housing, and a shift away from the Inuit language. These factors must be addressed through the implementation of initiatives such as a full bilingual education program and the expansion of the Nunavut Teacher Education Program at Nunavut Arctic College.(51)

Health

A number of studies focused on access to health services and the right to traditional health practices within Indigenous communities. One paper assessed the work of the National Aboriginal Community Controlled Health Organization in Australia, written from the perspective of a member of the Aboriginal and Torres Strait Islander community. This report emphasized that decision-making in health should be driven by Aboriginal communities, and community collaboration with the state is an essential component of this process.(33) More specifically, one primary study examined South East Australian Aboriginal women's birthing knowledge and practice, arguing that self-determination in childbirth requires access to family knowledge and institutional information. Strong birthing knowledge exists within Australian Aboriginal communities and should be incorporated into birthing spaces.(52)

One study examined the integration of Indigenous and western health systems in Nicaragua. The Nicaraguan Constitution emphasizes the right of Miskitu people to health and social services, and cultural-specific health plans have been integrated into the health system. However, significant policy gaps still exist, as insufficient infrastructure and a lack of workers pose challenges. Despite barriers such as competing belief systems and funding shortages, the authors of this report note that there has been a strengthened connection between traditional healers and the health system in Nicaragua.(53)

In focusing on the Canadian context, a number of provinces have implemented innovative models of primary-care provision that address health inequities. For instance, in 2013 the First Nations Health Authority (FNHA) in British Columbia took responsibility for health services formerly provided by Health Canada's First Nations Inuit Health Branch – Pacific Region. This transfer from the federal government provided FNHA the ability to innovate and transform health services for First Nations peoples, with a focus on respect, collaboration, culture and fairness. The work of FNHA is guided by seven directives: 1) community-driven and nation-based governance; 2) increased First Nations decision-making and control; 3) improved services; 4) meaningful collaboration and partnership; 5) development of human and economic capacity; 6) to be without prejudice to First Nations Interests; and, 7) to function at a high operational standard.(54; 55)

One study specifically examined the improvement of primary-care provision to Indigenous peoples in Alberta, Canada. In order to improve access to primary care, further work must be dedicated to improving funding, ensuring community input, and working to develop community ownership of healthcare.(56) One report examined the inequitable access to medical services that exists for Inuit peoples living in Nunavut. Factors such as worker shortages, inadequate funding, and geographic distance contribute to this inequity. There is a life expectancy difference of more than 10 years between peoples in Nunavut and the rest of Canadians. Dialogues concerning what optimal health would look like for Inuit peoples was acknowledged as a key step in bridging inequities.(51)

Employment and occupation

We found no reviews or studies that dealt with this topic specifically.

Table 2: Summary of key findings from systematic reviews and primary studies of recommendations for best practices for the implementation of UNDRIP

UNDRIP theme (16)	Key areas considered in the theme	Recommendations for best practices identified from the literature
General enjoyment of human rights and fundamental freedoms without discrimination	<ul style="list-style-type: none"> • Exercise of all rights, supported by state • Freedom from discrimination • Gender equality 	<ul style="list-style-type: none"> • Canada and the United States are in a position to lead the implementation of UNDRIP (29) • Support of human rights initiatives, use of UNDRIP as a foundational principle for governments, a regional UNDRIP representative, and ongoing consultation with Indigenous communities must be considered when supporting Indigenous rights (29)
Self-determination	<ul style="list-style-type: none"> • Political, economic, social and cultural states freely determined • Self-government/distinct institutions • Customary law institutions • Consultation and free, prior, informed consent 	<ul style="list-style-type: none"> • Meaningful participation in decision-making is at the core of self-determination (32) • Countries should be measured for compliance to international standards in order to assess their adequacy and progress with supporting the self-determination of Indigenous populations (32) • Indigenous communities must take the lead in self-determination and Indigenous communities must be partners in UNDRIP implementation and progress (33) • Governments and the public should ensure that Indigenous groups are politically involved (31) • Greater political participation should be fostered through increased representation of Indigenous peoples in government (31) • Indigenous communities and values must be incorporated into legal systems, and plurinational institutions should be established in order to overcome the limitations of legal adjudication (48) • Free, prior, and informed consent must be obtained in the process of government decision-making, such as traditional land claim agreements (34; 35) • Special attention must be given to the micro-politics that exist within communities in the process of free, prior, and informed consent (24) • Free, prior, and informed consent must be strengthened through the representation of Indigenous groups in local institutions, conflict management, and the consideration of social and political boundaries (24) • Programs that increase capacity for self-determination and self-governance, such as women's advocacy organizations, must be adequately funded and supported (57) • Indigenous communities, such as the Mi'kmaw Nation, have worked to implement UNDRIP through protection of traditional territories and insistence on free, prior, and informed consent (40) • Ongoing free, prior, and informed consent requires an understanding of context and obstacles, such as respect for local treaties (37)
Cultural integrity	<ul style="list-style-type: none"> • Languages, cultural heritage, traditional knowledge and intellectual property 	<ul style="list-style-type: none"> • Indigenous sport should be incorporated into youth programs in order to transmit culture and tradition from generation to generation (39)

UNDRIP theme (16)	Key areas considered in the theme	Recommendations for best practices identified from the literature
Lands, territories and resources	<ul style="list-style-type: none"> • Recognition, protection and adjudication of inherent rights to lands, territories and natural resources • No dispossession, removal and relocation without free, prior, and informed consent • Compensation, restitution and redress for exploitation or dispossession • Conservation and protection of environment • Military activities only with Indigenous peoples' agreement 	<ul style="list-style-type: none"> • Canadian legislation and educational models should be drawn upon to support the advancement of and protection of endangered Indigenous languages (40) • Increased research on Indigenous involvement in source-water protection programs, with a focus on risk assessment, monitoring and innovation (42) • Support for Indigenous involvement and autonomy in the development of renewable energy technologies (43) • Balance of ecological and economic goals in order to support autonomy, reconciliation and healing (43) • Indigenous involvement in climate research should be high, following the examples set by fields of interdisciplinary, multidisciplinary and social-science studies in northern Canada and Alaska (36) • Consideration must be given to the inconsistencies between contemporary state boundaries and pre-colonial Indigenous territories (44) • Indigenous Peoples' Territories and Areas Conserved by Indigenous Peoples and Local Communities (ICCAs) must be respected by local governments (45)
Fundamental rights and freedoms	<ul style="list-style-type: none"> • Protection against arbitrary deprivation or inhuman treatment • Protection of physical and mental integrity of detained persons • Right of peaceful assembly • Protection against forced transfer of children • Protection against violence 	<ul style="list-style-type: none"> • Sovereignty must include the engagement of Indigenous groups in national and international deliberations concerning territories and resources (46)
Participation in public life	<ul style="list-style-type: none"> • Citizenship (right to nationality) • Participation in public affairs 	<ul style="list-style-type: none"> • Research concerning public affairs (e.g., climate research) should be initiated by Indigenous communities to encourage engagement (36) • Engagement in social policy is key to autonomy (47)
Legal protection, access to justice and remedy	<ul style="list-style-type: none"> • Access to translation, equality before courts, remedy for infringement of rights, consideration of customary law in legal proceedings 	<ul style="list-style-type: none"> • Inclusion of Indigenous peoples, knowledge and governance principles in source-water protection programs (42) • Governments must consider the way in which liberal-republican norms are practised alongside Indigenous practices, and power relations must be examined (24) • Amendments to legislation (such as the Canadian Environmental Assessment Act) could be made to ensure engagement and consent of Indigenous groups (34) • Understanding Indigenous laws and the values within these laws is key to recognizing Indigenous rights in the context of culture, health, security and justice (26; 57)

UNDRIP theme (16)	Key areas considered in the theme	Recommendations for best practices identified from the literature
		<ul style="list-style-type: none"> The Canadian legal system must play an integral role in holding the state accountable for human and Indigenous rights (57)
Cross-border contacts	<ul style="list-style-type: none"> Right to maintain and develop contacts across borders 	<ul style="list-style-type: none"> Indigenous leaders in Canada are important advocates of state-to-state relations; specifically, the Inuit Circumpolar Council represents the advancement of Inuit sovereignty in line with state sovereignty (30)
Freedom of expression and media	<ul style="list-style-type: none"> Right to express and share information on media platforms Prevention of and redress for propaganda Combat prejudice and discrimination against Indigenous peoples to promote tolerance 	<ul style="list-style-type: none"> Social media should be used strategically to build public support for Indigenous rights and to popularize Indigenous issues (31) The Government of Canada must take on the responsibility of communicating the purpose of UNDRIP to non-Indigenous Canadians (26)
General economic and social development	<ul style="list-style-type: none"> Right to food accessibility, nutrition and food security Right to development, freedom to engage in traditional and other economic activities Right to improvement of economic and social conditions Equal access to services promoting housing, water and sanitation; security of tenure 	<ul style="list-style-type: none"> Recognition of the various motivations driving renewable energy initiatives in Indigenous territories (43) Indigenous communities in Canada face unacceptable disadvantages in living, education, health and employment; self-governance and self-determination are central to addressing these inequities (30) Development of renewable energy technologies through community buy-in, cultivation of space where communities and leaders can discuss, and investment in education and research (43) Framing Indigenous rights as issues of human rights, economic self-sufficiency, and a matter of states' rights may garner community support (31)
Education	<ul style="list-style-type: none"> Right to establish and control educational systems, right to access education Availability and access to culturally and linguistically appropriate education Right to dignity and diversity which is reflected in education 	<ul style="list-style-type: none"> Involvement of Indigenous communities in research in order to meet community needs and avoid academic imperialism (43) Inuit parents are not actively engaged in decision-making when it comes to childhood education, contributing to distrust between communities and schools; this gap must be closed (51) There is a need for decolonial indigenization in Canadian academic institutions (50)
Health	<ul style="list-style-type: none"> Right to traditional medicines and health practices Access to health services 	<ul style="list-style-type: none"> Integration of traditional Miskitu healers and western health-service providers in Nicaragua demonstrate the importance of Indigenous knowledge and health-system development; funding and navigation of different belief systems must be addressed as barriers (53) Indigenous communities should drive decision-making in health, in the context of forming culturally appropriate health provision (33) Increased attention must be dedicated to the improvement of primary-care provision (56) Traditional Indigenous health knowledge, such as birthing practices, should be incorporated into health spaces to provide positive health experiences (52)

UNDRIP theme (16)	Key areas considered in the theme	Recommendations for best practices identified from the literature
		<ul style="list-style-type: none"> • Inequitable access to medical services exists, particularly for Inuit peoples living in Nunavut due to factors such as worker shortages, inadequate funding, and geographic distance (51)
Employment and occupation	<ul style="list-style-type: none"> • Right to work and equality in employment and occupations • Protection against child labour • Right to improvement of economic and social conditions via access to general vocational training 	<ul style="list-style-type: none"> • No reviews or studies identified

Key findings from key informants about best practices for adopting and implementing UNDRIP in Canada and internationally

In addition to the literature review, we conducted interviews with 17 key informants from Australia, Brazil, Canada, Sweden, New Zealand and the United States. As noted above, most of the key informants identified as Indigenous with many noting their affiliation with specific Indigenous groups (which we do not list here to ensure confidentiality). In addition, all but two of the key informants had a primary affiliation as a researcher (but most also had multiple policy and/or community-based roles). The other two key informants included a manager of an Indigenous-led health organization/region in another country and a leader of a community-based Indigenous organization in Canada.

The five key informants who indicated that they were non-Indigenous described themselves as someone who had worked in partnership with Indigenous groups for a long time, and as having been involved in an in-depth way with Indigenous-focused research and/or policy (including efforts to develop and/or monitor the implementation of UNDRIP).

During the interviews, we asked key informants:

- 1) to describe any best practices related to the implementation of UNDRIP in general in their country or in relation to any of the 13 thematic domains presented by the Indigenous Navigator;
- 2) to identify barriers to the full adoption and implementation of UNDRIP in their country;
- 3) what role should government, Indigenous Nations, communities, and leaders play in implementing UNDRIP; and
- 4) what they viewed as the most important next steps for the implementation of UNDRIP in their country.

We summarize insights from the key informant interviews according to these four areas below.

Best practices related to the implementation of UNDRIP

Several overarching themes emerged from our discussions with key informants. The first, and most fundamental, is that almost all key informants indicated that, in their view, there are very few examples that could be classified as ‘best practices’ for implementing UNDRIP. Indeed, many key informants from Canada and the other countries identified British Columbia as a leader in the area with many citing the examples which we outline in Table 3. In particular, the key informants that we spoke with most recently (in November 2019) cited British Columbia as a leader given that it is the first to move forward with adopting the UNDRIP principles in legislation.

Two themes emerged from discussions about the lack of ‘best practices’, with both focused on what is needed to generate meaningful progress towards implementing UNDRIP. The themes focus on: 1) generating commitment to implementing UNDRIP; and 2) implementing UNDRIP by ensuring self-determination through free, prior, and informed consent, and co-creation processes over the long term.

First, participants offered varied views in relation to generating commitment to implementing UNDRIP. Some participants emphasized that they viewed UNDRIP as an important, internationally recognized commitment that can be used to advocate for change at the national and sub-national (i.e., state or provincial) levels. For example, one participant stated that “the power of UNDRIP is leverage.” This participant and others noted that UNDRIP now provides a platform for comparing countries, and provides an opportunity to call on those who are not making progress. It was noted that this type of diplomatic leverage can lead to advancement of the UNDRIP principles over time. One participant noted that British Columbia may end up having international impact as a result of having introduced legislation to adopt the UNDRIP principles. Similarly, another key informant described the pressure that provincial legislation in B.C. may place on other provinces to move forward to table similar efforts in Canada. Interestingly, the perceptions of different key informants regarding government commitments to UNDRIP were evident in speaking to individuals in Canada and New Zealand, where each pointed to each other as setting best practices based largely on government rhetoric rather than specific commitments. However, one key informant from New Zealand referred to the ongoing development of a plan to implement UNDRIP, and in efforts to maintain accountability mentioned that they had asked for initial plans to be reviewed by a delegation from the United Nations.

In contrast, others adopted a more pessimistic view of the role of UNDRIP and pointed to the need for national-level (or sub-national) legislation. For example, one participant stated that “governments love to agree to high-level principles, particularly those that don’t actually commit them to doing anything. They give the illusion of doing something, but without any substance.” Indeed, participants from each of the countries included highlighted the challenge of unfunded policies which some described as useless since it gives the perception of action, but without substance. To address this, all participants emphasized that for UNDRIP to be implemented there is a need for policies that are funded, along with mechanisms to ensure accountability and to monitor and evaluate progress over time. As emphasized in the next theme, all participants highlighted that such an approach needs to be advanced through a co-creation approach between government and Indigenous leaders and communities, and be underpinned by the principles of self-determination and free, prior, and informed consent.

Second, participants discussed what is needed to meaningfully advance any policies that are in place, and all emphasized that the first step towards implementation needs to be through the principle of ensuring self-determination through free, prior, and informed consent and a co-creation process. All participants discussed that achieving the goals and principles set out in UNDRIP across health and social systems cannot be achieved unless Indigenous peoples are able to lead the way and have a role in making policy and programmatic decisions that affect Indigenous peoples and the communities they live in. Many emphasized that achieving this will require a long-term commitment to and resources for meaningful consultation, engagement and co-creation with all levels of government and stakeholders. Most pointed to the need for a forum where leaders can engage and create solutions collaboratively. For example, in discussing the legislation to adopt UNDRIP in British Columbia and what will be needed to actually implement the policy once passed in the legislature, one participant from Canada stated that “the only way to implement UNDRIP is to have a co-creation of a plan.” In addition, another key informant from Canada stated that it is a false dichotomy to separate self-determination from funding. The same participant indicated that too often governments bifurcate these two issues even though one cannot be done without the other and, as a result, jurisdictions created as part of self-determination cannot be realized. A key informant from New Zealand described the need to hold government efforts to account, noting the ongoing development of benchmarks by the Maori Council in New Zealand against which they can evaluate the implementation of UNDRIP. In addition, in describing a failed attempt to implement a convention in Nordic countries that contained many UNDRIP principles, one key informant sounded caution of what can happen without an approach being grounded first

and foremost on the principle of self-determination. Specifically, the participant highlighted the convention fell through because it was viewed that the Nordic states withheld the right to determine who is Sami and who is not, despite this being an integral component of self-determination. Lastly one key informant emphasized that education is critical for changing the dialogue about the relationship between Indigenous and non-Indigenous people, and creating a dialogue around rights, entitlement to land and self-determination.

To supplement these overarching findings about what is needed to generate meaningful action to implement the UNDRIP principles, we provide a summary in Table 3 of the examples that key informants provided.

Table 3: Examples of ‘best practices’ for implementing UNDRIP provided by key informants

Jurisdiction	Examples provided
Australia	<ul style="list-style-type: none"> • The Australian government has recently (October 2019) announced plans for a co-design process that will focus on developing models “to enhance local and regional decision-making and provide a voice for Indigenous Australians to government.” The process will begin through the establishment of an advisory group co-chaired by two prominent Indigenous leaders that will co-design a model that will “ensure that Indigenous Australians are heard at all levels of government - local, state and federal. They will be tasked with forming a National Co-Design Group, and a Local/Regional Co-Design Group, and oversee the process.”(58) • In addition, at the regional level in New South Wales (NSW) there are “eight Aboriginal regional alliances with each set up under Local Decision Making to negotiate on behalf of local Aboriginal communities with the NSW Government about the design and delivery of services to their communities.”(59) • A key strategy in Australia for right-to-health principle in UNDRIP has been the 2008 Council of Australian Governments’ (COAG) Closing the Gap Strategy, which set a target to achieve life expectancy and health equality by 2030. As stated in the 10-year review of the Closing the Gap Strategy, the “Statement of Intent is, first, a compact between Australian governments and Aboriginal and Torres Strait Islander peoples. Second, it embodies a human right to health-based blueprint for achieving health equality referred to hereon as the ‘close the gap approach’. The close the gap approach and the Close the Gap Statement of Intent is founded on an understanding that population health outcomes are fundamentally the result of underlying structural factors, such as social determinants, institutional racism, the quality of housing, and access to appropriate primary health care.”(60) The partnership was recently updated from 2019-2029 with “a formal partnership between the Council of Australian Governments (COAG) and Aboriginal and Torres Strait Islander people represented by their community controlled peak organisations on Closing the Gap.”(61) • Another area where progress has and continues to be made is in data sovereignty through the Maiam nayri Wingara Aboriginal and Torres Strait Islander Data Sovereignty Collective, which was formed in 2017. The goal of the collective is “to develop Aboriginal and Torres Strait Islander data sovereignty principles and to identify Aboriginal and Torres Strait Islander strategic data assets. The intent of Maiam nayri Wingara is to empower Aboriginal and Torres Strait Islanders to engage in Indigenous Data Sovereignty and to advocate for rights (informed by UNDRIP) using data to inform development.”(62) • The National Aboriginal Community Controlled Health Organisation, which is the national peak body representing 143 Aboriginal Community Controlled Health Services (ACCHSs) in Australia for Aboriginal health and well-being issues, is a “primary healthcare service initiated and operated by the local Aboriginal community to deliver holistic, comprehensive, and culturally appropriate health care to the community which controls it, through a locally elected Board of Management.”(63)
Brazil	<ul style="list-style-type: none"> • One key informant identified several examples that were relevant to implementing UNDRIP principles.

Jurisdiction	Examples provided
	<ul style="list-style-type: none"> ○ There are strong rights for Indigenous peoples in research where research cannot be done without full and prior consent from Indigenous communities. ○ There is a national policy on healthcare for Indigenous people which is meant to prioritize traditional knowledge and to address the preference to receive healthcare from someone who is an Indigenous person. To support this, there are some nursing and medical schools with specific training for Indigenous people who want to care for their own people in order to enhance the availability of Indigenous care providers. ○ The health technology assessment (HTA) agency for the Ministry of Health in Brazil has a meeting every month, and it must be representative of the Brazilian population. The secretariats that represent Indigenous people has a seat at the HTA table to decide whether and how technologies will be incorporated into the system, and it comes with voting rights for the decisions made. ● Another key informant highlighted that there has been: <ul style="list-style-type: none"> ○ improved health outcomes observed following initiation of the national policy on healthcare for Indigenous people; ○ increased participation of Indigenous leaders in political spaces, and significant increase in the number of candidates registered in the 2018 election as compared to the election in 2014; and ○ an increase in the number of Indigenous schools focusing on traditional methods of learning.
Canada	<p><i>National</i></p> <ul style="list-style-type: none"> ● In discussing the importance of self-determination, one participant highlighted “significant changes” at the Canadian Institutes of Health Research about the importance that is now recognized across all of the institutes for having Indigenous-led research and processes to support it, which was seen as being sparked by UNDRIP and the Truth and Reconciliation Commission. ● The First Nations Principles of OCAP (ownership, control, access, and possession) developed by The First Nations Information Governance Centre provide a set of standards that establish how First Nations data should be collected, protected, used or shared. These build on the UNDRIP principle of the right to self-determination and self-governance and should be considered the de facto standard for how to conduct research with First Nations.(64) ● One participant discussed a tribunal on Jordan’s Principle for how the state can be held accountable for implementation of UNDRIP. The tribunal was based on a human rights complaint filed by the First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations that long-standing underfunding from Canada for First Nations child welfare and the failure to implement Jordan’s Principle were racially discriminatory. The outcome of the tribunal was a legal order to provide compensation, but the decision was never implemented. After additional hearings in April 2019 to address compensation, the Government of Canada was ordered to pay \$40,000 (maximum damages) for discrimination against First Nations children (federal lawyers have challenged these orders). The key informant highlighted this as a successful approach using an equity and human rights lens to implement key principles of UNDRIP.(65) ● The First Nations Child and Family Caring Society has advocated for the implementation of the Spirit Bear Plan to end discrimination in public services for First Nations children, youth and families. In addition, it provides support to educators to foster reconciliation and culturally based equity for Indigenous children and youth.(66) ● While not directly affecting article 3 of UNDRIP, one key informant cited a recent Crown agreement between the government of Canada and Inuit is a key advancement towards UNDRIP. Specifically, the participant outlined that the process of having Inuit leadership across the four land-claim regions engaged with government ministers and high-level individuals within the federal government about Inuit priorities and problems facing their communities, and then having a collaborative discussion about

Jurisdiction	Examples provided
	<p>how to respond to these issues/problems, was an important process because it was the manifestation of a number of different articles within UNDRIP (e.g., the provisions in article 18 for Indigenous peoples to participate in matters that affect them with people chosen by them). Moreover, the participant indicated that this type of process is unique to Canada. The same participant also cited the recent negotiation between the Inuit of Nunavut and the Government of Canada for what is the largest marine protected area of Canada as another important example, because Inuit were at the table and articulated what was of concern to them in terms of marine protection. They indicated that having Inuit at the table and setting out parameters for protecting this marine area was a great example of Inuit implementing self-determination, but also all of the other provisions for land and resources.</p> <p><i>Provincial and/or community level</i></p> <ul style="list-style-type: none"> • In October 2019, the Government of British Columbia introduced legislation (The B.C. Declaration on the Rights of Indigenous Peoples Act) to adopt the UNDRIP principles. The legislation was developed through the province working with the First Nations Leadership Council (BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs), which has been directed by the First Nations Chiefs of British Columbia.(67) • The First Nations Health Authority, in partnership with First Nations communities in British Columbia, has responsibility in the province for planning, management, service delivery and funding of health programs for First Nations peoples. It is the only province that has transferred health authority from the First Nations and Inuit Health Branch (Pacific Region) with tripartite government structure. • The British Columbia First Nations’ Data Governance Initiative is focused on equipping “First Nations with the technological and human resource capacity to govern and own their communities’ data.”(68) • One key informant highlighted Lu’Ma Native Housing Society in Vancouver as an interesting example given that it provides housing supports to Indigenous people, but has also implemented a lodge with suites in a variety of sizes that can accommodate groups/families of differing sizes. • Some Canadian key informants pointed to seeing an increasing number of wellness concepts, which are enhancing access to Indigenous approaches to healing and wellness. This can involve having a western physician and an Indigenous healer in order to provide access to western approaches as an option, but not as a requirement. • In the health domain, one key informant described that a group of physicians and scholars recently advanced an approach to educating and preparing clinicians which focuses on being able to engage as a physician to address structural/social issues that one faces before they can address their health. • In noting that the integration of Elders was not covered in much detail in the literature identified in the synthesis, one participant from Canada noted that the Kílala Lelum (Urban Indigenous Health and Healing Cooperative) is an example of a best practice in this area, through its aim to partner Indigenous Elders with physicians and allied health professionals to provide physical, mental, emotional and spiritual care to the community in Vancouver’s downtown eastside. • The Population, Public and Indigenous Health Strategic Clinical Network in Alberta released an <i>Indigenous Health Transformational Roadmap, 2018-2020</i>, which proposes three strategic directions for collective action across Alberta Health Services: 1) truth and reconciliation; 2) transform health services and systems; and 3) address Indigenous determinants of health. The goal is to enable the provision of quality services for better health outcomes with Indigenous populations in Alberta. However, the key informant who highlighted it as an example also noted that it hasn’t been incorporated as best it could be, but indicated that it remains powerful given that it is an example of Indigenous engagement for policy development and incorporating Indigenous knowledge.

Jurisdiction	Examples provided
	<ul style="list-style-type: none"> • Mamow Ahyamowen is a partnership between Northern Ontario First Nations' governed health-service organizations, and was identified as a best practice in the governance and sharing of Indigenous health information. Members of the partnership come together, where appropriate, to interpret and share health information across communities to improve health equity. The partnership recognizes the importance of the OCAP principles (see above) and is accountable to First Nations leadership and decision-making.(69)
Sweden	<ul style="list-style-type: none"> • None identified (see the example earlier about a failed attempt to implement a convention in Nordic countries that adopted many UNDRIP principles)
New Zealand	<ul style="list-style-type: none"> • The Treaty of Waitangi (an agreement between the British Crown and Māori chiefs) governs the relationship with Māori and seeks to protect select rights • In 1975 the Waitangi Tribunal was established by the Treaty of Waitangi Act, in order to address Māori claims relating to actions of the Crown that violate the Treaty. • It is important to note that the Treaty has two texts: The Treaty and Te Tiriti, the Māori document. Many have discussed the difference between these texts; notably, Te Tiriti granted the Queen government over land, while the English text granted sovereignty. This historical difference is important when contextualizing ongoing discussions of sovereignty.(70; 71) • There has been ongoing development of benchmarks by the Māori Council against which they can evaluate any action on UNDRIP. • One key informant reflected on the sense of unity across Indigenous tribes in New Zealand, as all speak the same language and are united by the common goals of self-determination in UNDRIP and the Treaty of Waitangi/Te Tiriti. • An Indigenous university has been opened in New Zealand which is an important demonstration of self-determination within an education system.(72)
United States	<ul style="list-style-type: none"> • The Alaska Tribal Health Compact (ATHC) was highlighted as an example of adopting UNDRIP principles. The ATHC authorizes tribes and tribal health organizations to operate health and health-related programs and includes terms and conditions for the “government-to-government relationship between Alaska Native tribes and/or tribal organizations, and the United States government through the Indian Health Service.”(73) The ATHC website highlighted that it is the only multi-party compact in the nation, and consists of “a single compact covering multiple tribes and tribal organizations, known as Co-Signers, and now has 25 individual funding agreements for each Co-Signer.”(73) • One key informant identified the organization <u>Cultural Survival</u> as an important initiative for supporting the uptake of UNDRIP (e.g., by translating it) and providing radio spots in different languages to build awareness about the importance of UNDRIP.

Barriers to the full adoption and implementation of UNDRIP

Key informants also provided feedback on what they viewed as the most important barriers to implementing UNDRIP, which we have summarized in Table 4. An overarching barrier to implementing UNDRIP is that the Declaration is difficult to break down into tangible and manageable actions at the community level. This was seen as important for supporting community engagement. One key informant from Canada shared that it is hard for many people to conceptualize things that don't yet exist. Many Indigenous people have been forced into the current colonial model of justice for so long that self-determination can be difficult to conceptualize.

Table 3: Overview of barriers to the implementation of UNDRIP identified by key informants

Barriers identified	Examples provided
Governance and legislation	<ul style="list-style-type: none"> • Some participants noted the implementation of UNDRIP requires a long-term commitment and co-creation process with Indigenous leaders and communities. This was acknowledged to be challenging to achieve given that changes in government can result in reversal of policies and/or a reduction of resources allocated to priorities. One participant noted that overcoming this barrier requires core agreements, treaties or constitutional requirements to be in place that are difficult or impossible to reverse. However, many indicated that such binding agreements are difficult to achieve. • Some key informants highlighted the challenge related to circumstances where structures have been implemented to support self-determination but are not provided with the authority and/or resources needed. One participant shared that while there is a Sami parliament in Sweden where Sami can elect parliamentarians and (in theory) can set its own agenda, that it is not sufficiently funded and does not have the authority it needs to self-regulate and to allocate the money they have in ways they want. As a result, while there is a form of governance in place it is not a mechanism for self-determination. Further, another participant noted that while the Brazilian Constitution recognizes the rights of Indigenous peoples to lands, this process has become stagnant. • Canadian participants all indicated that an important barrier will be getting provinces and the federal government to create space for Indigenous jurisdiction. It was noted that the Constitution delegates certain responsibilities to federal and provincial governments, with Indigenous governance falling largely under the jurisdiction of the federal government. Historically, healthcare is the responsibility of provinces and territories, and this division of power may affect the ability to implement UNDRIP into health policy. • One key informant from the United States indicated that in their view, one of the biggest barriers is that governments think that they can unilaterally define and prescribe rights, but consent from Indigenous people means that they have the right to be involved and define this.
Inconsistent engagement and mechanisms to ensure community leadership	<ul style="list-style-type: none"> • Some noted that ensuring meaningful collaboration and generating agreement will be challenging given the need to engage in a long-term process to build trust and consensus among several levels of governments in a single country and with Indigenous communities and/or governments. • A Canadian participant highlighted that Indigenous community leaders should be playing a key and leading role. However, Indigenous communities often get consulted when there is a problem, rather than continuously identifying strengths-based processes to address the challenges.
Lack of resources	<ul style="list-style-type: none"> • Most participants identified a lack of resources to achieve the types of core processes outlined earlier in relation to ensuring self-determination through engagement and co-creation over the long term. • Lack of access to justice among Indigenous groups was identified as a salient barrier. • In discussing funding as a significant barrier to implementing UNDRIP, one key informant highlighted how approaches to funding can also be a barrier. This person highlighted an example from the health sector, stating that billing practices should not be determining how to practise healing in Indigenous ways (e.g., it is challenging to use existing billing models in Indigenous healing where an hour or 1.5 hours might be needed for a visit). In existing fee-for-service models, longer visits may detract from remuneration when compared to shorter and more frequent services.
Lack of awareness of important issues prioritized in UNDRIP	<ul style="list-style-type: none"> • At a general level, several participants expressed the view that a significant issue is a lack of will to resolve crises that they are far removed from, with one participant stating that “the concern of the majority often overshadows the concerns of small populations”, which results in a lack of sympathy among the majority for the substantial challenges that have and continue to be faced by Indigenous peoples. • In some countries, a barrier is the lack of recognition that Indigenous peoples exist within a country, which makes advancing UNDRIP impossible.

	<ul style="list-style-type: none"> • A participant from Canada highlighted that environmental protections and living conditions are issues that affect Indigenous peoples more directly, but do not receive the awareness needed to support the changes that are needed (e.g., to address past decisions of moving people to lands that are contaminated, and do not have a supply of fresh water and health/uncontaminated food).
Accessibility of UNDRIP	<ul style="list-style-type: none"> • This was identified explicitly by three key informants who highlighted that while UNDRIP has been translated into many languages, it has not been translated into some Indigenous languages or into Swedish. The lack of translation into Swedish was identified by one participant as being an important signal of the lack of awareness among decision-makers in the country for prioritizing UNDRIP, given that it is not available in the language in which government functions.
Challenges in data ownership and sovereignty	<ul style="list-style-type: none"> • Many cited that data sovereignty is a key issue among Indigenous communities. As a result, it is challenging to conduct analyses based on the priorities of Indigenous people and with outcomes that are relevant to and valued by Indigenous peoples when governments own the data and control whether and how analyses can be done. To address this, one participant stated that “to do data well, there is a need to first ask what a meaningful database looks like for Indigenous people”, with all participants emphasizing that ownership and control of the data needs to be with Indigenous peoples (e.g., using the OCAP principles). • One participant from New Zealand shared an edition of the Journal of Indigenous Wellbeing specifically focused on data and digital sovereignty. This special edition featured five papers from Indigenous scholars, emphasizing the importance of data collection, data generation, identifying important data, and using this information to improve health and well-being. A number of these papers discussed the Te Kete Tū Ātea research project, which aimed to identify the data needs of the Rangitikei Iwi Collective – this was a Māori led study. Five essential domains of prioritized data emerged from this research: cultural, social, people, environmental and economic.(74) • In discussing the challenge of ownership of data, a participant from Australia identified challenges related to using population-level datasets. The participant noted the challenge of using constructs that are developed for populations at a country or sub-national (i.e., provinces or states) level that are likely to not include the unique context and culture of Indigenous peoples, which underscores the need for Indigenous peoples to own the data and determine how it will be used. Based on this, the participant suggested that if this idea is pushed too far then the risk is that governments may feel as though they no longer have responsibility to collect Indigenous data at a population level. • One participant from Sweden noted that health outcomes for Sami are not measured and therefore there are no data on health status. The participant emphasized that if UNDRIP is to be implemented, there is a need for data to monitor and evaluate with indicators that are culturally relevant to Indigenous groups. Another participant in New Zealand emphasized the importance of data sovereignty in the context of national suicide rates.
Continued discrimination and lack of trust	<ul style="list-style-type: none"> • Several key informants noted that continued racism, discrimination and resulting distrust is a significant barrier that will need continued action to address over time. Past injustices and traumas inflicted by colonial systems prevent safe access to services including healthcare and education. One key informant noted that the issue of trust (e.g., in governments) always comes up as a barrier from Indigenous communities, and that while there are pockets of improvements, progress has been slow to address this challenge.

Role of government, Indigenous nations, communities and leaders in implementing UNDRIP

Most key informants held similar views about what is needed in terms of the role of government, Indigenous nations, communities and leaders in implementing UNDRIP. Specifically, most indicated that governments need to make a meaningful commitment to implementing the UNDRIP principles and to do so in partnership with Indigenous nations, communities and leaders. As noted earlier, most indicated that national or sub-national government commitment in countries needs to come in the form of formal policy with resources attached to enable the process of co-creation over the long term. Given this, one participant

indicated that governments are pivotal because they enable the needed legislative change, but Indigenous groups need to lead the process for self-determination to be achieved. In addition, another participant stated that all government agencies will need to consider UNDRIP and its articles when making decisions in order to ensure self-determination.

One participant stated that the process “needs to be a collaborative approach because there is still a lot of education that needs to happen, and this won’t occur if each side is working on their own.” The same participant emphasized that there is a lot of mistrust between Indigenous peoples and communities of national or sub-national governments in countries, and given this, there is a need to work together to be able to overcome this mistrust. Others echoed these sentiments by emphasizing the need for a co-creation process for implementing and measuring progress to ensure accountability for the implementation of UNDRIP. One participant highlighted a two-eyed way of seeing that draws on strengths of Indigenous and western approaches as a helpful way of supporting a collaborative process. A participant from the United States highlighted the need to decentralize the discussion and bring it closer to home. It is key to ensure that departments at the micro level sit down with communities and learn how they can best support the implementation of UNDRIP. In general, several highlighted that the key enabler is to listen first and to ensure that Indigenous communities shape the agenda, with several lamenting that there is not enough of this happening.

Views on most important next steps for the implementation of UNDRIP

Participants highlighted several ideas for next steps to support the implementation of UNDRIP. Many of the ideas align with those above around the need for supporting community engagement, and that as engagement is done more, it will be easier for Indigenous communities to take up leadership roles. As one participant stated, “without a commitment to engage with First Nations, Métis, Inuit, and non-status Indigenous people there will be no visible progress.” In addition, many also expressed that such processes need to be done in a way that ensures that communities have the right human and financial resources to do the work they have been asked to do. At a broader engagement level, one participant highlighted the importance that all of society (not just government and Indigenous peoples) need to be informed about and educated to recognize that Indigenous peoples are distinct, that they have inherent rights to self-determination and inherent rights to their lands and resources, which makes them distinct in terms of their legal status and their rights.

Several other ideas were highlighted. Many spoke to the need to develop outcomes or ways of tracking the implementation of UNDRIP. Some identified the need to develop grassroots indicators of what success would actually look like in communities, and to develop a framework for communities to understand what self-determination should look like. One participant noted that it is critical that outcomes are something that community members can relate to, and that UNDRIP not be measured by political agreement, and instead by elimination of tangible issues such as boil-water advisories, reduced discrimination and violence against women, reduced environmental degradation, and an increase in protected lands. One participant indicated that UNDRIP should be used to put voices together and harness the great work going on in other countries to raise the profile of the issue and to share lessons learned. Lastly, another participant emphasized the need to continue to share the “hard truth”, but using peaceful strategies to advance the implementation of UNDRIP.

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APPENDICES

The following tables provide detailed information about the systematic reviews and primary studies identified in the rapid synthesis. The ensuing information was extracted from the following sources:

- systematic reviews - the focus of the review, key findings, last year the literature was searched and the proportion of studies conducted in Canada; and
- primary studies - the focus of the study, methods used, study sample, jurisdiction studied, key features of the intervention and the study findings (based on the outcomes reported in the study).

For the appendix table providing details about the systematic reviews, the fifth column presents a rating of the overall quality of each review. The quality of each review has been assessed using AMSTAR (A Measurement Tool to Assess Reviews), which rates overall quality on a scale of 0 to 11, where 11/11 represents a review of the highest quality. It is important to note that the AMSTAR tool was developed to assess reviews focused on clinical interventions, so not all criteria apply to systematic reviews pertaining to delivery, financial or governance arrangements within health systems. Where the denominator is not 11, an aspect of the tool was considered not relevant by the raters. In comparing ratings, it is therefore important to keep both parts of the score (i.e., the numerator and denominator) in mind. For example, a review that scores 8/8 is generally of comparable quality to a review scoring 11/11; both ratings are considered “high scores.” A high score signals that readers of the review can have a high level of confidence in its findings. A low score, on the other hand, does not mean that the review should be discarded, merely that less confidence can be placed in its findings and that the review needs to be examined closely to identify its limitations. (Lewin S, Oxman AD, Lavis JN, Fretheim A. SUPPORT Tools for evidence-informed health Policymaking (STP): 8. Deciding how much confidence to place in a systematic review. *Health Research Policy and Systems* 2009; 7 (Suppl1):S8).

All of the information provided in the appendix tables was taken into account by the authors in describing the findings in the rapid synthesis.

Appendix 1: Summary of findings from systematic reviews about the implementation of United Nations Declaration on the Rights of Indigenous Peoples

Type of review	Focus of systematic review	Key findings	Year of last search/ publication date	AMSTAR (quality) rating	Proportion of studies that were conducted in Canada
Non-systematic review	Evaluating source-water protection programs and Indigenous communities in Canada and the U.S.(42)	<p>The review examined 30 studies in order to evaluate the adoption, implementation, and outcomes of programs protecting water in Indigenous communities in Canada and the United States.</p> <p>Source-water protection programs normally consist of a committee of stakeholders, determining and protecting source-water areas, identifying and addressing threats, and conducting public education. Indigenous communities are often not involved in the source-water protection process; in Ontario, 27 of the 133 First Nations are within protected areas, but only three are part of the provincial source-water protection framework due to barriers such as logistics, politics and economics. In Canada and the United States, water treatment is typically end-of-pipe treatment, which is often inadequate and results in drinking water advisories in many communities.</p> <p>Two themes emerged from this scoping review: 1) there is a lack of studies on source-water protection in Indigenous communities; and 2) the depth of quality of Indigenous involvement in these programs is poor. Few studies reported on the ecological outcomes of water protection programs, limiting the ability to study their effectiveness. While many studies identified barriers to Indigenous involvement in programs, few provided potential solutions. Productive source-water protection programs must integrate western and Indigenous knowledge and governance.</p> <p>This scoping review found limited studies examining Indigenous involvement in source-water protection programs and recommends further research in this area. These studies should particularly focus on scientific aspects such as risk assessment and monitoring. The involvement of and benefits to Indigenous communities must be reported. Last, innovative approaches to water protection should be explored, in order to address existing limitations and barriers.</p>	2016	No rating tool available for this type of document	17/30
Systematic review	Evaluating Indigenous communities' involvement in the renewable energy sector (43)	<p>The review examined 26 papers in order to evaluate Indigenous communities' involvement in the renewable energy sector.</p> <p>In Canada, 65% of electricity is generated from renewable sources. As renewable energy develops, it is essential to consider the environmental and social effects that may present, including the flooding of Indigenous territory, accessibility of energy, and consideration of treaty rights. The Truth and Reconciliation Commission of Canada has called for corporations to engage in consultation with Indigenous peoples, developing sustainable benefits with communities through economic development.</p>	2017	4/8 AMSTAR rating provided by the McMaster Health Forum	26/26

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		<p>The authors of this review note that there was a significant increase in the number of studies conducted in 2016, shortly after Prime Minister Justin Trudeau was elected. This may be a reflection of the commitment to the United Nations Declaration of the Rights of Indigenous People (UNDRIP), signalling a priority for policymakers and researchers.</p> <p>The majority of papers included in this review were written by non-Indigenous writers, and only nine papers identified partnerships with Indigenous communities. Themes of self-determination, health and autonomy were the central focus of this examination of renewable energy resources. Some papers found that autonomy was central to the development of renewable energy resources, with economic outcomes being considered as a secondary factor. Others, however, found that economic outcomes were of primary concern. Taken together, there was no single motivator that was generalizable to all Indigenous communities – further community-based studies are needed to examine these nuances.</p>			
Systematic review	Examining Indigenous youth experiences with sport and recreation in Canada (39)	<p>The review assessed 20 studies in order to examine Indigenous youth experiences with sport and recreation in Canada.</p> <p>The history of sport and Indigenous peoples in Canada is complex. Prior to colonization, there was great value placed on traditional sports and games within Indigenous communities. However, Euro-Canadian sports such as basketball and ice hockey were introduced in the residential school system in order to assimilate Indigenous youth. UNDRIP specifically states that Indigenous communities have rights to protect traditional sports and games, and Canada has expressed support for this Article.</p> <p>Two main themes emerged from the literature: Indigenous cultures are of central importance to this issue, and connections to the land play a significant role in experiences with sport and recreation. Indigenous identity is strongly tied to the land, and sporting activities can focus on this culturally distinct concept. Further, sport and recreation were found to be important mediums for the transmission of Indigenous culture and tradition from generation to generation. Despite the central importance of identity and culture to sport, this review found that Indigenous youth report the negative impacts of racism on their experiences. Studies found that these experiences could be addressed through unique programs incorporating Indigenous cultures in sporting opportunities.</p>	2017	4/8 AMSTAR rating provided by the McMaster Health Forum	20/20
Systematic review	Assessing knowledge systems of Indigenous community engagement in climate research (36)	<p>The review examined studies in order to assess the use of Indigenous knowledge systems in climate research. An analytical framework for assessing knowledge systems was developed and implemented.</p> <p>Many global networks and policies, including UNDRIP, have pointed to the immense value of Indigenous knowledge systems in the pursuit of environmental-science research. However, the extent to which Indigenous communities are involved in climate research remains unclear. Patterns in Indigenous involvement were found across space, time and location.</p>	2015	10/11 AMSTAR rating provided by the McMaster Health Forum	Not reported in detail

Forum+

		<p>In terms of patterns across space, most studies used Indigenous knowledge in an extractive model, where minimal participation is seen. Three geographical locations were found to access Indigenous knowledge most: the North American Arctic, Sub-Saharan East Africa, and the Tibetan Plateau. Highest levels of involvement were found in northern Canada and Alaska. In terms of patterns across disciplines, the highest rates of Indigenous engagement in research were found in interdisciplinary, multidisciplinary, and social-science studies. Across time, studies varied in their involvement of Indigenous communities at different stages of the research process. Studies that were initiated by Indigenous communities had higher engagement. Studies that engaged communities from the beginning reported more responsible community engagement. Studies that were initiated by outside researchers reported lower levels of Indigenous community involvement or outcomes.</p> <p>The review called for action on the part of research agencies, publishers and review boards, providing guiding questions to ensure engagement of Indigenous knowledge and communities.</p>			
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Appendix 2: Summary of findings from primary studies about the implementation of the United Nations Declaration on the Rights of Indigenous Peoples

Focus of study	Study characteristics	Sample description	Key features of the intervention(s)	Key findings
Reviewing the integration of Indigenous and western health systems in Nicaragua (53)	<p><i>Publication date:</i> 2015</p> <p><i>Jurisdiction studied:</i> Nicaragua</p> <p><i>Methods used:</i> Review of the literature</p>	Nicaraguan health system	Review of Nicaragua's national and regional health plans, and the current state of Indigenous and western health-services integration	<p>This review assessed the effect of Nicaragua's health plans on the integration of Indigenous and western medicine. It provided an overview of the global health governance for Indigenous peoples' health, Nicaragua's national and regional health plans, and the health services available to the Indigenous Miskitu people. Finally, the health plans were assessed against the standards set by UNDRIP.</p> <p>Article 24 of UNDRIP affirms that Indigenous health practices and services must be available without discrimination, and that the highest levels of mental and physical health must be supported by governments. Nicaragua reflects this call in its Constitution, which emphasizes the right of Miskitu people to health and social services, in addition to identity and culture. The National Health Plan of 2014-2015 decentralized healthcare provision, and the incorporation of communities into cultural-specific health plans was emphasized in this move. In 2007, a new government initiated a health policy that placed communities at the centre of participation in healthcare. Taken together, national and regional healthcare laws reflect the values of UNDRIP, but there are significant policy gaps. Lack of public infrastructure and health workers poses an issue for access to care by Miskitu communities, and the protection of natural resources remains an issue. Further, this review found that traditional medicines are often used in a "last-resort" case, undermining the value of these treatments.</p> <p>A number of barriers exist in the integration of Indigenous and western medical practices. For instance, different belief systems pose an obstacle, and limited funding for traditional practices limit their integration. Despite these barriers, collaborative efforts have succeeded in increasing the number of Miskitu providers and have fostered links between traditional healers and the health system in Nicaragua. This review indicates that greater efforts to support integration and international development assistance in the healthcare system, can contribute to international Indigenous rights.</p>
Assessing the Australian Intervention into Aboriginal communities in the Northern Territory, and "self-determination" under international law (32)	<p><i>Publication date:</i> 2013</p> <p><i>Jurisdiction studied:</i> Australia</p> <p><i>Methods used:</i> Historical analysis and review</p>	Aboriginal and Torres Strait Islander Communities in Australia	Review of the Intervention into Aboriginal communities in the Northern Territory and Stronger Futures	<p>This report assessed the Australian Intervention into Aboriginal communities in the Northern Territory, with a focus on the meaning of "self-determination" under international law.</p> <p>This report argues that meaningful participation in decision-making is at the core of self-determination, and that this component was not met by the Australian government. Taken together, the Australian intervention did not measure up to the standards set by UNDRIP – the approach was taken from the outside, and limited consultation was included. Future policies and legislation must be in line with the standards set by the United Nations. As new policies are formed, the quality of consultations must be examined – for instance, issues with timeframes, inadequacy of interpreters, and lack of depth have been reported as salient problems.</p>

				<p>This report argues that the development of UNDRIP supports the empowerment of Indigenous peoples through self-determination, participation and informed consent. Australia's past legislation and policy work has fallen short of the UNDRIP values, and future work must emphasize this notion of self-determination and genuine empowerment. This report found that measuring a country's compliance to international standards is a good measure of adequacy and progress.</p>
<p>Assessing the work of the National Aboriginal Community Controlled Health Organization in Australia, with a focus on implementing UNDRIP principles in communities (33)</p>	<p><i>Publication date:</i> 2012</p> <p><i>Jurisdiction studied:</i> Australia</p> <p><i>Methods used:</i> Review</p>	<p>Aboriginal and Torres Strait Islander communities in Australia</p>	<p>Review of the National Aboriginal Community Controlled Health Organization in Australia and implementation of UNDRIP principles moving forward</p>	<p>The paper assessed the work of the National Aboriginal Community Controlled Health Organization in Australia, with a focus on implementing UNDRIP principles in communities.</p> <p>This report reflected on the difficulty presented by abstract human-rights concepts, emphasizing the central importance of self-determination. Written from the perspective of the Aboriginal and Torres Strait Islander peoples, this report emphasizes the importance of community collaboration with the state, particularly noting that Aboriginal communities must take the lead in self-determination.</p> <p>The National Aboriginal Community Controlled Health Organization focused on community control as a vehicle for self-determination, ensuring that Aboriginal communities drive decision-making in health. This was done through a number of criteria, including Aboriginal initiation and governance, and culturally appropriate health provision. The author of this paper concludes by stating that the community sector must fill an important role as a junior partner in UNDRIP implementation and progress.</p>
<p>Examining the implementation of UNDRIP in nations globally, with a focus on Canada and the U.S.(29)</p>	<p><i>Publication date:</i> 2014</p> <p><i>Jurisdiction studied:</i> Countries implementing UNDRIP</p> <p><i>Methods used:</i> Historical review and analysis</p>	<p>Indigenous communities, with a focus on Canada and the U.S.</p>	<p>Historical review of Indigenous rights in Canada and the U.S., and a review of UNDRIP implementation by local government</p>	<p>The report examined the implementation of UNDRIP in nations globally, with a focus on Canada and the U.S.</p> <p>This report begins with a historical review, examining the progress of Indigenous rights leading up to the implementation of UNDRIP. Of note, this report recalls that Australia, Canada, New Zealand and the U.S. voted no to UNDRIP, and points to continued inequities in national policies and actions. Field research was conducted for this report, providing first person accounts of events such as the Idle No More movement which originated in Canada. This movement stemmed from the passage of <i>Omnibus Bill C-45</i>, which changed fundamental land protections without consultation of Indigenous communities. Starting as a small movement, Idle No More grew to a global response network and culminated in the writing of a 13-point declaration of commitment to change governance with First Nations communities.</p> <p>Given the significant Indigenous communities in Canada and the U.S., this report argues that these countries have the opportunity to lead the implementation of UNDRIP. The author notes that barriers must be addressed through ongoing collaboration with tribal governments, and damaged relationships must be improved. Recommendations include the support of human-rights initiatives, the use of UNDRIP as a foundational principle for governments, a regional UNDRIP representative, and ongoing consultation with Indigenous peoples based on free, prior, and informed consent.</p>

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<p>Comparing the definition of Indigenous rights outlined in UNDRIP and the definition of human rights (46)</p>	<p><i>Publication date:</i> 2017</p> <p><i>Jurisdiction studied:</i> Indigenous groups in Canada</p> <p><i>Methods used:</i> Policy analysis</p>	<p>Indigenous communities in Canada</p>	<p>Review and analysis of the concept of Indigenous sovereignty and Indigenous rights</p>	<p>The report compared the definition of Indigenous rights outlined in UNDRIP and the definition of human rights.</p> <p>This report argues that there is a significant difference between human rights, which focus on individual rights, and Indigenous rights, which focus on the collective rights of a group. Differences between intent and understanding form the basis of the report. Three main discourses were used to demonstrate Indigenous rights in the Canadian North: 1) the discourse of international law which depicts power as a shifting concept; 2) the discourse of self-governance; and, 3) the discourse of Indigenous politics, advocating for consultation. All of these discourses depict a shifting lens of sovereignty and differ in how power is conceptualized. The author of this report argues that the principles of UNDRIP are not embedded in Canadian land-claim processes, despite progress made in Canada's northern and Arctic territories.</p> <p>This report acknowledges that the development of UNDRIP has served to shed light on the limitations of political processes, and has pointed to the consultative process desired by Indigenous groups.</p>
<p>Examining the impact of the UNIPP on the Indigenous groups of Nigeria's Delta Region (75)</p>	<p><i>Publication date:</i> 2014</p> <p><i>Jurisdiction studied:</i> Indigenous groups in Nigeria</p> <p><i>Methods used:</i> Policy analysis and review</p>	<p>Indigenous groups in Nigeria</p>	<p>Analysis and review of UNIPP and the Indigenous population of Nigeria's Delta Region</p>	<p>This report examined the impact of the UN Indigenous Peoples' Partnership (UNIPP) on the Indigenous people of Nigeria.</p> <p>The UNIPP was created following the development of UNDRIP and aims to improve Indigenous rights and promote political engagement. The current report focuses on the Indigenous population of Nigeria, who face a number of issues including the exploitation of resource-rich Indigenous lands, inequitable oil laws, and continuously failed attempts to resolve violence in these areas.</p> <p>This report acknowledges that the determination of Indigenous groups is difficult in Nigeria, as there are contestations over land ownership and use. The author of this report points out that there is a disparity between the international law for Indigenous rights and national laws, which has contributed to unrest. While this situation poses an ideal point of intervention for UNIPP, the political economy of oil complicates involvement.</p>
<p>Examining Indigenous self-governance in Bolivia (49)</p>	<p><i>Publication date:</i> 2015</p> <p><i>Jurisdiction studied:</i> Indigenous groups in Bolivia</p> <p><i>Methods used:</i> Legal and policy analysis</p>			<p>The report examines Indigenous autonomy in Bolivia.</p> <p>Indigenous groups in Bolivia have drafted autonomy statutes as per the Framework Law of Autonomies and Decentralization that followed the new constitution in 2009. This report analyzed these texts to gain insight into Indigenous autonomy in Bolivia, with three central arguments emerging: 1) comparison of statutes points to a specific model of Indigenous autonomy in Bolivia; 2) this model focuses on the state rather than internationally recognized Indigenous rights; and, 3) an understanding of power relations is essential to analyzing the statutes.</p> <p>This report argues that the statutes under analysis contradict the romanticized view that external observers expect Indigenous peoples to hold towards autonomy. This may be partly due to power relations between the Bolivian government and Indigenous groups.</p>

				<p>To this end, this report argues that the autonomy statutes indicate an internalization of the Bolivian government’s economic model, evidenced by factors such as weak definitions of territory. The authors posit that Indigenous groups practise their valued norms alongside liberal-republican norms.</p>
<p>Assessing the Indigenous rights set out by UNDRIP (31)</p>	<p><i>Publication date:</i> 2013</p> <p><i>Jurisdiction studied:</i> Indigenous communities globally</p> <p><i>Methods used:</i> Policy review</p>	<p>Indigenous communities</p>	<p>Review of UNDRIP assessing the Indigenous rights set out within</p>	<p>The review aimed to assess the rights set out by UNDRIP.</p> <p>UNDRIP was drafted to address the rights of Indigenous populations globally, and countries that have signed onto the declaration are independently responsible for translating these rights into policy and legislation. Countries can also interpret the mandates of the declaration as they choose. There are five main purposes to the declaration: 1) end discrimination against Indigenous groups; 2) promote control over land; 3) strengthen Indigenous institutions, cultures and traditions; 4) respect Indigenous practices regarding the environment; and 5) contribute to peace by demilitarizing Indigenous land.</p> <p>As international declaration and national context can conflict, the author of this report outlined a number of recommendations for the implementation of UNDRIP. Ensuring that Indigenous communities have the right to self-determination is a key step, as governments may have to take measures to ensure political involvement. Public pressure can encourage governments to take the appropriate steps. Framing Indigenous rights within the context of economic issues and global humanity issues may help to push policy development.</p>
<p>Exploring Indigenous autonomy in Bolivia (44)</p>	<p><i>Publication date:</i> 2016</p> <p><i>Jurisdiction studied:</i> Bolivia</p> <p><i>Methods used:</i> Historical review and field research</p>	<p>Indigenous communities in Bolivia</p>	<p>Historical review and field research in Bolivia examining Indigenous autonomy in two dozen municipalities</p>	<p>Bolivia’s new Constitution, released in 2009, incorporated ‘Indigenous autonomies’ in order to reflect calls for territorial self-governance from Indigenous communities. The current article explored why few communities have taken advantage of opportunities for autonomy.</p> <p>This review found that after Bolivia’s decentralization reforms in 1994, many communities experienced representative and material gains. This factor, in addition to the fact that Bolivia’s territorial delimitations do not always align with Indigenous peoples’ territories, has limited the extent of Indigenous autonomy in the country.</p> <p>This review concludes by reiterating that contemporary boundaries of states do not always coincide with pre-colonial Indigenous territories. Efforts to further Indigenous autonomy should focus on minimizing these inconsistencies.</p>
<p>Examining human rights from an Indigenous perspective through a review of the Colombian Constitutional Court and the Inter-American</p>	<p><i>Publication date:</i> 2014</p> <p><i>Jurisdiction studied:</i> The Colombian Constitutional Court and the Inter-American Court of Human Rights</p>	<p>The Colombian Constitutional Court and the Inter-American Court of Human Rights</p>	<p>Review of the Colombian Constitutional Court and the Inter-American Court of Human Rights, and their conceptualization of human rights</p>	<p>This report examined human rights from an Indigenous perspective.</p> <p>The authors of this report argue that Indigenous communities have transformed the discourse of human rights by contributing their unique world views and experiences to this definition. The Columbian Constitutional Court and Inter-American Court were provided as examples of this new approach to human rights, as their approach to case law on Indigenous manners has increasingly incorporated Indigenous perspectives. However, this report challenges the very nature of legal adjudication, and the extent to which it reflects Indigenous realities.</p>

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Court of Human Rights (48)	<i>Methods used:</i> Review			This report concludes by suggesting that limitations are overcome through the establishment of plurinational institutions, such as the legal system in Bolivia which consists of seven judges, two of whom must be Indigenous.
Examining legislative and programming efforts in Australia aimed at protecting and supporting Aboriginal rights (35)	<i>Publication date:</i> 2019 <i>Jurisdiction studied:</i> Aboriginal communities in Australia <i>Methods used:</i> Review and program analysis	Aboriginal communities in Australia	Historical review and analysis of programs targeting inclusion of Aboriginal communities in land management	The report examined legislative and programming efforts in Australia aimed at protecting and supporting Aboriginal rights. Australia ratified UNDRIP in 2009, signalling a commitment to improving Aboriginal rights in the country. However, a number of factors suggest that Australia has not succeeded in protecting the rights of Aboriginal communities. Significant gaps in health and well-being are observed between Aboriginal and non-Aboriginal communities. The authors of this report note that the loss of traditional land has contributed to these disparities, as communities lose their cultural and spiritual spaces. A number of initiatives explored in the report demonstrate the reality that Australia has not fully met UNDRIP standards. For instance, traditional land claims are considered within the context of industry interests, and government is consistently involved in decision-making. This report argues that Australia must move beyond its current consultative model in order to grant appropriate rights to Aboriginal communities. The consent of Aboriginal groups must be obtained, even when this process has the potential to cause detriment to other stakeholders.
Examining South East Australian Aboriginal women's birthing knowledge and practices (52)	<i>Publication date:</i> 2017 <i>Jurisdiction studied:</i> South East Australian Aboriginal women <i>Methods used:</i> Archival review	Aboriginal women and birthing practices in South East Australia	Archival review of South East Australian Aboriginal women's birthing practices and knowledge	The current review examined South East Australian Aboriginal women's birthing knowledge and practice. While UNDRIP outlines that Indigenous peoples have the right to self-determination, many communities face the negative effects of colonization worldwide. Indigenous values are often excluded from the script of healthcare provision. This report focuses on South East Australia, where colonial processes have had an impact on birthing practice. The authors argue that the self-determination of Aboriginal women in the process of childbirth requires access to two sources: 1) family knowledge; and 2) institutional information. This report shed light on the strong Aboriginal birthing knowledge that exists within Australian communities. These ways of knowledge should be incorporated into birthing-related spaces in order to connect women to country and provide a positive birthing experience. The authors of this report note that in order for this process to take place, Aboriginal women must have access to birthing knowledge and sites, such as caves and trees. Further, non-Aboriginal communities must embrace these forms of knowledge to support implementation.
Implementing UNDRIP and human rights law (45)	<i>Publication date:</i> 2010 <i>Jurisdiction studied:</i> Indigenous Peoples' Territories and Areas Conserved by Indigenous	Indigenous Peoples' Territories and Areas Conserved by Indigenous Peoples and Local	Report and policy analysis, with specific focus on the recognition of Sherpa ICCAs in Sagarmatha National Park in Nepal	The report examined the recognition of Indigenous Peoples' Territories and Areas Conserved by Indigenous Peoples and Local Communities (ICCAs). ICCAs describe diverse geographical areas that vary based on local Indigenous communities' culture and value. These areas are protected in terms of governance, but governments often fail to provide adequate respect and support. This report argues that the recognition of these areas is essential in upholding the mandate of UNDRIP.

	Peoples and Local Communities (ICCA) <i>Methods used:</i> Report and policy analysis	Communities (ICCA)		<p>Four broad sets of rights that were outlined in UNDRIP were found to be particularly relevant to the recognition of ICCAs: 1) right to autonomy and self-determination; 2) land rights; 3) rights to culture; and 4) right to self-governance and decision-making. The recognition of Sherpa ICCAs in Sagarmatha National Park in Nepal was used as a case for the critical importance of area recognition. There are a number of ICCAs in the park, and Sherpa leaders advocate for the importance they play in conservation. However, none of them are legally recognized, which places these areas in a vulnerable position. Ongoing difficulty with government relations has highlighted issues with Indigenous peoples’ rights.</p> <p>This report concludes by arguing that the effective implementation of international rights treaties must promote practices that honour and strengthen rights.</p>
Examining the implementation of free, prior, and informed consent in Canada (34)	<p><i>Publication date:</i> 2017</p> <p><i>Jurisdiction studied:</i> Indigenous communities in Canada</p> <p><i>Methods used:</i> Review</p>	Indigenous communities in Canada affected by the implementation of UNDRIP	Report examining the implementation of free, prior, and informed consent in Canada.	<p>The Indian Residential Schools Truth and Reconciliation Commission released 94 recommendations in 2015, with one of the recommendations being the implementation of UNDRIP. Of the standards outlined by UNDRIP, the standard of “Free, Prior, and Informed Consent” has been controversial in Canada. This paper examines the implications of this standard.</p> <p>This report found that the implementation of free, prior, and informed consent provides a significant framework for just relations between Indigenous and non-Indigenous peoples in Canada. In this context, “free” implies that the consent must be obtained without coercion; “prior” implies the ongoing engagement of Indigenous peoples; and “informed” implies the adequate provision of issues and impacts. Changes to legislative measures should be made to support the implementation of this standard. Specifically, amendments to legislation such as the <i>Canadian Environmental Assessment Act</i> could be made to ensure that projects require the engagement and consent of Indigenous peoples. Finally, amendments to the Canadian constitution should be made in the future, in order to further protect Indigenous rights.</p>
Examining the implementation of free, prior, and informed consent in Bolivia (24)	<p><i>Publication date:</i> 2015</p> <p><i>Jurisdiction studied:</i> Indigenous communities in Bolivia</p> <p><i>Methods used:</i> Stakeholder interviews and policy analysis</p>	Indigenous communities in Bolivia	Interviews with Bolivian stakeholders and analysis of proposals and law drafts	<p>The report examines the implementation of “Free, Prior, and Informed Consent” in Bolivia.</p> <p>The standard of free, prior, and informed consent aims to facilitate a bottom-up approach to consultation with Indigenous communities. However, this report argues that the implementation of this standard alone does not resolve issues, but opens up political conflicts. Using Bolivia as a case example, this report demonstrated that the vague nature of the standard of consent has led to tension between social groups. As the effort to institutionalize ethnic representation has been increased, social conflicts have intensified due to competing beliefs of who is entitled to participate, and how the participation should function. Thus, the authors of this report note that attention to micro-politics within communities is an essential component of the implementation of this standard.</p> <p>Three main issues surrounding the issue of free, prior, and informed consent emerged in this study: 1) democratic local institutions must be strengthened as efforts are made to increase ethnic representation; 2) the ability of the state to manage conflict must be</p>

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				improved; and, 3) the impact of this standard on social and political boundaries must be considered.
Reporting on the National Inquiry into Missing and Murdered Indigenous Women and Girls in Canada (57)	<p><i>Publication date:</i> 2019</p> <p><i>Jurisdiction studied:</i> Missing and murdered Indigenous women and girls in Canada</p> <p><i>Methods used:</i> Statements and testimony from Indigenous community members</p>	Indigenous communities in Canada	Collection of more than 2,380 statements, testimonies, and artistic expressions from Indigenous groups across Canada	<p>Canada’s National Inquiry into Missing and Murdered Indigenous Women and Girls was launched in December 2015 by the Liberal government, following calls of Indigenous groups and activists.</p> <p>The final report, entitled “Reclaiming Power and Place” was published on 3 June 2019. This report was the culmination of accounts from family members, survivors, and experts across Canada. At the core of Canada’s history of violence against Indigenous women, girls, and 2SLGBTQIA peoples are violations of human and Indigenous rights. This report stipulated that addressing these violations and generations of trauma requires the dismantling of colonial structures in Canada.</p> <p>Specifically, Reclaiming Power and Place made 231 “calls for justice”, which were presented as legal imperatives addressing inequities in health, security, justice and culture. This report found that Canada has failed to meaningfully implement the provisions of international declarations that it has signed, such as UNDRIP. These calls, which include transformative actions such as the establishment of a National Indigenous and Human Rights Ombudsperson and a National Indigenous and Human Rights Tribunal, aim to address the crucial role of government and citizens in addressing histories of trauma and genocide.</p>
Examining jurisdiction over social policy and social services among Indigenous groups in Canada (47)	<p><i>Publication date:</i> 2016</p> <p><i>Jurisdiction studied:</i> Indigenous groups in Canada</p> <p><i>Methods used:</i> Review and policy analysis</p>	Indigenous communities in Canada	Article examining the concept of jurisdiction over social policy among Indigenous groups in Canada	<p>The article examines autonomy and self-governance among First Nations communities, through an examination of jurisdiction over social policy.</p> <p>Following the formation of the Canadian Constitution and the Indian Acts, control of Indigenous social affairs rested largely with the state. As the ecology of Canada changed, Indigenous groups relied increasingly on state welfare, and were treated as “dependent individuals”. Policies and statutes have contributed to loss of control over social affair. For instance, the author notes that the Canada Assistance Plan increased the presence of child protection workers on Indigenous reserves, contributing to the ‘60s scoop.</p> <p>UNDRIP articulates the need to promote Indigenous rights and supports the strengthening of Indigenous institutions, cultures and traditions, and economies. The Declaration explicitly supports the self-governance of Indigenous groups, specifically supporting the exercise of control over social development such as social policy. The author of this article argues that effective implementation of UNDRIP relies on discussions about Indigenous jurisdiction over social policy.</p>
Examining global Indigenous affairs on a yearly basis (76)	<p><i>Publication date:</i> 2019</p> <p><i>Jurisdiction studied:</i> Indigenous groups worldwide.</p>	Indigenous communities globally	Documentation of Indigenous events, issues and trends globally, based on the voluntary reporting of Indigenous and non-	<p><i>The Indigenous World</i> is a report compiled yearly by the International Work Group for Indigenous Affairs to document Indigenous events, issues and trends globally. The current report documents a number of pressing issues among communities. These include the ongoing abuse against defenders of Indigenous rights, and threats to lands and biodiversity through acts such as tourism, mining, fishing and hydroelectric development projects. This report reflects on the role of governments in perpetuating</p>

	<p><i>Methods used:</i> Documentation and report</p>		<p>Indigenous activists worldwide</p>	<p>these abuses, from the drafting of oppressive policies to the active violence against communities.</p> <p>The adoption of UNDRIP marked a significant point of progress for Indigenous groups. Further, the development of the Indigenous Navigator marked an important step in the effective measurement of a country's performance and progress on the global stage. <i>The Indigenous World</i> compiles region and country reports in order to document the struggles and successes of Indigenous groups worldwide.</p> <p>Reports on Canada's Inuit population in Inuit Nunangat yields evidence that the Canadian government has not yet meaningfully implemented UNDRIP, and continues to struggle in its development of key initiatives including the Arctic Policy Framework. Further documented were issues of consultation on pipeline projects, government support for environmental threats such as the mercury poisoning in Grassy Narrows, child welfare, and delays with the National inquiry on Missing and Murdered Indigenous Women and Girls. This report notes that in order to move forward with the successful implementation of UNDRIP, Canada must decolonize thinking and value the notion of free, prior, and informed consent.</p>
<p>The implementation of free, prior, and informed consent in the Yukon (37)</p>	<p><i>Publication date:</i> 2018 <i>Jurisdiction studied:</i> Yukon <i>Methods used:</i> Review of legislation and semi-structured interviews</p>	<p>Key legislation and informants in the Yukon</p>	<p>Review of key legislation and semi-structured interviews with 11 key informants from governance institutions</p>	<p>The article examined the definition and exercise of free, prior, and informed consent in the Yukon. Prior research has indicated a limited engagement with this discussion by Yukon governance bodies. The author of this paper offers three key factors to discuss this lack of engagement: 1) the respect for modern treaties and governments; 2) the wait for federal action; and 3) the delay of engagement by governance systems and treaty priorities.</p> <p>First, respect for modern treaties in the Yukon was illustrated in key informant interviews. Participants reflected on how the "laws of the land" are disconnected from global discourse, limiting conversation beyond the context of the Yukon. Second, the inaction of the federal government is limiting action on the part of the territorial government, which is awaiting clarification on free, prior, and informed consent. Finally, time may be an issue in engagement with this conversation, as First Nation communities continue to develop expectations for the implementation of UNDRIP.</p> <p>There is a need to understand the notion of free, prior, and informed consent within the context of Yukon governance. The authors note that further research is needed to develop an understanding of how UNDRIP is evolving in other contexts, engaging the discussion of a variety of Indigenous communities.</p>
<p>Examining issues facing the world's Indigenous peoples (77)</p>	<p><i>Publication date:</i> 2009 <i>Jurisdiction studied:</i> Indigenous groups globally <i>Methods used:</i> Consolidation of six mandated areas of the</p>	<p>Group of Indigenous peoples, member states, UN agencies, non-governmental and intergovernmental organizations</p>	<p>Summary of issues from the Forum on Indigenous Issues</p>	<p>The implementation of UNDRIP is facilitated by the Permanent Forum on Indigenous Issues, a group that meets annually at the UN headquarters. This group consists of Indigenous peoples, representatives from member states, UN agencies, and other organizations. The current document was created to discuss issues related to Indigenous peoples globally, highlighting major points of focus.</p> <p>The Permanent Forum has six key areas of focus when it comes to the implementation of UNDRIP. These areas are: 1) poverty and well-being; 2) culture; 3) environment; 4) contemporary education; 5) health; and 6) human rights. First, principles of self-</p>

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	Permanent Forum on Indigenous Issues			<p>determination and free, prior, and informed consent are emphasized, in order to support traditional ways of living and address inequities globally. The idea of culture is emphasized, with recognition of the discrimination and commodification that Indigenous culture faces. The environment forms another key area of interest, with emphasis placed on the connection that Indigenous communities have to environment and lands, contrasted with the ongoing dispossession that communities face. Next, access to education is presented as an issue facing Indigenous communities, as schooling is seldom provided in native languages and can be used as a tool of assimilation. In discussing health among Indigenous groups, issues of disproportionate illness, poor access to care, and a lack of cultural competence in health systems are explored. Finally, the human rights of Indigenous groups are contingent on the principle of self-determination. While improvements have been made in terms of the protection of human rights with the development of international instruments, serious abuses must be addressed.</p> <p>This paper closes with a discussion of emerging issues. These issues include the need for policies and data in order to understand and address inequities among Indigenous groups, resolution of conflicts, and the effects of displacement of Indigenous peoples.</p>
Examining Indigenous primary care policy in Alberta, Canada. (56)	<p><i>Publication date:</i> 2018</p> <p><i>Jurisdiction studied:</i> Alberta</p> <p><i>Methods used:</i> Stakeholder meeting</p>	Indigenous leaders, healthcare providers, provincial health-system leaders, academics	The Innovating Indigenous Primary Care in Alberta brought together stakeholders, including Indigenous leaders, healthcare providers, academics, to envision inclusive primary-care in Alberta	<p>Access to primary healthcare is an essential service for well-being. In Alberta, focus is being dedicated to the promotion of health and prevention of disease among Indigenous peoples. However, obstacles include competing interests, changing political currents, and complex health networks.</p> <p>The release of the Truth and Reconciliation Commission of Canada’s final report directed focus to the health needs of Indigenous populations, given the harm inflicted by governments through the residential school system and ongoing discrimination. The paper examined models of primary healthcare across Canadian jurisdictions in order to support innovation in Alberta. For instance, in Ontario, Aboriginal Health Access Centres provide health services on- and off-reserve, with a range of services (including youth empowerment and traditional healing) provided. British Columbia’s First Nations Health Authority focuses on closing measurable health gaps, recruiting Indigenous health professionals, and involving Indigenous approaches to healing in practice.</p> <p>Following a meeting of stakeholders in Alberta, key points on the future of primary care in Alberta emerged. Effective community engagement and building on existing infrastructure were emphasized. Differences in funding allocation and inadequate resources are obstacles to primary-care provision for Indigenous communities.</p> <p>A number of implementation priorities were identified by stakeholders, including Indigenous representation in health services, improved funding for service provision, the provision of care based on treaty/community input, and improved community ownership of healthcare.</p>
Examining approaches to the	<i>Publication date:</i> 2018	Indigenous and ally academics	25 indigenous and ally scholars were sent an	The current study examined the “indigenization” of post-secondary institutions in Canada. The authors of this paper posit that indigenization exists on a spectrum

<p>indigenization of Canadian academic institutions (50)</p>	<p><i>Jurisdiction studied:</i> Post-secondary institutions in Canada</p> <p><i>Methods used:</i> Online survey and literature review</p>	<p>from Canadian institutions</p>	<p>anonymous online survey, asking about ways in which institutions may be meaningfully indigenized</p>	<p>composed of three concepts: Indigenous inclusion, reconciliation indigenization, and decolonial indigenization.</p> <p>In this paper, Indigenous inclusion was defined as increased Indigenous representation among Canadian institutions. Reconciliation indigenization was defined as the engagement of Indigenous ideals in debate, as to expand knowledge. Finally, decolonial indigenization was defined as the fundamental restructuring of institutions to balance power relations between Indigenous peoples and settlers. While these are the three key positions in debate, the authors of this paper suggest that academic institutions are largely limited to the least transformative visions on this spectrum.</p> <p>This research found that academics from Canadian institutions were likely to advocate for “foundational, decolonial change”, and expressed skepticism relating to approaches that did not emphasize major change. Indigenous inclusion policy was noted to be a model of change in which Indigenous peoples are expected to bear the burden. Challenges remain in reconciliation indigenization, as shifts in discourse may not lead to meaningful change. Decolonial indigenization was envisioned by respondents as having the potential to transform education, through the use of treaty-based governance and the support of Indigenous culture, knowledge and skill.</p> <p>The authors of this paper conclude that there is a lack of consensus on approaches to the indigenization of academic institutions in Canada. A fundamental shift must be called for by stakeholders, and supported by academics. However, leaders of change are often not occupying senior positions in these institutions, and change will be made from a bottom-up approach.</p>
<p>Examining sustainable economies and health in Arctic communities (78)</p>	<p><i>Publication date:</i> 2019</p> <p><i>Jurisdiction studied:</i> Arctic communities</p> <p><i>Methods used:</i> Policy brief</p>	<p>Fulbright Arctic Initiative scholars working with Arctic communities</p>	<p>16 Fulbright Arctic Initiative scholars worked with Arctic communities to assess needs and create policy recommendations</p>	<p>The Fulbright Arctic Initiative is a program initiated by the Bureau of Educational and Cultural Affairs in the United States. This program convenes researchers from the eight Arctic Nations (Canada, Denmark, Finland, Norway, Sweden, Russia, and the United States) in order to create connections and share research. The policy brief reflects the work conducted by the Fulbright Arctic Initiative scholars in Iqaluit, Canada, which focused on two themes: sustainable economies and health in Arctic communities.</p> <p>Arctic economies were cited as being composed of a mixed system of non-monetized and monetized activities, with market (monetized) activities projected to expand in the future. This expansion may place resources, environment, and health at risk, and impact must be considered in the Arctic context. The authors recommend a systematic approach which considers the many dimensions of risk in this environment. This assessment should use trans-national instruments, in order to facilitate international decision-making.</p> <p>The current findings on health in Arctic communities emphasize the importance of creating a meaningful model of health for Indigenous communities. Recommendations for this included the integration of Indigenous knowledge through measures such as the implementation of UNDRIP, increased funding for organizations, and expansion of the Arctic Council. Further, building on meaningful health interventions, expanding</p>

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				monitoring and assessment, and implementing research led by communities were identified as important areas of action.
Examining the challenges to gathering health statistics for Indigenous populations in Canada (79)	<p><i>Publication date:</i> 2015</p> <p><i>Jurisdiction studied:</i> Indigenous populations in Canada</p> <p><i>Methods used:</i> Review</p>	Indigenous groups across Canada	Examination of the collection and sharing of health statistics for Indigenous populations in Canada	<p>The study examined the challenges that underlie health among Indigenous groups in Canada. Health-information challenges represent a significant factor impeding the improvement of health among Indigenous populations.</p> <p>This study identified two challenges underpinning the issue of health information among Indigenous groups in Canada: 1) lack of consistent and inclusive identity indicators in population health data, and; 2) meaningful Indigenous leadership and participation in this data collection and management.</p> <p>National data is collected by Statistics Canada; issues with Indigenous data quality include problems with consistent and inclusive identifiers. Canada’s Indigenous population is diverse, and health provision stems from provincial/territorial, federal, constitutional, and treaty responsibilities. These complexities contribute to current data deficiencies. Participation in census data collection has been lower among Indigenous groups, which may be attributable to distrust or disagreement, accessibility concerns, and geographical considerations. Certain population groups, such as non-status First Nations, Métis, and urban Indigenous populations, have been systematically excluded through a history of assimilation in Canada. However, the World Health Organization emphasizes that the right to be counted is essential, and data gaps in Canada worsen health outcomes for Indigenous groups.</p> <p>In terms of Indigenous leadership, Indigenous peoples in Canada are represented by five National Aboriginal Organizations and sets of regional and community groups including First Nations, Inuit, and Métis groups and councils. The right to health among Indigenous groups is entrenched in the Canadian Constitution, but Indigenous participation in health information systems remains inadequate. Data governance and management must shift so that Indigenous groups are centrally involved in decision-making. To respond to this need, Indigenous groups in Canada have created their own health-indicator frameworks; for instance, Métis groups in BC and Saskatchewan have developed specific provincial health surveys.</p> <p>Infrastructural limitations such as non-response bias and misclassification bias through the use of inadequate sampling methods contribute to health inequities. Recently, surveys have used geography as a proxy for Indigenous identity. However, this method combines Indigenous and non-Indigenous populations, and can often result in underestimation of health outcomes.</p>

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