

Proposed N.W.T. legislation ignores Indigenous rights commitments, says citizens' group

No reference to United Nations Declaration on the Rights of Indigenous Peoples, says Council of Canadians

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Lois Little is co-chair of the N.W.T. chapter of the Council of Canadians. (CBC)

As the Northwest Territories government plans for changes to major natural resource and environmental management legislation, the Council of Canadians says it's not living up to its commitments to Indigenous rights.

The N.W.T. chapter of the council penned a [letter](#) to Premier Bob McLeod on June 12, outlining its concerns that the post-devolution laws make no reference to the [United Nations Declaration on the Rights of Indigenous Peoples](#) nor to the human right to water.

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"It seemed to us that it was an obvious omission, so we thought we'd ask the premier as to why that commitment to a UN declaration wasn't reflected in our legislation," said Lois Little, co-chair of the N.W.T. chapter of the council.

The Council of Canadians is a non-profit citizens' organization that promotes progressive policies on social and economic issues including fair trade, clean water, energy security, and public healthcare.

Little said it's a strong advocate of the declaration, which is "integral" to most of the Truth and Reconciliation Commission's 94 calls to action.

"It [the declaration] is a way around the world that the original peoples of various countries are able to participate in decision-making, and it requires free and informed consent," she said.

"That is a way of honouring Indigenous rights, it's a way of honouring human rights and it is a way, in this country, of honouring the commitment to enact the 94 calls to action put forth by the Truth and Reconciliation Commission."



The N.W.T. chapter of the Council of Canadians penned a letter to Premier Bob McLeod outlining their concerns with the proposed legislative changes. (Bill Braden/CP)

The council's letter notes that, in 2008, the N.W.T. Legislative Assembly unanimously passed a motion to support the declaration, making it the first jurisdiction in Canada to do so. The previous year, the assembly unanimously passed a motion recognizing the fundamental human right to water.

Little said it's important for organizations like the Council of Canadians to hold the government accountable to those commitments.

"We want to see that actually happening and, you know, words are just that," she said. "It is the actions that make the difference."

The N.W.T. chapter was involved in stakeholder meetings on amendments to seven bills — five being led by the territorial Department of Environment and Natural Resources and two by the Department of Industry, Tourism and Investment.

An isolated approach to petroleum legislation is troubling as it is likely to contravene many important [N.W.T. government] responsibilities with respect to human rights, public safety, and environmental protection.- *The Council of Canadians, N.W.T. chapter*

The council wrote a [letter](#) in April to Industry, Tourism and Investment's Mineral and Petroleum Resources Division, which says the government's proposed amendments to petroleum legislation also don't reference the UN declaration.

- [N.W.T. set to revamp decades-old oil and gas laws](#)

As well, the letter says it is "incomprehensible" that the government would develop legislation that permits hydraulic fracturing — more commonly known as fracking.

"An isolated approach to petroleum legislation is troubling as it is likely to contravene many important [N.W.T. government] responsibilities with respect to human rights, public safety, and environmental protection," it reads.

- [N.W.T. government releases proposed fracking regulations](#)
- [N.W.T. gov't heeds public call for more review of fracking rules](#)

Little did note that, despite the council's concerns, there is positive work being done, particularly around water legislation that takes into account the integrity of watersheds and the environment.

But she said the government has failed to connect the dots between legislation that recognizes environmental protections, and rights and legislation that doesn't.

The Department of Environment and Natural Resources had not responded to questions from CBC as of Monday morning.

The premier's office had also not returned CBC's request for an interview by Monday morning.