EIGHTH VIRTUAL NORTH AMERICAN STUDENT CONGRESS: GIVING THANKS FOR THE INDIGENOUS

HAS THE CANADIAN GOVERNMENT LEARNED THE LESSONS OF THE HAUDENOSAUNEE?

RECOCNITION, TRANSFORMATION, IMPLEMENTATION

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WHAT WOULD IT MEAN TO HAVE LEARNED?

BEYOND SYMBOLIC RECOGNITION

- Collective responsibility
- Respect and stewardship for the natural world; interconnectedness
- Intergenerational thinking
- Community-centred decision making

THROUGH TRUTH AND RECONCILIATION POLICIES, CANADA HAS APTLY IDENTIFIED THESE LESSONS AND PRINCIPLES

THE TEST IS WHETHER CANADA CAN USE THESE LESSONS TO CHANGE HOW DECISIONS ARE MADE

THE HEILTSUK ADJUDICATION: NATHAN E. STEWART SPILL

GVI'LAS & FUNDEMENTAL TRUTHS

- Creation
- Connection to nature
- Respect
- Knowledge
- Stewardship
- Sharing
- Adapting to change

- The Daduqvla Committee assessed the 2016 oil spill through Gvi'las
- Examination of breaches, environmental and community harms, responsibility, and remediation
- Found repeated breaches of Gvi'las by the company and government agencies

LAW AS RELATIONSHIP AND RESPONSIBILITY

THE MAGPIE: NATURE AS A RIGHTS-HOLDER

Muteshekau-shipu (the Magpie River)

- In 2021, the Innu Council of Ekuanitshit and the Minganie regional municipality adopted parellel resolutions recognizing the river as a legal person
- Right to flow, maintain biodiversity, and be protected
- Envisioned guardians to represent the river and defend its interests

THE RIVER IS AN ENTITY WITH INTERESTS DESERVING OF LEGAL RECOGNITION AND PROTECTION

RECOGNITION WITHOUT TRANSFORMATION

MAGPIE RIVER	HEILTSUK DECISION
Innu and municipal authorities recognized the river's legal personhood in 2021	Heiltsuk law was used to assess the consequences of the Nathan E. Stewart oil spill
As of June 2023, neither the federal nor Quebec provincial government has officially responded to the resolutions	Heiltsuk reported that it was not consulted on the structure of the federal-provincial spill response
The legal effect - a globally significant precedant - remain untested	Government response processess did not reflect Heiltsuk authority or remediation priorities

THE QUESTION IS NOT WHETHER CANADA RECOGNIZES INDIGENOUS TEACHINGS AND LEGAL SYSTEMS, BUT WHETHER IT IS WILLING TO BE GOVERNED AND CHANGED BY IT

LEARNED OF, NOT FULLY LEARNED FROM

Bioethics lens:

- **Who bears the consequences of institutional decisions?**
- **Whose interests are protected, and whose are overlooked?**
- **What does cultural competency look like when it's applied?**
- **What responsibilities do present generations have to future ones**

MEANINGFUL LEARNING REQUIRES:

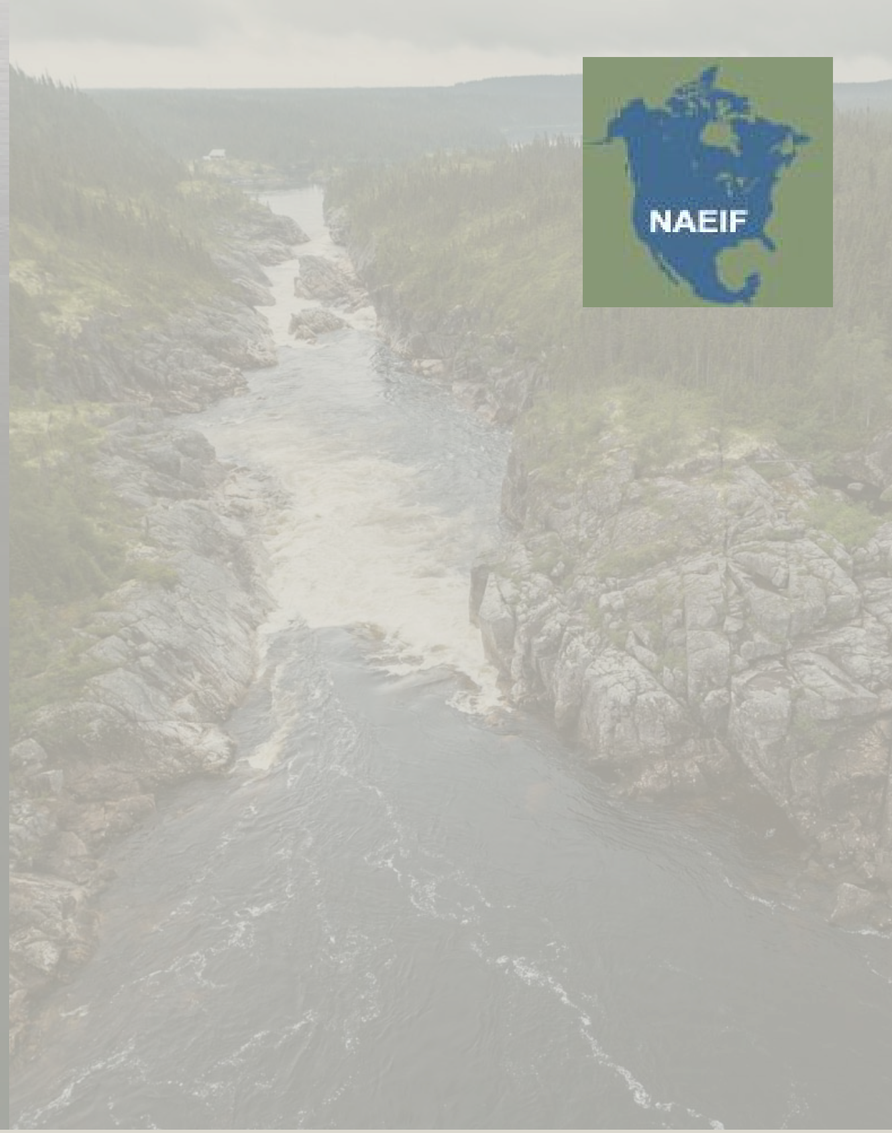
Recognizing Indigenous legal authority

Protecting nature beyond its economic usefulness

Holding institutions accountable to communities and future generations

THANK YOU.





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