

# Centring Indigeneity in Canada's Indo-Pacific Engagement

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## Issue

Canada's Indo-Pacific Strategy (IPS) insufficiently centres indigeneity in its implementation to the detriment to the country's engagement with the region — an improvement could inform other areas of Canada's foreign policy as well.

## Background

### Indigeneity in Canada's IPS

Canada's IPS establishes the country's approach to the region along five key pillars that facilitate diplomacy, trade and people-to-people connections with regional partners (Global Affairs Canada [GAC] 2022). The IPS includes measures focused on Indigenous peoples, both in Canada and the Indo-Pacific. For example, Pillar 2 — “Expanding trade, investment and supply chain resilience” — highlights the economic empowerment of Indigenous Canadian-Indo-Pacific networks. The IPS also supports education and skills development programs to connect Indigenous communities in Pillar 3, “Investing in and connecting people.” Furthermore, GAC (2022, 20) emphasises Canada's own responsibility in “[supporting] the implementation of the UN Declaration on the Rights of Indigenous Peoples” and “[pursuing] the path of reconciliation with First Nations, Inuit and Métis Peoples through enhanced Indigenous exchanges with regional partners” in the IPS document.

Despite notable commitments in the IPS's text, Canada's foreign policy in the Indo-Pacific still lacks sufficient inclusion of Indigenous perspectives. The IPS does not clearly articulate how the interests of Canada's Indigenous peoples are to be addressed by the initiatives that the IPS

is intended to guide. Moreover, the IPS overlooks the potential benefits — for both domestic and foreign policy — of drawing upon Indigenous approaches to conflict management and environmental stewardship. GAC can reconcile these shortcomings by looking at Canada's obligations under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which the country endorsed in 2016 and adopted as domestic positive law (Supreme Court of Canada 2024, para. 15) in 2021. The legal obligations outlined in the UNDRIP Act should guide all actions involving Indigenous peoples, including foreign policy. The UNDRIP Act obliges the government to grant full cultural, economic and civil rights to Indigenous peoples, including equality and non-discrimination. Moreover, UNDRIP reinforces these rights by securing the self-determination and self-government of Indigenous peoples by setting up their own institutions or by protecting their rights to land ownership and usage. UNDRIP also ensures the legal recognition of treaties and agreements with Indigenous peoples, as well as their right to redress and compensation for historic harms. Finally, signatories to UNDRIP are encouraged to uphold both inclusive decision-making processes and to grant Indigenous peoples access to participate in existing systems, including forums of conflict resolution.

The commitments that Canada has made through UNDRIP and the accompanying UNDRIP Act not only require GAC to align its practices with their obligations but also provide guidance for how to integrate Indigenous interests and approaches into the IPS in ways that strengthen it and potentially other areas of Canada's foreign policy too.

## Putting Indigeneity at the Centre

In the three years since its creation, the IPS has seen significant changes in the international system, which not only heightens the importance of Canada's engagement in the Indo-Pacific, but also creates new opportunities to address challenges in climate change and international trade. While, under these circumstances, it may be even easier to overlook Indigenous voices, this brief argues that their inclusion in Canada's foreign policy is now more important than ever to live up to Canada's democratic values. Elevating Indigenous interests and approaches in the IPS is, rather than a constraint on action, a means to empower the Strategy to succeed in an evolving geopolitical landscape.

## Domestic Benefits

First, strengthening Canada's domestic commitments to its Indigenous peoples is integral for being a progressive, liberal democracy and a defender of human rights. Canada's Truth and Reconciliation Commission (TRC) has deemed its colonial past a physical, biological and cultural genocide (TRC 2015, 1). In recognition of this history, Canada has committed to addressing and redressing the harm through efforts such as the TRC's investigation of the Indian Residential School System's legacy, and the establishment of a National Inquiry into Missing and Murdered Indigenous Women and Girls. These are steps in the right direction and should be commended as being far ahead of many other post-colonial states in reconciling with historical inequities. However, legitimate critiques point out that they remain Western-centric by insufficiently drawing upon Indigenous approaches to reconciliation (Ansloos 2017) and reinforcing victim-perpetrator categories over promoting constructive relationships (Arnold 2023; MacDonald 2021).

Similarly, acknowledging Indigenous peoples' centrality to the IPS sends a strong signal, but is not enough. It is crucial for the Canadian government to engage with various Indigenous groups to determine what the role of Indigenous peoples in the IPS should look like instead of fitting them into an existing foreign-policy framework. The Canadian government must also double-down on its domestic reconciliation efforts with Indigenous communities (Simon 2022), while opening them up for more holistic approaches of peace building and reconciliation (Ansloos 2017). This requires that both Canada's IPS and its TRC are properly understood as

whole-of-government approaches. Thus, its foreign policy must reflect Canada's domestic commitments to Indigenous peoples by making these commitments central to the IPS. Only then can the IPS achieve its stated "whole-of-society approach" (GAC 2022, 5f).

As noted above, by leveraging the IPS as a platform for Indigenous self-representation, Canada can draw upon the general provisions of UNDRIP. These include Article 36, which secures 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" (UN General Assembly 2007). Relatedly, Article 20 establishes Indigenous peoples' right to set up their own institutions for social and economic activities (*ibid.*). These international commitments already align with Pillars 2 and 3 of the IPS through the economic empowerment of Indigenous trade networks and enhancing the connection of Indigenous people through education and skill development respectively (GAC 2022). However, Indigenous peoples' access to trade can be better fostered by putting the stewardship of existing fora and programs into the hands of Indigenous peoples themselves.

Moreover, UNDRIP Article 19 obligates states to seek consent with Indigenous peoples for adopting legislative and administrative measures that affect them (UN General Assembly 2007). The measures under the IPS affect both Indigenous peoples in Canada and in the Indo-Pacific. Thus, they should be involved in the specification and implementation of these measures in an inclusive manner.

UNDRIP Article 40 affords Indigenous peoples the right to access conflict resolution procedures with states or other parties by respecting both Indigenous peoples' own customs and (legal) rules on top of their rights granted by international law (*ibid.*). Here, Canada has experience through its involvement of the Inuit during its 2022 Hans Island dispute settlement with Denmark. This is an exemplary demonstration of a government obtaining the free, prior and informed consent (FPIC) in the design of an inter-state agreement, which ensures Indigenous peoples' free movement on the island. The settlement is thus consistent with Article 32, which establishes the obligation to obtain FPIC and the freedom of movement of Indigenous peoples on their land granted through Article 36 (*ibid.*). However, there is room for improvement in the Hans Island model, which provided Indigenous groups

limited stewardship (Macneill 2023). Canada should make greater efforts to ensure conflict resolutions that are not only consultative, but comprehensively inclusive.

## Foreign Policy Benefits

Centring indigeneity in its IPS also presents an opportunity to leverage a unique value of Canadian foreign policy to Western engagement with the Indo-Pacific. Strong relationships with its Indigenous peoples help to form a distinct Canadian identity abroad, setting it apart from other countries engaging in the region. Canada's existing efforts to reconcile with Indigenous peoples and its adoption of UNDRIP into domestic law make it a valuable partner. The ability to inclusively approach issues affecting Indigenous peoples in the Indo-Pacific will enhance the IPS' effectiveness. Moreover, Canada has experience in bringing people together and a good understanding of the position of states in the region (see Hardie 2024). Together, these capacities can fill the gap that Hugh Stephens, the vice-chair of the Canadian Committee on Pacific Economic Cooperation, identified when he testified before the House of Commons' Special Committee on the Sino-Canada relationship, saying: "Canada must prove that it has something unique to offer to states in the region" (*ibid.*, 33). It is crucial, however, that Indigenous peoples from both Canada and the Indo-Pacific are directly involved in the issues affecting them.

Centring indigeneity into Canada's IPS may also create other strategic opportunities in the region. Promoting Indigenous business will draw investment into domestic economies, especially in rural areas. Supporting the inclusion of Indigenous peoples into the international market can help ease the productivity gap between Indigenous and non-Indigenous communities, potentially increasing Canada's GDP by CDN\$26.7 billion (National Indigenous Economic Development Board 2024).

Ensuring that firms adhere to FPIC in their foreign investment will make them more appealing to Indo-Pacific countries. Representation of both Indigenous voices and interests in the region can be expanded into leadership on climate change and sustainability, strengthening Canada's diplomatic footprint. As Stephens (2023) argues, aligning the values and aspirations of Canada with Indo-Pacific countries might not always be easy. But Canadian values, including the reconciliation with Indigenous peoples, are a central part of the IPS. In both living up to its UNDRIP commitments and bolstering the IPS, this brief makes the following recommendations.

## Recommendations

### **Facilitate Indigenous participation and incorporate indigeneity into its IPS in a way that improves Canada's "brand" to both the domestic and the international audiences.**

Establishing a joint working group between GAC and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) to facilitate communication between the two Ministries. The working group should have an emphasis on informing CIRNAC of how international partners perceive Canada's reconciliation efforts and areas where more attention would improve the perception of its relationship with its Indigenous peoples. CIRNAC should also use this communication to share more information on Canada's reconciliation programs, providing GAC personnel with the tools to share specifics on the country's efforts to help align partner governments' perceptions with the reality.

### **Foster Indigenous peoples' access to trade to enable the expansion of their trade networks.**

A good starting point would be to strengthen the already existing cross-connections with domestic programs to support the foundation and operation of Indigenous-led businesses as the CanExport program does for export-oriented trade. A further improvement would be the inclusion of official bodies as GAC's trade-focused Indigenous Working Group also in other formalization processes besides those for international free trade agreements and the Indigenous Peoples Economic and Trade Cooperation Arrangement. Their advisory role could be expanded to future refinements of the IPS and the design of trade-related, follow-up measures and projects. Crucially, Canada must support fully Indigenous-led exchanges, in which the leadership of the process is put in the hand of Indigenous delegates from Canada and Indo-Pacific countries.

### **Promote Indigenous-led conflict resolution models that improve the sustainability of peace to support regional security without imposing on Indo-Pacific partners.**

Echoing recommendation 17 of the House of Commons' Special Committee — to "establish a knowledge exchange program on Indigenous issues with the governments and Indigenous Peoples from Canada or the Indo Pacific in the Indo-Pacific region" (Hardie 2024,66) — GAC should support similar exchanges focused on Indigenous conflict resolution, led by Indigenous peoples themselves, to foster more enduring peace (Autessere 2021). When Canada engages in or supports such efforts, it should adopt "an

Indo-Pacific-style approach to dispute resolution, one that is based on cooperation between equals and respect for the history and culture of the nations in the region” (ibid., 7). In alignment with UNDRIP Article 40, GAC must ensure these approaches are fully inclusive, not merely consultative.

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