The United Nations Declaration on the Rights of Indigenous Peoples

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Office Hours: Thursdays 3:30 pm-4:30 pm or by appointment

Course Description
The federal government has committed to implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). What exactly does this require? How would final passage of Bill C-262, the proposed United Nations Declaration on the Rights of Indigenous Peoples Act impact this commitment? This course provides a comprehensive introduction to UNDRIP as an international human rights document. The goal is for you to develop an understanding of the type of obligation that human rights documents such as UNDRIP create and of the specific obligations that UNDRIP sets out. In your final research paper you will be asked to discuss specific policies and/or legal regimes within Canada that are implicated by the obligations set out in UNDRIP

This course is reading-intensive and writing-intensive. Required components include a short research paper, a group presentation and a long research paper. You will be expected to complete all the assigned reading and to actively participate in both the seminar and the group presentation.

Evaluation
1-page reflection on readings (x5) 15%
#1 due before class begins Jan 10
#2 due before class begins Jan 17
#3 due before class begins Jan 24
#4 due before class begins Jan 31
#5 due before class begins Feb 7

5-7 page paper 25%
due before 4 pm Tues Feb 26

Group presentation 20%
Scheduled Mar 18-28

12-18 page research paper 40%
due before 4 pm Wednesday April 10

Late assignments and papers will be penalized in the amount of 5% per 24 hours they are late to a maximum of 30%.

Grading Scale:

1-page reflection on readings due before class begins on the date they are due. Reflections handed in after class begins will be considered late.
The 5-7 page paper and 12-18 page paper may be handed in as a paper copy to my metal mailbox in the Philosophy Department or electronically by email or to CourseSpaces.

N Grades
Students who have completed both the 5-7 page paper and the 12-18 page paper will be considered to have completed the course and will be assigned the percentage achieved from the components completed. Failure to submit one of the papers will result in a grade of “N” regardless of the cumulative percentage on other elements of the course. N is a failing grade and factors into GPA as a value of 0.

CourseSpaces
A CourseSpaces page has been set up for this course. You may access it by signing in with your netlink id. This page will be used to post announcements, to give you online resources, handouts and assignment sheets and to construct the groups and facilitate communication for the group presentation. Please note that I will not be monitoring any online chats or billboards that CourseSpaces enables. This means that you cannot rely on me to catch and correct mistakes in postings by fellow students, nor can you rely on me to ensure a civil tone. That said, the University’s Policy on Human Rights, Equity, and Fairness, and the Discrimination Harassment Policy apply to all activity on CourseSpaces as well as in our classroom. For more information about the responsibilities of all members of the UVic community, including students, to create and maintain a respectful and productive learning environment please see the “General University Policies” section of the academic calendar (https://web.uvic.ca/calendar2019-01/general/policies.html).

Learning Supports
I encourage all students to take advantage of the extensive range of learning supports available on campus. Many of these, such as the Research Help Desk (http://www.uvic.ca/library/research/refdesk/) and the Centre for Academic Communication (http://www.uvic.ca/learningandteaching/students/home/centre/) may be found in the Learning Commons, located on the main floor of the McPherson Library, (http://www.uvic.ca/library/locations/home/learning/).

Academic Integrity
Any and all sources used in preparing work that is submitted for evaluation must be acknowledged. This includes websites and other students’ work. Failing to acknowledge sources that have been used and/or where in your work material taken from these sources appears constitutes plagiarism. Plagiarism and other forms of cheating, as well as aiding others to cheat by posting assignments and lecture notes to note-sharing sites such as CourseHeroes is contrary to the University’s academic regulations, and shows a profound lack of respect for myself, for fellow students and for the university as an institution of higher learning. It will not be tolerated.

The University’s expectations, procedures and the penalties for academic dishonesty are set out in the Policy on Academic Integrity. You can find this Policy in the Undergraduate Calendar (http://web.uvic.ca/calendar/FACS/UnIn/UARe/PoAcI.html). The University Library has information designed to assist students in understanding and adhering to the University’s expectations with respect to plagiarism.
I strongly advise you to consult both the Policy on Academic Integrity and the Library’s resources on proper citation.

**Texts**


- **Coursepack**

**Schedule of Readings**

The following is the anticipated schedule of readings and assignments. Dates and readings may be modified over the course of the year. Such changes will be announced ahead of time.

Jan 7, 10


1-page reflection on readings #1 due Jan 10 at beginning of class

Jan 14, 17


1-page reflection on readings #2 due Jan 17 at beginning of class

Jan 21, 24


Michaela Pelican, “Insights from Cameroon: Five years after the Declaration on the Rights of Indigenous Peoples” Anthropology Today 29:3 (June 2013), 13-16

Joel Wainwright and Joe Bryan. “Cartography, territory, property: postcolonial reflections on indigenous counter-mapping in Nicaragua and Belize” Cultural Geographies 16 (2009), 153-178

1-page reflection on readings #3 due Jan 24 at beginning of class

Jan 28, 31
Asia Pacific Forum of National Human Rights Institutions and the Office of the United


1-page reflection on readings #4 due Jan 31 at beginning of class

Feb 4, 7


Cindy Holder, “Culture as an Activity and Human Right: An Important Advance for Indigenous Peoples and International Law”, *Alternatives* 33 (2008), 7-28

1-page reflection on readings #5 due Feb 7 at beginning of class

Feb 11, 14
- Chapter 1. Aboriginal Rights, pp. 1-58
- Chapter 2. Aboriginal Title pp. 65-66, 72-108
- Chapter 4. Modern Treaties and Land Claims pp. 165-201
- Chapter 9. Metis Rights pp. 419-457

Feb 18, 21 NO CLASS: Reading Break

Feb 25, 28
- 5. Federal Authority pp. 202-242
- 6. Indian Reserve Land and Related Tax Matters pp. 243-298
- 7. Provincial and Territorial Authority pp. 299-329

5-7 page paper due Tuesday Feb 26 before 4 pm


Mar 18, 21 Group Presentations

Mar 25, 28 Group Presentations

Apr 1, 4 Group Presentations

12-18 page paper due Wednesday, April 10 before 4 pm