



International
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JACK & MAE
NATHANSON CENTRE
ON TRANSNATIONAL HUMAN RIGHTS, CRIME AND SECURITY



Conference Agenda

Participation of Indigenous Peoples in the UNDRIP Implementation in Canada- Prospects and Challenges in light of Parallel International Law September 21, 2018 *Osgoode Hall Law School, York University*

The International Law Association (Canada) and the Nathanson Centre, Osgoode Hall Law School York University, welcomes you to its collaborated conference on the Participation of Indigenous Peoples in UNDRIP's implementation in Canada-Prospects and Challenges in Light of Parallel International Law.

The need for constructive engagement on the prospects of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) to facilitate change in the lives of Indigenous Peoples becomes more important since Canada has pledged to implement the declaration. This conference is a contribution to the discussion on what considerations should inform Canada's UNDRIP implementation and looks at challenges and strategies that may influence UNDRIP implementation outcomes. The considerations that should guide UNDRIP's implementation are diverse, and if implementation is to be meaningful, must cut across economic, cultural, legal and social spectrums. The focus is intended to be on substantive implementation and not directly on the variety of formal mechanisms of implementation, although for some presentations the two may be closely intertwined. Issues that the conference will address include: (1) climate change and the rights of Indigenous Peoples in Canada, (2) how Canada's trade agenda fits with UNDRIP implementation, (3) implementation of various concrete rights found in UNDRIP such as Indigenous women's rights, labour rights, and language rights, (4) international economic law and the protection of intangible Indigenous rights (in conventional terms, intellectual property, moral rights and so on) in Canada. Further, (5) the United Nations Sustainable Development Goals (SDGs) and their intersection with the domestic application of international law are also a relevant dimension of the conference theme. A final priority theme is (6) the role of UNDRIP and Free, Prior and Informed Consent (FPIC) with respect to corporate social responsibility and legal accountability, and related state obligations, in extractive industries in Canada and abroad.



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9:30-9:50am **Registration and Breakfast**

9:50-9:55am **Welcome address**

Dr. Konstantia Koutouki, President ILA-Canada; Professor, Université de Montréal

9:55-10:00am **Introduction of Keynote Speaker**

Dr. Oonagh E. Fitzgerald, ILA-Canada (Board member); Director, International Law Research Program, Centre for International Governance Innovation

10:00-10:30am **Opening Session: Keynote Speaker**

Sara Mainville, Legal counsel, Strategic advisor and Negotiator, Olthius Kleer Townshend LLP
"UNDRIP: The Four Pillars that will lead to fulfilling Legal Obligations within Treaty relationships with Indigenous Peoples in Canada"

10:30-12:00pm **Prospects for Indigenous Peoples Self-determination in UNDRIP**

Chair: Professor Amar Bhatia, Osgoode Hall Law School, York University

Anna Flaminio, Post-doctoral Fellow, University of Alberta, "Using a kinship model in UNDRIP for Criminal Justice Reform"

Tracy Coates, Coordinator, Aboriginal Studies and Long-Term Appointment Professor, University of Ottawa, "Leveraging the UNDRIP & TRC calls to action in praxis: Decolonizing and Indigenizing Post-Secondary Education"

Laura Sharp, JD (cand) Osgoode Hall Law School; Osgoode Indigenous Student Association, "UNDRIP and Indigenous Education"

Risa Schwartz, "Trade, Indigenous Peoples rights and Environmental Law", International Law Practitioner

12:00-1:00pm

Lunch

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- 1-2:30pm ***Exploring UNDRIP's connection with other International Instruments and Norms***
Chair: Professor Maggie Quirt, Faculty of Indigenous Studies, Department of Equity Studies, York University
Patricia Galvao, A/Professor of Law, University of Windsor, "Integrating UNDRIP in Canadian Climate Action: Discourse versus Practice"
Mohammad Hasan, PhD candidate, Osgoode Hall Law School, York University, "Can SDG Framework Embolden Canada Implementing UNDRIP?"
Alexandra Harrington, 2018 - 2019 Fulbright Canada Research Chair in Global Governance, "Governing the Sustainable Development Goals: Lessons from Governance Issues Relating to the UNDRIP"
Basil Ugochukwu, Research Fellow, Centre for International Governance Innovation "Implementing UNDRIP in Canada: Any Role for Corporations?"
- 2:30-2:45pm ***Afternoon Health Break***
- 2:45-4:15pm ***Sustaining Cultural and Socio-Economic connections with UNDRIP's Implementation***
Chair: Katherine Lofts, Managing and Research Director, Nomomente Institute
Paul-Emile McNab, Director, Business Development and Strategic Initiatives, Canadian Council for Aboriginal Business "The Aboriginal Relations Program and UNDRIP-Opportunities for Strategic Linkages"
Jenna Davidson, Msc (cand), York University, "Intangible Cultural Heritage in Planning and Policy"
Oluwatobiloba Moody, Post-doctoral Fellow, Centre for International Governance Innovation "Canada's Indigenous Intellectual Property: Advancing Domestic Norms through Progressive Trade"
Daniel Dylan, Assistant Professor of Law, Lakehead University, "Implementing UNDRIP Article 31 in Canada"
- 4:15-4:20pm ***Closing Remarks:*** Marsha S. Cadogan, ILA-Canada (Board member); Post-doctoral Fellow (International IP), Centre for International Governance Innovation

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Abstracts

Using a kinship model in UNDRIP for Criminal Justice Reform, Anna Flaminio, Post-doctoral Fellow, University of Alberta

My research considers Indigenous laws and their application to criminal justice reform. I apply a “kinship-visiting” Indigenous lens and decision-making procedural approach to assist in the reparation of kinship relationships in criminal law and family law disputes. The United Nations Declaration of the Rights of Indigenous Peoples [UNDRIP] references Indigenous decision-making institutions within articles 18 and 34, considering the right to develop their indigenous decision-making institutions and the right to develop institutional structures and juridical systems or customs. The TRC Calls to Action 42 and 50 should be read together to strengthen the establishment and continuance of Indigenous justice systems, and Indigenous law institutes. My research proposal applies very concrete rights by suggesting a new trans-Indigenous kinship-visiting procedural approach in criminal justice forums, and contemplates the viability of future Indigenous law forums, such as Indigenous law institutes in Canada.

Trade, Indigenous Peoples rights and Environmental Law, Risa Schwartz, International Law Practitioner

The introduction of a Trade and Indigenous Peoples chapter in NAFTA 2.0 negotiations between Canada, the United States and Mexico seemed to catch many by surprise. However, First Nation and Native American organizations had been pushing for recognition of Indigenous rights in international trade agreements, dating back to the late 1980s, spurred on by the negotiations for the Canada-United States Free Trade Agreement. However, the necessity of a chapter which protects Indigenous rights only tells half the story, as the promotion of Indigenous people trade, especially trade between Indigenous Nations, is an important objective for the chapter’s supporters. This presentation will set out the context for the development of Trade and Indigenous Peoples chapter and provide the rationale for some of the proposals that may be addressed in a finalized text, whether in NAFTA 2.0 or other regional trade agreement under renegotiation. The intersections between the proposed Trade and Indigenous Peoples chapter with other social economic equity chapters such as gender, environment and labour will be explored. As well, the presentation will consider the precedential value of an Indigenous Peoples chapter in the larger context of international law and how it supports self-determination of Indigenous peoples as expressed by the *United Nations Declaration on the Rights of Indigenous Peoples*; which includes social and economic rights and right to participate in decision making for matters that may affect those rights.

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Integrating UNDRIP in Canadian Climate Action: Discourse versus Practice, Patricia Galvao Ferriera, A/Professor of Law, University of Windsor

Canadian Indigenous Peoples are among those who contributed least to Canada's share of global greenhouse gas emissions responsible for climate change. Nonetheless, they are disproportionately vulnerable to the impacts of global warming, for they rely on ecosystems that are particularly sensitive to climate. They are also particularly vulnerable to potential unintended consequences of national climate laws and policies to their rights and livelihoods. In an effort to restore its relationship with Canada's First Nations, Métis, and Inuit peoples, the Canadian government has committed to implementing the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). From a climate justice perspective, and from an international law perspective, Canadian indigenous peoples are entitled to actively participate in the discussions of Canada's nationally determined contribution to global climate action under the United Nations Framework Convention on Climate Change (UNFCCC). This paper contrasts the narrative and the practice of the government of Canada when incorporating the voices and interests of Aboriginal peoples in relevant processes to design and to implement climate change laws and policies following the 2015 Paris Climate Agreement. The paper seeks to investigate to what extent Canada is integrating its parallel international obligations under both the UNDRIP and the UNFCCC.

Can SDG Framework Embolden Canada Implementing UNDRIP?, Mohammad Hasan, PhD candidate, Osgoode Hall Law School, York University

Canada's promise to implement the United Nations Declaration on Rights of Indigenous Peoples (UNDRIP) by the Constitution into Section 35 to recognize the rights of Indigenous Peoples is yet to be accomplished. Articles 19 and 32(2) of the Declaration confirm that the governments must consult in good faith with Indigenous peoples through their (Indigenous) institutions to obtain their right to free, prior and informed consent (FPIC) before adopting or implementing legislative or administrative measures that may affect them. Governments must comply with the declaration before approval of projects that may affect lands, territories or resources of Indigenous peoples. Although the Prime Minister and the Supreme Court of Canada recognize government's 'duty to consult' with Indigenous peoples and their right to FPIC, those actions do not support the authorities of Indigenous communities over any development project to say 'no' in their territories. This paper will analyze Canada's current position regarding the protection of rights and authority of Indigenous peoples in extractive industries under international law. Some of the Indigenous related goals, targets, indicators, and review of the progress of the United Nations'

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Sustainable Development Goals (SDGs) call for engagement, participation, and empowerment of Indigenous peoples in implementing the Agenda in country level. Since the Canadian government has committed to implement the Agenda nationally and abroad, the paper will investigate Canada's improvement on Indigenous related goals, targets and indicators, evaluate whether the SDG framework including a set of country-specific SDG indicators can hold the government accountable to implement UNDRIP to building meaningful partnerships among all provincial and territorial governments, the private sector, and rights holders.

Governing the Sustainable Development Goals: Lessons from Governance Issues Relating to the UNDRIP, Alexandra Harrington, 2018 - 2019 Fulbright Canada Research Chair in Global Governance

The Sustainable Development Goals (SDGs) represent a myriad of possibilities for recognition, growth and development of indigenous communities. In many instances, these SDGs do not explicitly refer to indigenous community rights but rather include them in a larger construction of goals and targets, creating both a positive impact and a negative impact for the specific needs of these communities. Many of these goals, such as those relating to land rights and land use, directly intersect with the terms of the UNDRIP and offer an unparalleled opportunity for their achievement. As Canada begins to implement the UNDRIP, it will be essential that it examine the SDGs in many ways. This paper will discuss an essential, yet often over looked, aspect of the SDGs – their governance. The paper will examine the governance provisions of the SDGs, how they intersect with the terms of the UNDRIP, and the ways in which they have functioned to date. It will also examine the ways in which these key aspects of the SDGs have been incorporated into the governance mechanisms used by other states in implementing the UNDRIP's terms. Finally, the paper will offer suggestions regarding Canadian implementation of the UNDRIP against this background.



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Implementing UNDRIP in Canada: Any Role for Corporations? Basil Ugochukwu, Research Fellow, Centre for International Governance Innovation

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) prescribes how the rights of indigenous populations are to be protected in the context of nation states that are members of the United Nations. There is, however, little doubt that the obligation placed on states by the Declaration would require contributions from corporations for them to be attained. Clearly, the UNDRIP is not directed at corporations as it did not mention them at all. On the contrary, corporations have been implicated repeatedly in environments where massive violations of indigenous rights have occurred in different regions of the world. The main argument is that corporate contributions are essential for the effective implementation of UNDRIP in Canada. Notably, a good number of Canadian corporations indicate commitment to respect indigenous rights and interests in their corporate social responsibility policies. This obviously is in recognition that they have a significant role to play in actualizing Canada's responsibilities towards its indigenous populations. The objective of this presentation to identify and analyze sample indigenous corporate policies of a range of Canadian corporations across industry sectors. The purposively chosen policies will be analyzed for their content, language, weaknesses, and possible impact on UNDRIP implementation. In particular, attention will be paid to whether the chosen policies have enough ingredients to meaningfully contribute to the achievement of UNDRIP goals and indicate what possible impact they could make.

Aboriginal Businesses and the Path to Economic Reconciliation, Paul Emile McNab, Director, Business Development, Canadian Council for Aboriginal Business

Paul Emile McNab's presentation focuses on the significant impact of Aboriginal businesses and Aboriginal communities on Canada's economy. The Aboriginal population is the fastest and youngest growing segment in the country. The presentation discusses how changes in judicial perception of Aboriginal rights, various corporate social responsibility projects, and strategic collaborations amongst Aboriginal communities are creating progressive Aboriginal relationships and partnerships.



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Intangible Cultural Heritage in Planning and Policy, Jenna Davidson, Masters in Environmental and Planning (candidate) York University

Heritage management has historically and institutionally played a role in nation building around Canada's colonial narrative by systemic privileging of the artefactual culture of dominant settler communities. It has largely been designed to maintain and perpetuate a national image that does not acknowledge the inherent past and living traditions of Indigenous communities, which expand continuously since time immemorial. The Western paradigm that recognises physical and concrete evidence of historical interaction with land is not compatible to the non-material, intangible manifestations of Indigenous customs that exist. Although heritage has overwhelmingly underrepresented Indigenous peoples and cultures (Andrews & Buggiey, 2008), heritage planning that is designed and facilitated by Indigenous communities has significant potential for the repatriation of their languages, practices and lands. This paper aims to provide a conceptualizing framework for future cultural heritage management by describing Intangible Cultural Heritage (ICH) as it relates to the conservation of Sacred Natural Sites, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and Two-Eyed Seeing (Etuaptmumk) in policy and strategic planning. It is important that more research is conducted to explore the integration of ICH into broader institutional settings, and its role in the assertion of rights to cultural practice and self-determination.

Canada's Indigenous Intellectual Property: Advancing Domestic Norms through Progressive Trade, Oluwatobiloba Moody, Post-doctoral Fellow, Centre for International Governance Innovation

Provisions aimed at protecting the traditional knowledge of indigenous peoples have become an increasingly popular feature within free trade agreements. Canada, for instance, as part of its progressive trade agenda has proposed an Indigenous chapter for the renegotiated NAFTA – one which is expected to address issues of traditional knowledge. Several other agreements, such as the TPP, have typically addressed such indigenous issues within the context of their environmental and/or intellectual property chapters. This rising trend comes at a time when the international community is faced with the implementation of the Nagoya Protocol, and a difficult negotiating process at the World Intellectual Property Organization (WIPO) towards agreement on an international instrument(s) addressing the protection of traditional knowledge. Canada plans to ratify the Nagoya Protocol, and is deeply involved within WIPO's negotiations. Within the context of implementing article 31 of the United Nations Declaration on the Rights of Indigenous Peoples – which guarantees Indigenous peoples the right to maintain, control, protect and develop their traditional knowledge (as well as the intellectual property over such knowledge)

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this paper examines how Canada's progressive trade agenda could complement international frameworks to secure Article 31 rights for Indigenous peoples in Canada.

Implementing UNDRIP Article 31 in Canada, Daniel Dylan, Assistant Professor of Law, Lakehead University

UNDRIP Article 31 provides that "Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions...[and]...have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions." Legal protection for indigenous traditional knowledge (TK) is a legal issue which WIPO has been significantly addressing for several years. In comparison, federal, provincial and territorial governments in Canada have done much less to address the same issue in this country, leaving serious gaps in Canada's intellectual property rights regime unfilled. Despite the definitional and jurisdictional problems legal protection for TK presents to Canada's legal and political order, given Canada's endorsement of UNDRIP and the passage of Bill C-262 in the House of Commons, it is imperative that serious attention be given to the implementation challenges this broad and complex legal issue presents. This paper therefore proposes that the federal government ought to assume exclusive jurisdiction over TK and, under the auspices of the Canadian Intellectual Property Office (CIPO), establish an Office of Indigenous Knowledge Governance to strategically work with Indigenous Communities in Canada to meet the mandates demanded by Article 31.



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Biography of Conference Participants

Amar Bhatia

Amar Bhatia is an Assistant Professor at Osgoode Hall Law School, York University, Canada. He teaches property law, refugee law, and globalization & the law. His research focuses on transnational migration in a settler-colonial context and the intersection of immigration law, Aboriginal law, treaty relations, and Indigenous legal traditions. Semi-recent publications include 'We are all here to stay? Indigeneity, migration and "decolonizing" the treaty right to be here' (*Windsor Yearbook of Access to Justice*, 2013 [2015]) and 'The South of the North: Building on Critical Approaches to International Law with Lessons from the Fourth World' (*Oregon Review of International Law*, 2012).

Alexandra Harrington

Dr. Alexandra Harrington's publications address a variety of fields relating to international law, including environmental law, legal issues relating to climate change, natural resources regulation, international organizations, international human rights law, international child's rights, international trade law, corporate social responsibility, and criminal law, as well as domestic fields such as constitutional law and military law. Dr. Harrington routinely presents her works at domestic and international conferences. She also serves as a member of the CISDL Board of Directors and a member of the Global Health Committee of the Global Health Center at the SUNY Albany School of Public Health. She has served as a professor at the University of Montreal Centre d'Etudes et de Recherches Internationales summer programs and as a Consultant to the Commission for Environmental Cooperation of the North American Agreement on Environmental Cooperation.

Anna Corrigan Flaminio

Dr. Anna Corrigan Flaminio is Metis from St. Louis, Saskatchewan. She has worked with Indigenous peoples and organizations for over 25 years. Anna completed her legal education at the University of British Columbia (JD), University of Saskatchewan (LLM), and the University of Toronto (SJD). Her doctoral research on Indigenous laws (Metis, Cree, Anishnaabe) and their applicability within Canadian courts is supported by the June Callwood Fellowship of Aboriginal Law, a Chancellor Jackman Fellowship, and by the Centre for International Governance Innovation. Anna is a Postdoctoral Fellow at the Faculté Saint Jean at the University of Alberta.

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Basil Ugochukwu

Dr. Basil Ugochukwu is a research fellow with the Centre for International Governance Innovation's (CIGI) International Law Research Program. At CIGI, his current research focuses on how to reflect human rights and sustainable development goals in climate mitigation and financing projects. This includes analyzing regulatory and human rights risks that could result from market-based mechanisms in Article 5 and use of internationally transferred mitigation outcomes to achieve nationally determined contributions in Article 6 of the Paris Agreement. Basil holds an LL.B. (Common Law) from Abia State University, an LL.M. from Central European University in Hungary, a teaching certificate from York University and a Ph.D. from Osgoode Hall Law School, where he was lead editor of Osgoode Hall Review of Law and Policy.

Craig M. Scott

Professor Craig Scott's teaching and research have been primarily in the fields of public international law and private international law, with a focus on the place of international human rights law in both of these fields. His most recent work draws on all three of these fields, including in the areas of human rights torts across borders, transnational corporate accountability and transitional justice. He has also written on constitutional rights protection in Canada and abroad. Much of his work has been on the theory and doctrine of economic, social and cultural rights. His work and teaching is strongly influenced by his interests in legal theory and in policy responses to globalization. He is series editor of Hart Monographs in Transnational and International Law, and is Founding Editor of Transnational Legal Theory. From March 2012 to October 2015, he served as Member of Parliament for Toronto-Danforth in Canada's House of Commons, and was the New Democratic Party's Official Opposition Critic for Democratic and Parliamentary Reform.

Daniel Dylan

Professor Daniel Dylan is an assistant professor at the Bora Laskin Faculty of Law, Lakehead University, in Thunder Bay, Ontario. He teaches Contract Law, Evidence Law, and Intellectual Property Law & Indigenous Knowledge Governance. In the past he has also taught Professional Responsibility, Legal Research and Writing, and undergraduate courses in Aboriginal law and Human Rights law. He clerked at the Federal Court for two years, and is a former lawyer in the Government of Nunavut Department of Justice, where his practice focused on Impact Review Assessments, Wildlife, Natural Resources law.

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Jenna Davidson

Jenna Davidson is pursuing a Master's in Environmental Studies and Planning at York University. With a B.A. in Environmental Studies and Anthropology from the University of Victoria, BC, and previous work in parks, environmental management and community outreach, she continues to expand her interests in sustainable community development. Jenna has volunteered, studied and travelled in countries such as Italy, Guatemala, Peru, Cuba, India, Nepal and Indonesia, all the while committed to building relationships and exploring diverse perspectives. Her graduate research considers the interplay of planning practices with the environmental and cultural narratives of Indigenous and non-Indigenous peoples in North America.

Katherine Lofts

Ms. Katherine Lofts, LL.M, B.C.L. / LL.B. (McGill), M.A. (McGill), B.A. Hons. (University of Victoria). Ms. Lofts has graduate degrees in both law and English literature from McGill University. She is passionate about creating a more just and sustainable world, and has worked extensively at the intersections of environmental governance, human rights, and climate change over the past decade. She is currently the Managing Director of Nomomente Institute, as well as a Research Associate with the Law, Governance and Society Lab at McGill, and a Legal Research Fellow with the Centre for International Sustainable Development Law. Ms. Lofts is originally from the Vancouver Island, British Columbia, and has lived and worked in the UK, the US, France, India and Singapore.

Konstantia Koutouki

Dr. Konstantia Koutouki is a professor of law at the Université de Montréal, Executive Director of Nomomente Institute, Lead Counsel for Natural Resources with the Centre for International Sustainable Development Law at McGill University and President of ILA-Canada. Her research examines the links between international trade, intellectual property, and environmental protection. She has extensive experience working on issues concerning social, economic and cultural development of Indigenous and local communities, as well as the preservation of natural spaces and traditional knowledge. She has first-hand experience with Indigenous and local communities around the world, where she has spent much time as a guest and researcher.

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Maggie Quirt

Professor Maggie Quirt teaches on Indigenous Studies in the Faculty of Liberal Arts and Professional Studies at York University. Her research has focused on Northern residential schools; reconciliation and restitution; human rights of Indigenous peoples and legacies of settler colonialism. Her MA thesis (English with a Special Emphasis on Contemporary Social and Political Theory) was on internment as social control, while her PhD in Canadian Studies was on citizenship identity (rights, loss of rights, etc) as portrayed in literary texts. She teaches several Indigenous courses including racism and colonialism, Indigenous Peoples and Education, and Indigenous sovereignty.

Marsha S. Cadogan

Marsha S. Cadogan is a post-doctoral fellow in international intellectual property rights law (IP) at the Centre for International Governance Innovation. Her research includes trade and intellectual property, innovation and intellectual property and intellectual property, tax and competition policy. She has a keen interest in the relationship between intellectual property policy and sustainable development in minority communities in developed and emerging economies. She is called to the Bar of Ontario.

Mohammad Hasan

Mohammad Hasan is a Ph.D. candidate at Osgoode Hall Law School. His doctoral research focuses on how Indigenous peoples articulate their claims of environmental justice during their resistance movement using the case study of the Phulbari Coal Project in Bangladesh as an example. He completed his MA in Legal Studies from Carleton University, Ottawa. Mohammad completed an LLB with honors and LLM from the University of Dhaka. Throughout his academic career, he has researched different environmental issues. His published articles and unpublished working papers highlight engagement of Indigenous peoples in decision-making processes, environmental justice, biodiversity conservation and human rights. He is an activist and is involved in a justice movement for prosecuting war criminals from the 1971 liberation war in Bangladesh.

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Oluwatobiloba (Tobi) Moody

Oluwatobiloba (Tobi) Moody is a post-doctoral fellow with CIGI's International Law Research Program (ILRP). In this role, he researches international law and governance pertaining to intellectual property with a specific focus on the protection of traditional knowledge and genetic resources. Tobi has a Ph.D. in intellectual property from Queen's University, where he studied as a Vanier scholar, an LL.M. in international trade and investment law from the University of the Western Cape in South Africa, a B.L. from the Nigerian Law School and an LL.B. from the University of Ibadan in Nigeria.

Oonagh E. Fitzgerald

Oonagh is the Director of the International Law Research Program at the Centre for International Governance Innovation (CIGI). Oonagh oversees CIGI's international law research agenda which includes policy relevant research on issues of international economic law, environmental law, intellectual property law and innovation, and Indigenous law. She has extensive experience as a senior executive providing legal policy, advisory and litigation services and strategic leadership in international law, national security, public law, human rights and governance to several federal departments including Justice Canada, National Defence and the Canadian Forces, and the Privy Council Office. Oonagh has taught at the University of Ottawa, as well as Carleton University, l'Institut international du droit de l'homme in Strasbourg, and the International Institute of Humanitarian Law in San Remo. She has a B.A. (honours) of fine arts from York University, an LL.B. from Osgoode Hall Law School, and was called to the Bar of Ontario in 1983. She holds an LL.M. from the University of Ottawa, an S.J.D. (Doctor of Juridical Science) from the University of Toronto, and an M.B.A. from Queen's University.

Patricia Galvao-Ferreira

Dr. Patrícia Galvao Ferreira is Assistant Professor in Transnational Law at the University of Windsor Faculty of Law, and a Fellow at CIGI's International Law Research Program. She specializes in international law and global governance, with a focus on environment and natural resources management. Dr. Galvao Ferreira current research projects examine the role of emerging economies in reshaping international environmental law and global environmental governance, particularly as it affects efforts to promote global justice and sustainable development.



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Paul-Emile McNab

Paul-Emile McNab is the Director of Business Development and Strategic Initiatives at the Canadian Council for Aboriginal Business. He has over fourteen years of experience in research, consulting and business development. He has a Masters in Environmental Studies from York University, with a focus on Indigenous knowledge. He has conducted research projects on a Métis narrative of the War of 1812-14 for the Métis Nation of Ontario, the Ontario Aboriginal Business Survey 2014 and led the National Aboriginal Business Survey, which was released in 2016. He is a Métis scholar who has been published in numerous books, articles and magazines. He is of Métis descent with ancestors attached to Métis Scrip applications and currently resides in Toronto.

Risa Schwartz

Risa Schwartz is a sole practitioner, focusing on international law and the intersections between trade law, environmental law and Indigenous rights. Risa was formerly a senior research fellow with CIGI's International Law Research Program. In that role, she researched law and policy that supported increasing Indigenous peoples' participation in international law and treaty making. Risa has also held positions as counsel to the Ministry of Aboriginal Affairs in Ontario, and the Ministry of the Environment and Climate Change, and worked as a legal officer at the World Trade Organization in Geneva, Switzerland. Risa obtained her LL.B. from Osgoode Hall Law School and her LL.M. from the London School of Economics.

Sara Mainville

Sara Mainville works with First Nations as legal counsel, strategic advisor and negotiator. Sara's strength is engaging provincial and Federal governments in bilateral/trilateral negotiations around difficult issues. She has a Bachelor of Management from the University of Lethbridge and a LL.B. from Queen's University. In addition to her legal practice, Sara has earned a LL.M from the University of Toronto and was awarded the June Callwood bursary for graduate studies in 2006-2007. Sara has represented Couchiching as a lawyer, helped community members with sentencing submissions, and was elected a Councillor in First Nation government. In 2014, Sara was elected Chief of Couchiching First Nation. She participated in the negotiations that led to the creation of the First Nation Sovereign Wealth LP (FNSWLP), a partnership of 129 First Nations in Ontario. Directed by a Chiefs' Committee on Energy, Sara was active in the negotiations that resulted in the commercial transaction between the Province of Ontario and the FNSWLP of 14 million Hydro One shares and \$29 million in seed capital to facilitate long-term wealth creation for the partnering First Nations.

CPD hours: This program may be eligible toward the Law Society of Ontario's CPD Requirement for 5 hours and 30 minutes of Substantive Hours. Professionalism hours is not included in this event



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Tracy Coates

Tracy Coates, JD, is a strategic and creative consultant and educator in critical theory, law and Indigenous knowledge. Tracy is of mixed Mohawk and European ancestry from an Urban Aboriginal Community. Her experience includes being a part-time Professor at the University of Ottawa with the Institute of Canadian and Aboriginal Studies, a Program Advisor in the areas of cultural competency and Aboriginal program development with the School of Social Work at Ryerson University and the School of Public Policy and Administration at Carleton University, and serving on the legal teams of the Assembly of First Nations and Amnesty International Canada. Tracy also has a Doctorate in Jurisprudence (JD), and a Masters in Environmental Studies and International Dispute Resolution (MES).



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About the Organizers

ILA-Canada

ILA-Canada is the Canadian branch of the International Law Association based in London, UK but founded in Brussels in 1873. According to the Constitution of ILA, the organization promotes "the study, clarification and development of international law, both public and private, and the furtherance of international understanding and respect for international law." ILA boasts over 3500 members world-wide including Canada. ILA-Canada serves the Canadian international law community including legal scholars, practitioners, students and policy makers by providing workshops, conferences and research on wide range of international law topics. ILA Canada members are from all over the country. They share a common interest in contributing to the development of international law in Canada and around the world. Our members include legal scholars, and practitioners from different areas of international law. We also make a significant effort to involve law students interested in international law, helping educate and mentor future members of the international law community in Canada. According to the Constitution of ILA, the organization promotes "the study, clarification and development of international law, both public and private, and the furtherance of international understanding and respect for international law." Canada has always played a key role in the international legal community and ILA Canada contributes to the continuation of this tradition by providing members the opportunity to learn and research topics in international law, as well as interact with the impressive ILA network of members in ILA branches all over the world.

Jack & Mae Nathanson Centre on Transnational Human Rights Crime and Security

The Jack and Mae Nathanson Centre on Transnational Human Rights, Crime and Security studies transnational phenomena and normative issues at the intersections of human rights, crime and security. One of the Nathanson Centre's missions is to organize and sponsor events that tackle contemporary challenges in order to foster well-informed public debate. The Centre also encourages the development of more fundamental research programs, and dialogue amongst participating researchers. Any one of the three thematic pillars of the Nathanson Centre may receive separate attention in any given research project, program or activity. One overarching ambition of the Nathanson Centre is to foster general research on the "transnational" in its normative and, to some extent, empirical dimensions, including research that may not have particular, or at least not immediate, application to any one of the three pillars. Theoretical and legal doctrinal analysis (as well as cognate interdisciplinary analysis) are particularly important to the Centre's work, although by no means its exclusive focus.

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