**Canada’s Contribution to the study of the
United Nations Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) on the theme of indigenous peoples’ rights in the context of borders, migration and displacement**

1. **Government of Canada Measures to Address Indigenous Border Crossing Issues**

Border crossing issues represent a longstanding set of concerns for Indigenous peoples in Canada.

In the spirit of Article 36 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Government of Canada is working in partnership with Indigenous communities to address these concerns.

In response to a recommendation from the Standing Senate Committee on Aboriginal Peoples, the Government appointed a Minister’s Special Representative in 2016 to examine Canada-US border crossing challenges faced by First Nations.

Drawing on an eight-month process involving 21 engagement sessions with representatives from more than 100 First Nations and First Nation organizations across Canada, Minister’s Special Representative Fred Caron presented his final report to the Minister of Crown-Indigenous Relations in August 2017. The report outlined seven broad categories of border crossing issues raised in the engagement process and identified 21 proposed solutions put forward by First Nations representatives.

In December 2018, the Minister of Crown-Indigenous Relations and the Minister of Public Safety and Emergency Preparedness announced a number of measures to address these issues, drawing on the proposals put forward in the report of the Minister’s Special Representative.

These measures include:

1. The recruitment by the Canada Border Services Agency (CBSA) of more Indigenous border services officers;
2. Enhanced training on Indigenous cultures for CBSA staff;
3. Strengthened outreach and cooperation by the CBSA with concerned Indigenous communities located near Canada’s international borders;
4. The addition of a machine-readable zone to the Secure Certificate of Indian Status (SCIS), to help simplify the border crossing process for First Nations individuals using the SCIS[[1]](#footnote-1) as identification at land and sea ports of entry between Canada and the United States; and
5. A commitment to a longer-term process with concerned First Nations, Inuit and Métis communities, using existing nation-to-nation and other tables to discuss potential solutions to a number of more complex border crossing challenges, for example, relating to mobility and identification.

The Government of Canada recognizes the challenges that the country’s international borders can pose to Indigenous peoples in Canada – with implications for many communities in their daily mobility, traditional practices and economic opportunities as well as for their family and cultural ties to Indigenous communities in, for example, the United States and Greenland.

Building on the measures announced in December 2018, the Government of Canada is engaging and working collaboratively with concerned communities to advance, in the coming months and years, workable and sustainable solutions to a number of border crossing concerns.

While the report of the Minister’s Special Representative focused on First Nations’ border-crossing issues, the Government is committed to engaging with interested Inuit and Métis communities on border crossing issues. This is consistent with the Government’s commitments to a distinctions-based approach to reconciliation and to the delivery of programs and services to Indigenous peoples.

Additional information concerning the measures announced in December 2018 can be found at the following links:

* News release: <https://www.canada.ca/en/crown-indigenous-relations-northern-affairs/news/2018/12/canada-implements-measures-to-address-canada-united-states-border-crossing-issues-for-first-nations.html>
* Backgrounder: <https://www.canada.ca/en/crown-indigenous-relations-northern-affairs/news/2018/12/canada-implements-measures-to-address-canada--united-states-border-crossing-issues-for-first-nations.html>
1. Commonly referred to as the status card, the Secure Certificate of Indian Status is issued by the Government of Canada in partnership with First Nations communities to serve as documentary evidence confirming that the cardholder is registered as a Status Indian under Canada’s *Indian Act*. Domestically, the card facilitates access to programs and benefits, for example, medical and dental services, prescription drugs, and tax exemptions on sales. Many cardholders also choose to present the card at ports of entry to Canada as identification and to confirm their right of entry to the country under Section 19 of Canada’s *Immigration and Refugee Protection Act*. [↑](#footnote-ref-1)