



SUBMISSION TO 78TH GENERAL ASSEMBLY REPORT



ASSEMBLY OF FIRST NATIONS (AFN)

E-mail: jpellerin@afn.ca



ABOUT THE AFN

The Assembly of First Nations (AFN) is a national advocacy organization that works to advance the collective aspirations of First Nations individuals and communities across Canada on matters of national or international nature and concern. The AFN hosts two Assemblies a year where mandates and directives for the organization are established through resolutions directed and supported by the First Nations-in-Assembly (elected Chiefs or proxies from member First Nations).

In addition to the direction provided by Chiefs of each member First Nation, the AFN is guided by an Executive Committee consisting of an elected National Chief and Regional Chiefs from each province and territory. Representatives from five national councils (Knowledge Keepers, Youth, Veterans, 2SLGBTQQIA+ and Women) support and guide the decisions of the Executive Committee.

This report was prepared in response to the “Call for Inputs: Report to the 78th Session of the UN General Assembly - Special Rapporteur on the Rights of Indigenous Peoples.” Responses to the eight questions contained in the questionnaire have been included within this document. Sources of information include case studies, examples, and best practices.

1) What are the positive and negative impacts of tourism on Indigenous Peoples’ rights? Please illustrate with concrete examples.

Tourism can have both positive and negative impacts on First Nations rights in Canada. Below are some concrete examples of these impacts.

Overarching positive impacts:

- **Economic benefits:** Tourism can provide economic opportunities for First Nations, such as employment in the tourism industry, sale of artisan goods, and revenue generated from cultural tours and events. Indigenous tourism in Canada is a 1.8-billion-dollar industry.¹
- **Infrastructure benefits:** Tourism can enable the development of new community amenities, such as cultural centres, carving sheds, and studios.
- **Cultural preservation:** Tourism can help to preserve and promote First Nations cultures, traditions, and languages. It can also provide a platform for First Nations to share their knowledge and experiences with visitors, leading to greater understanding and appreciation of First Nations cultures.²
- **Increased visibility:** Tourism can increase the visibility and recognition of First Nations and their histories, helping to raise awareness about First Nations struggles for self-determination, land rights, and sovereignty.³

Examples of positive impacts:

- 1) The Haida Gwaii archipelago off the coast of British Columbia is home to the Haida Nation. The Haida have established a successful tourism industry based on eco-tourism and cultural tourism, showcasing their traditional practices and environmental stewardship. For example, the Haida Gwaii Watchmen program employs Indigenous Peoples to monitor culturally significant sites and provide interpretation for visitors.⁴
- 2) The Metepenagiag Heritage Park located in New Brunswick protects and presents the rich Mi’kmaq heritage of Augustine Mound and Oxbow National Historic Sites. It is home to a number of Indigenous artifacts and offers tours and experiences where visitors are able to learn about the cultural significance of the community and the two national historic sites. The Heritage Park is also working with the Province of New Brunswick’s Archaeological Services Branch to repatriate a large portion of the 60,000 artifacts currently conserved by the province. These artifacts are related to Augustine Mound

¹ Indigenous Tourism Association of Canada, “Midterm Report: Progress Towards the 2022-23 Action Plan Key Performance Indicators” (2022), online (pdf): *Indigenous Tourism Association of Canada* <https://indigenoustourism.ca/wp-content/uploads/2022/10/22-11-ITAC-Midterm-Report-2022-v12_c.pdf> [ITAC, Mid-term Report].

² Kamyar Razavi, “What’s behind the Growing Interest in Indigenous-led Tourism in Canada?”, *Global News* (1 April 2022) online: <<https://globalnews.ca/news/8725237/whats-behind-the-growing-interest-in-indigenous-led-tourism-in-canada/>>.

³ Nicole Curtin, “We are Reconciliators’: When Indigenous Tourism begins with Agency” (2021) 17:3 *J Heritage Tourism* 296.

⁴ Council of the Haida Nation, “Strengthening of the Haida Gwaii Watchmen Program” (25 February 2022), online: *Council of the Haida Nation* <<https://www.haidanation.ca/news/strengthening-the-haida-gwaii-watchmen-program>>.

and Oxbow National Historic Sites and provide a direct link to the community's history, its ancestors, and its proud First Nations heritage.⁵

- 3) A non-profit organization, active since August 2006, Tourisme Wendake was set up by the Council of the Huron Wendat Nation with the intention of preserving and promoting Indigenous culture in all forms. Tourisme Wendake provides lodging, dining, and a variety of immersive experiences and activities. Through these experiences, visitors learn First Nations knowledge, traditions, and history in an immersive environment. The organization has allowed for the creation of infrastructure, employment opportunities, and more for members of the Huron Wendat Nation.⁵
- 4) In August 2020 the Yukon First Nations Arts Brand was created to promote and celebrate 'all forms of art made by Indigenous artists living in Yukon Territory.' Developed and controlled by the Yukon First Nations Culture and Tourism Association (YFNCT), the brand program will showcase arts and crafts made by Yukon First Nations Peoples.⁶

Overarching negative impacts:

- **Exploitation:** Tourism can lead to the exploitation of First Nations cultures, traditions, and knowledge. This can happen when non-Indigenous tour operators use First Nations cultures for profit without properly compensating or consulting with First Nations. This also includes the appropriation of First Nations symbols, arts, and crafts by non-Indigenous Canadians and others elsewhere in the world.
- **Disruption of traditional activities:** Tourism can disrupt traditional activities such as hunting, fishing, and gathering, which are important to the cultural and economic well-being of First Nations.
- **Lack of consultation with First Nations:** Tourism development can happen without proper consultation or consent from First Nations, leading to conflicts over land use and control.⁷
- **Damage to First Nations lands:** Tourism can contribute to the pollution of First Nations lands and water systems. This can lead to the destruction of unique ecosystems and also negatively impact wildlife.⁸
- **Dispossession of First Nations Lands:** Tourism, more specifically the creation of National and Provincial parks, has led to the dispossession of First Nations lands.⁹ Across Canada, First Nations were removed and banished from their traditional territories in order to create parks, resulting in First Nations erasure from these tourist activities.¹⁰

⁵ Metepenagiag, "Two National Historic Sites" (accessed 9 March 2023), online: *Metepenagiag Heritage Park*, <<https://www.metpark.ca/>>.

⁵ Wendake, "The Wendake Adventure: Unique place that Combines Tradition and Modernity" (accessed 9 March 2023), online: *Wendake* <<https://tourismewendake.ca/en/>>.

⁶ Yukon First Nations Culture & Tourism Association, "About Us" (updated 2023), online: *Yukon First Nations Culture & Tourism Association* <<https://www.yfnct.ca/about-us>>.

⁷ Terry Mitchell et al, "Towards an Indigenous-Informed Relational Approach to Free, Prior, and Informed Consent (FPIC)" (2019) 10:4 Intl Indigenous Policy J online: <<https://doi.org/10.18584/ijpj.2019.10.4.8372>>.

⁸ Suzanne de la Barre et al, "Indigenous Tourism" in Morgan Wescott & Wendy Anderson, eds, *Introduction to Tourism and Hospitality in BC*, 2nd ed (published online) <<https://opentextbc.ca/introtourism2e/chapter/tourism-and-indigenous-human-rights/>>.

⁹ Graeme Hamilton, "The Shady Past of Parks Canada: Forced out, Indigenous People are Forging a Comeback", *National Post* (25 August 2017), online: <<https://nationalpost.com/news/canada/the-shady-past-of-parks-canada-forced-out-indigenous-people-are-forging-a-comeback>>.

¹⁰ *Ibid.*

Examples of negative impacts:

- 1) The Sun Peaks Resort in British Columbia has been criticized for appropriating Indigenous culture in its marketing campaigns, without consulting or compensating local Indigenous communities. This led to concerns about cultural appropriation and misrepresentation.
- 2) In the Yukon, the development of a new tourism industry based on heli-skiing led to conflicts with local First Nations, who rely on the land for hunting and trapping. The lack of consultation and consent led to tensions between Indigenous and non-Indigenous residents.
- 3) Petroglyphs Provincial Park in Peterborough, Ontario has struggled in the past with damage caused by campers and hikers because garbage and glass were routinely left behind on ancient and sacred Indigenous sites.
- 4) In Banff and Jasper National Parks, located in Alberta, First Nations have been purposely excluded from their unceded lands in order to use these areas for tourism activities. Although these parks exist on First Nations traditional territories, First Nations were largely erased from the area, and only asked to return to provide entertainment to non-Indigenous tourists.¹¹
- 5) Events like the Calgary Stampede in Alberta use First Nations Peoples to promote tourism while little compensation and benefits are provided to First Nations peoples. Although approximately 1,800 First Nations Peoples participated in the inaugural Calgary Stampede, First Nations Peoples have been used as entertainment during the event and were never granted full-partnership status.¹² Throughout the history of the stampede, First Nations Peoples have been exploited, degraded, excluded, and considered of lesser importance to the overall production of the event.¹³
- 6) The Oka crisis was a militarized dispute between the Mohawk of Kahnawake and the Canadian government over a planned private golf course that was to be built over a Mohawk burial ground. Although it was over thirty years ago, disputes over the land claims at the heart of the Oka crisis remain unresolved.¹⁴

In summary, Indigenous tourism presents an opportunity to provide several benefits to First Nations in Canada. It also has the potential to cause negative impacts, such as commodification of First Nations culture, and is sensitive to risks associated with mismanagement due to the relational interdependence of First Nations culture and identity to the places and types of experiences that are increasingly sought after by visitors. To mitigate potential negative impacts, First Nations tourism should be First Nations-led. Importantly, First Nations tourism should receive support from First Nations communities and leaders, recognize First Nations knowledge systems, and focus on sustainability and cultural preservation.

¹¹ *Ibid.*

¹² Heath McCoy, "Indigenous artist maps Calgary Stampede history through a First Nations lens", University of Calgary (24 March 2021), online: <<https://arts.ucalgary.ca/news/indigenous-artist-maps-calgary-stampede-history-through-first-nations-lens>>.

¹³ *Ibid.*

¹⁴ Melinda Meng, "Bloody Blockades: The Legacy of the Oka Crisis", *Harvard International Review* (30 June 2020) online: <<https://hir.harvard.edu/bloody-blockades-the-legacy-of-the-oka-crisis/>>.

2) Are Indigenous Peoples participating in the development, implementation, and management of tourism projects? Please provide recent concrete examples. If not, what are the barriers to participation and to obtaining their free, prior and informed consent?

First Nations are increasingly participating in the development, implementation, and management of tourism projects in Canada. This includes the creation of First Nations-owned tourism businesses and the incorporation of First Nations cultural experiences into non-Indigenous tourism operations.

For example, in British Columbia, the Klahoose First Nation developed the Klahoose Wilderness Resort and Eco-Tours, which offers visitors a chance to learn about traditional Klahoose practices and cultural heritage.¹⁵ Similarly, in Ontario, the Ojibwe Cultural Foundation is a collaborative effort between several First Nation communities that offer visitors the opportunity to view art, historical artifacts and learn about the Anishinaabe People of the Mnidoo Mnising (Manitoulin Island) and surrounding areas.¹⁶

Indigenous-led tourism initiatives are also gaining support from the Canadian government, which has recognized the importance of Indigenous tourism for economic development and cultural preservation. For example, in 2021, the federal government provided \$16.5 million in funding to support Indigenous tourism recovery and development in the wake of the COVID-19 pandemic.¹⁷

However, there are still barriers to First Nations participation in tourism development, implementation, and management, including a lack of resources and infrastructure, limited access to financing, and challenges in navigating complex regulations and policies. Other barriers include challenges of attraction and retention of a sustainable tourism workforce, the development and promotion of tourism assets, and the facilitation of access for visitors to First Nations tourism businesses to and within Canada.

Recent studies through the Conference Board of Canada indicate that 1 out of 3 international visitors want to participate in Indigenous experiences while visiting Canada. With 62% of Indigenous tourism businesses being rural and remote, improved access to these communities will support businesses and First Nations to thrive. By improving access into Canada for visitors and travel between First Nations communities and urban city centers, the ease of access will result in increased First Nations jobs and First Nations business ownership.¹⁸

Barriers in obtaining First Nations consent are also present. Concerns exist that the current process for obtaining consent is not adequate and does not fully respect First Nations rights to self-determination. In some cases, First Nations have also expressed frustration with a lack of meaningful consultation and engagement in tourism development decisions.¹⁹

¹⁵ Klahoose Wilderness Resort, "About Us" (Copyright 2023), online: *Klahoose Wilderness Resort* <<https://www.klahooseresort.com/aboutus>>.

¹⁶ The Ojibwe Cultural Foundation "About Us" (last accessed 9 March 2023), online: *Ojibwe Cultural Foundation* <<https://ojibwe-cultural-foundation.myshopify.com/pages/frontpage>>.

¹⁷ Indigenous Tourism Association of Canada, "Indigenous Tourism Association of Canada Receives \$16 Million in Stimulus Grant Funding to Support Indigenous Tourism", Cision (11 June 2020) online: <<https://www.newswire.ca/news-releases/indigenous-tourism-association-of-canada-receives-16-million-in-stimulus-grant-funding-to-support-indigenous-tourism-868271944.html>>.

¹⁸ Indigenous Tourism Association of Canada, "Making Canada the next World Leader in Indigenous Tourism" (2022), online (pdf): *Indigenous Tourism Association of Canada* < <https://indigenoustourism.ca/wp-content/uploads/2022/08/Making-Canada-the-World-Leader-in-Indigenous-Tourism.pdf>> [ITAC, World Leader].

¹⁹ Terry Mitchell et al, *supra* note 8.

Overall, while First Nations are increasingly participating in tourism development in Canada, there is still work to be done to ensure that their rights and interests are fully respected, and that tourism benefits First Nations communities in a sustainable and culturally appropriate manner. There is a need for increased consultation with First Nations within the tourism industry and that funding is made available through partnerships with government agencies and private sector partners.

3) What is the role of UN specialized agencies and of international financial institutions in ensuring that tourism development respects Indigenous Peoples' rights? Examples include but are not limited to the UN World Tourism Organization, and the World Bank Group

The United Nations World Tourism Organization (UNWTO) has recognized the importance of Indigenous Peoples' participation in sustainable tourism development and has promoted the inclusion of Indigenous Peoples in its policies and initiatives. In 2017, the UNWTO launched the "Tourism and Indigenous Peoples" program, which aims to promote responsible and sustainable tourism development that respects the rights and cultures of Indigenous Peoples.²⁰ The UNWTO has also collaborated with Indigenous Peoples and organizations to develop guidelines and best practices for sustainable tourism that respects Indigenous Peoples' rights, including the "Inclusive Recovery Guide: Indigenous Communities"²¹ and the "Recommendations on Sustainable Development of Indigenous Tourism."²²

International financial institutions, such as the World Bank Group, have also recognized the importance of Indigenous Peoples' participation in sustainable tourism development and have developed policies and guidelines to ensure that tourism projects respect Indigenous Peoples' rights. For example, the World Bank Group's "Environmental and Social Framework" includes specific provisions for Indigenous Peoples, including requirements for free, prior, and informed consent and for the protection of Indigenous Peoples' cultural heritage and resources.²³ In addition, the World Bank Group has provided financing for Indigenous-led tourism projects, such as the "Indigenous Peoples Support Initiative," which provides grants to Indigenous Peoples' organizations for sustainable tourism development.²⁴

Overall, the UN specialized agencies and international financial institutions play an important role in promoting sustainable tourism development that respects Indigenous Peoples' rights. However, work must still be done to ensure that their policies and initiatives are fully implemented, and that Indigenous Peoples have meaningful participation in tourism development decisions. Importantly, increased research by, or in collaboration with, Indigenous researchers is also needed so that more data is available. Indigenous authors and Indigenous tourism providers should be the major contributors to, and commentators about, approaches to Indigenous tourism management, whilst communities gain visibility and become global leaders within tourism and related sectors.

²⁰ Curtin, *supra* note 3.

²¹ United Nations World Tourism Organization, *UNWTO Inclusive Recovery Guide—Sociocultural Impacts of Covid-19, Issue 4: Indigenous Communities* (Madrid: UNWTO, 2021).

²² United Nations World Tourism Organization, *Recommendations on Sustainable Development of Indigenous Tourism* (Madrid: UNWTO, 2019).

²³ World Bank Group, "Environmental and Social Framework" (last accessed 9 March 2023), Online: *World Bank Group* <<https://www.worldbank.org/en/projects-operations/environmental-and-social-framework>>.

²⁴ World Bank Group, "The World Bank and Indigenous Peoples Policy and Program Initiatives", online: *World Bank Group* <<https://web.worldbank.org/archive/website00524/WEB/PDF/IPPOLICY.PDF>>.

4) Please describe any measures taken by States to adopt legislation or other measures to ensure the protection of Indigenous Peoples' rights in regulating the tourism industry, including rights to equality; culture; lands, territories, and resources; participation in decision-making and meaningful consultation/consent; intellectual property; and labour rights.

Several Canadian provinces have taken measures to adopt legislation and other measures to ensure the protection of Indigenous Peoples' rights in regulating the tourism industry. Some examples include:

- British Columbia's *Declaration on the Rights of Indigenous Peoples Act* recognizes and affirms the application of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in British Columbia's laws and policies, including in the tourism industry. The Act requires the government to work collaboratively with Indigenous Peoples to ensure that their rights are respected and protected in all aspects of government decision-making.²⁵
- Ontario's "Tourism-Oriented Directional Signing Policy for Ontario Highways" includes provisions for the recognition and promotion of Indigenous tourism experiences and the use of Indigenous place names and cultural symbols in highway signage. The policy aims to support the development of Indigenous tourism businesses and to promote awareness of Indigenous cultures and histories among tourists.²⁶
- Quebec's "Tourism Strategy 2020–2025" includes a commitment to work with Indigenous Peoples to develop and promote Indigenous tourism experiences and to recognize and respect Indigenous Peoples' rights to their lands, territories, and resources. The strategy also includes provisions for training and support for Indigenous tourism entrepreneurs and for the promotion of Indigenous cultures and histories among tourists.²⁷
- Alberta's "Indigenous Tourism Strategy" aims to support the development of Indigenous tourism experiences and businesses by providing training, marketing, and networking opportunities. The strategy also includes a commitment to respect and promote Indigenous cultures and histories and to work collaboratively with Indigenous Peoples to ensure that their rights are respected and protected.²⁸
- Manitoba's "Tourism Development Strategy 2019–2022" includes provisions for the recognition and promotion of Indigenous tourism experiences and for the development of partnerships with Indigenous communities and businesses. The strategy also includes a commitment to respect and promote Indigenous cultures and histories and to ensure that Indigenous Peoples have meaningful participation in decision-making.²⁹
- New Brunswick's *Tourism New Brunswick Act* includes provisions for the recognition and promotion of Indigenous tourism experiences and for the development of partnerships with

²⁵ *Declaration on the Rights of Indigenous Peoples Act*, SBC 2019, c 44.

²⁶ Government of Ontario, "Tourism Signs on Ontario's Roadways" (updated July 11, 2022), online: *Government of Ontario* <<https://www.ontario.ca/page/tourism-signs-ontarios-roadways>>.

²⁷ Quebec Ministry of Tourism, "Action Plan for Responsible and Sustainable Tourism 2020-2025" (2021) online (pdf): *Government of Quebec* <<https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/tourisme/publications-adm/plan-action/PL-plan-action-tourisme-responsable-durable.pdf>>.

²⁸ Indigenous Tourism Alberta, "Strengthening Alberta's Indigenous Tourism Industry: Indigenous Tourism Alberta Strategy 2019-2024", online: *Indigenous Tourism Alberta* <<https://www.edo.ca/downloads/ita-strategy-overview.pdf>>.

²⁹ Indigenous Tourism Manitoba, "Manitoba Indigenous Tourism Strategy" (2021), online (pdf): *Indigenous Tourism Manitoba* <https://s3.us-west-1.amazonaws.com/manitoba-2020/images/07-files-downloads/files/21-019_TMB_IndigenousTourismStrategy_Mar2021_WEB.pdf?v=1631908658>.

Indigenous communities and businesses. The Act also requires that tourism development in the province be conducted in a manner that respects and promotes Indigenous cultures and histories and that ensures the meaningful participation of Indigenous Peoples in decision-making.³⁰

- Newfoundland and Labrador's "Tourism Product Development Plan 2020–2022" includes a commitment to work with Indigenous Peoples to develop and promote Indigenous tourism experiences and to ensure that Indigenous Peoples' rights to their lands, territories, and resources are respected and protected. The plan also includes provisions for the recognition and promotion of Indigenous cultures and histories and for the development of partnerships with Indigenous communities and businesses.³¹
- Northwest Territories' "NWT Tourism Strategy 2019–2023" includes provisions for the recognition and promotion of Indigenous tourism experiences and for the development of partnerships with Indigenous communities and businesses. The strategy also includes a commitment to respect and promote Indigenous cultures and histories and to ensure that Indigenous Peoples have meaningful participation in decision-making.³²

While these examples demonstrate progress in ensuring the protection of First Nations rights in the tourism industry, there is still much work to be done to ensure that First Nations have meaningful participation in decision-making and that their rights to equality, culture, intellectual property, and labour are fully respected and protected.

5) What has been the role of corporations in the context of tourism? Please, provide examples, if any, of the private sector consulting with Indigenous Peoples and encouraging their participation in the creation, implementation and management of tourism projects. Do sustainable tourism certifications incorporate the rights of Indigenous Peoples?

In recent years, there has been a growing recognition among tourism corporations of the importance of consulting with First Nations and incorporating their perspectives in tourism development. Below are some examples of the private sector consulting with Indigenous Peoples and encouraging their participation in the tourism industry:

- Canadian airline company, WestJet, has consulted with Indigenous Peoples in the development of its Indigenous Tourism Program, which promotes Indigenous tourism experiences and supports Indigenous-owned tourism businesses. WestJet also has a National partnership with the Indigenous Tourism Association of Canada (ITAC).²⁹
- The Fairmont Hotels and Resorts chain has implemented a number of initiatives aimed at promoting Indigenous tourism and supporting Indigenous communities. These initiatives include partnering with Indigenous-owned tourism businesses and promoting Indigenous art and culture within their hotels.³³

³⁰ *Tourism Development Act*, SNB 2008, c T-9.5.

³¹ Government of Newfoundland and Labrador, "Tourism Product Development" (last accessed on 9 March 2023), online: *Government of Newfoundland and Labrador* <<https://www.gov.nl.ca/tcar/tourism-product-development2/>>.

³² Northwest Territories Tourism, "Welcoming Visitors: 2022/23 Marketing Plan" (2022), online (pdf): *Northwest Territories Tourism* <https://www.iti.gov.nt.ca/sites/iti/files/NWTT_2022-23_Marketing_Plan_WEB.pdf>.]

²⁹ WestJet, "Indigenous Tourism in Canada" (last accessed 9 March 2023), online: *WestJet* <<https://www.westjet.com/en-ca/best-of-travel/indigenous-tourism>>.

³³ See Fairmont Hotels and Resorts, "Eco-Friendly Hotels: The Fairmont Promise" (last accessed 9 March 2023), online: *Fairmont Hotels and Resorts* <<https://www.fairmont.com/sustainability/>>.

- The Four Seasons Resort and Residences in Whistler, British Columbia, has established partnerships with local Indigenous communities to offer guests experiences such as guided cultural tours and storytelling.³⁴
- In Manitoba, the Churchill Northern Studies Centre collaborates with Indigenous communities to offer educational programs focused on traditional ecological knowledge and cultural practices.³⁵

While there are positive examples of private sector engagement with Indigenous Peoples in tourism development, numerous examples also show corporations ignoring or actively disregarding First Nations rights. Therefore, it is important for corporations to engage in meaningful consultation and collaboration with First Nations and to prioritize their rights in tourism development.

Unfortunately, Indigenous-led and owned tourism businesses are still underrepresented in the Canadian tourism industry. According to a 2019 report commissioned by the Indigenous Tourism Association of Canada, Indigenous-owned businesses make up just 1% of tourism businesses in the country.³⁶

Sustainable tourism certifications, such as the Global Sustainable Tourism Council (GSTC) criteria, do incorporate the rights of Indigenous Peoples in their standards. The GSTC criteria require that tourism development respect the cultural heritage and traditional values of Indigenous Peoples, and that Indigenous Peoples be involved in the planning, implementation, and monitoring of tourism projects that affect them. Certification is completed through accredited Certification Bodies and includes the submission of documentary evidence and an on-site audit. In addition, annual surveillance audits are conducted to verify compliance with the GSTC criteria.³⁷

In conclusion, while it is encouraging to report that many corporations are stating their intention to work collaboratively with the Indigenous tourism industry to ensure protection and preservation of cultural traditions while guaranteeing that they are followed and adhered to, actions need to speak louder than words as reflected in the grim number of Indigenous owned business. Corporations could take a more active approach to fostering a direct link to First Nations-owned tourism businesses by funding these initiatives and investing directly into First Nations-owned business that will ultimately compliment their goals and ambitions rather than engaging First Nations representation in their corporate driven initiatives.

6) Please identify specific examples of good practices led by States or international organizations to promote, protect, and fulfil the rights of Indigenous Peoples in the sustainable development of tourism, including management or co-management of tourism projects, incorporation of Indigenous scientific knowledge, benefit sharing, funding of Indigenous-led tourism projects etc.

³⁴ Four Seasons Resort and Residences Whistler, “Squamish Lil’wat Cultural Centre” (last accessed 9 March 2023), online: *Four Seasons* <https://www.fourseasons.com/whistler/meetings-and-events/function-rooms/off-site-venues/squamish_lilwat_cultural_centre/>.

³⁵ Churchill Northern Studies Centre, “Understand and Sustain the North: Subarctic Research, Education, and Experiences” (last accessed 9 March 2023), online: Churchill Northern Studies Centre <<https://churchillscience.ca/>>.

³⁶ Adam Fiser & Greg Hermus, “Canada’s Indigenous Tourism Sector Insights and Economic Impacts” (May 2019), online (pdf): *The Conference Board of Canada* <https://www.conferenceboard.ca/wp-content/uploads/woocommerce_uploads/reports/10266_IndigenousTourismSector_RPT.pdf>.

³⁷ Global Sustainable Tourism Council, “GSTC Destination Criteria” (2019) version 2, online: *Global Sustainable Tourism Council*: <<https://www.gstccouncil.org/gstc-criteria/gstc-destination-criteria/>>.

Here are some examples of good practices led by Canadian provinces and organizations to promote, protect, and fulfill the rights of Indigenous Peoples in the sustainable development of tourism:

- The Indigenous Tourism Association of Canada (ITAC) is a membership-based organization, that has over 1100 members and leads consumer and supply research to support an estimated 1900 Indigenous-owned tourism businesses. ITAC is also committed to supporting the development and stabilization of 13 provincial and territorial Indigenous tourism organizations. ITAC's purpose is to improve the socio-economic situation of Indigenous Peoples in Canada. ITAC offers training and marketing support to Indigenous entrepreneurs and advocates for policies that support Indigenous tourism. ITAC's mission is to provide leadership in the development and marketing of authentic Indigenous tourism experiences through innovative partnerships. ITAC's vision is a thriving Indigenous tourism economy sharing authentic, memorable, and enriching experiences.
- In Ontario, the community of Biigtigong Nishnaabeg has established the Biigtigong Nishnaabeg Community Trust, which is funded by a share of the profits from a hydroelectric facility operated by AZA. The Trust supports community-led projects, including those related to tourism and economic development.³⁵
- The Government of Canada has provided funding as part of Canada's 2022 budget to the Tourism Association of Canada (ITAC) to support ITAC in sustaining operations and supporting provincial and territorial Indigenous tourism associations and membership. Funding provided includes \$2.4 million from Indigenous Services Canada; \$2.6 million from Destination Canada to ITAC to support the marketing of Indigenous tourism; \$3.6 million in funding from Innovation, Science and Economic Development Canada's Tourism Relief Fund to implement ITAC's Accreditation Program; and \$1 million in funding from the Canadian Future Skills Centre to support capacity within Indigenous tourism in the north.³⁸

These examples demonstrate the importance of meaningful consultation with First Nations, incorporation of traditional knowledge and land use practices, benefit sharing, and First Nations-led initiatives in promoting sustainable and equitable tourism development.

In conclusion, it is important to note the significance of developing specific protocols that honour and respect First Nations ways of knowing and doing and providing collaborative ways to ensure that these standards are consistently met with respect and positive intention. Reclamation of First Nations land, history, and resources must remain a key focal point for all Indigenous tourism experiences or initiatives and should always be considered in every aspect of project development and implementation.

³⁵ Joey Krackle, "Biigtigong Nishnaabeg has Long History of Developing Hydro Dams", *Anishinabek News* (29 December 2015) online: <<https://anishinabeknews.ca/2015/12/29/biigtigong-nishnaabeg-has-long-history-of-developing-hydro-dams/>>.

³⁸ ITAC, Midterm Report, *supra* note 1.

7) Please identify specific examples of good practices led by States or international organizations to promote, protect, and fulfil the rights of Indigenous Peoples in the sustainable development of tourism, including management or co-management of tourism projects, incorporation of Indigenous scientific knowledge, benefit sharing, funding of Indigenous-led tourism projects etc.

Here are some examples of good practices by Indigenous Peoples who are developing and managing tourism projects on their lands in Canada:

The **Assembly of First Nations (AFN)** advocates for improved economic policy, programs, services, incentives, economic relations, increased revenue development options, and strategic economic development for all First Nations in Canada. The AFN's work supports the development of First Nations-led and owned tourism operations that are both privately and community owned.

The **Indigenous Tourism Association of Canada (ITAC)** is a consortium of over 20 Indigenous tourism industry organizations and government representatives from across Canada. ITAC continues to evolve to support marketing, product development and training standards, and other initiatives.

In 2019, the Indigenous Tourism Association of Canada published a comprehensive set of guidelines developed in consultation with industry members, Elders, and communities that endorsed definitions of Indigenous Tourism with the recognition that each nation, culture, or community could choose to adopt or adapt the definitions to best suit their needs. With these definitions, ITAC also provided the vital clarification that, "There are tourism businesses which are neither majority owned nor operated by Indigenous People who offer 'Indigenous tourism experiences.'" **Authentic First Nations Cultural Tourism is by First Nations, not about First Nations.**³⁹

There are a several First Nations communities and people that have undertaken tourism development activities to support cultural revival, capacity development, intercultural awareness, and economic growth. A sample of some examples is included below:

- The Haida House at Tllaal, located in Haida Gwaii, British Columbia, is a cultural tourism business that is owned and operated by the Haida Nation. The business offers visitors the opportunity to learn about Haida culture, including through guided tours and cultural performances. The business also prioritizes sustainable practices, such as using local and organic ingredients in its restaurant.⁴⁰
- Experience Lennox Island is owned and operated by Lennox Island First Nation and located in Prince Edward Island. Experience Lennox Island offers a variety of different experiences, such as, musical showcases, traditional culinary activities, storytelling, guided walks, and crafting. They also sell authentic traditional arts and crafts made by community artisans and have a cultural centre located in the community to showcase historical cultural artifacts.³⁹

³⁹ Indigenous Tourism Association of Canada, "National Guidelines: Developing Authentic Indigenous Experiences in Canada" (2019) online (pdf): *Indigenous Tourism Association of Canada* <<https://indigenoustourism.ca/wp-content/uploads/2019/05/18-12-National-Guidelines-Book-EN-DOC-W-FORMS-v11.pdf>> [ITAC, National Guidelines].

⁴⁰ Haida Gwaii, "Haida House" (last accessed 9 March 2023), online: Haida Gwaii <<https://gohaidagwaii.ca/food-and-drink/haida-house/>>.

³⁹ Experience Lennox Island, "Experiences" (last accessed 9 March 2023), online: *Experience Lennox Island* <<https://experiencelennoxisland.com/>>.

Factors that have furthered these initiatives include:

- Support from First Nations communities and leaders, who recognize the value of promoting their culture and traditions through tourism and acknowledge these experiences as an appropriate means of economic development.
- Involvement of the community's Knowledge Keepers and Elders.⁴¹
- Experiences that are culturally authentic and reflect community values.
- Practices that are environmentally sustainable.
- Access to funding and resources, including through partnerships with government agencies and private sector partners.
- Recognition of First Nations knowledge systems and the protection of the Intellectual property of products, data, or processes derived from the knowledge of First Nations.
- A focus on sustainability and cultural preservation, which attracts visitors who are interested in responsible and meaningful travel experiences.

These examples demonstrate the importance of First Nations-led initiatives in promoting sustainable and culturally authentic tourism experiences. These examples also highlight the importance of community support, access to resources, and a focus on sustainability and cultural preservation in the success of these initiatives. In summary, First Nations tourism in Canada needs to be on First Nations terms, First Nations-led, and in close partnership with First Nations communities.

8) What social or economic benefits do Indigenous Peoples receive from tourism projects (e.g., royalties, employment, improvements to infrastructure, education and training opportunities, etc.)? Are these benefits culturally appropriate and gender inclusive, and do they take into account intergenerational impact? Please describe how measurable project results are being shared with Indigenous Peoples.

First Nations receive a range of social and economic benefits from tourism projects in Canada, including:

- **Employment opportunities:** Tourism projects often provide jobs for First Nations Peoples in areas such as hospitality, guiding, and cultural interpretation.
- **Royalties and revenue sharing:** First Nations communities may receive royalties, or a share of the revenue generated by tourism projects on their lands.
- **Infrastructure improvements:** Tourism projects may result in improvements to infrastructure in First Nations communities, such as roads, water and sewage systems, and cultural facilities.
- **Education and training opportunities:** First Nations Peoples involved in tourism projects may have access to training and educational opportunities related to the tourism industry.

However, it is important to note that the benefits of tourism projects are not always culturally appropriate or gender-inclusive and may not consider the potential intergenerational impacts. For example, First Nations women may face barriers to participation in the tourism industry due to cultural and gender biases. In addition, the short-term economic benefits of tourism projects may not always consider the long-term impact on the community or the environment.

⁴¹ ITAC, National Guidelines, *supra* note 37.

To address these issues, First Nations-led tourism initiatives often prioritize cultural preservation, community involvement, and sustainability, and seek to provide equitable benefits for all members of the community.

Measurable project results are often shared with First Nations through consultation and collaboration with community members and leaders, as well as through reporting and evaluation mechanisms. For example, the Indigenous Tourism Association of Canada works to provide data and analysis on the economic impact of Indigenous tourism initiatives and encourages community engagement and participation in data collection and analysis.⁴²

Much work remains to be done to uphold Government commitments to protect First Nations rights, incorporate gender equality, and respect traditional roles, while also considering the next seven generations and the potential impact of Indigenous tourism. No work, or movement on the part of private companies or government departments should be developed and/or carried out without full participation in the decision-making process by First Nations leaders, grassroots community organizations and extensive, meaningful community engagement and consultation. Nothing about First Nations without First Nations. First Nations lands are sacred and should be governed fully by First Nations—this includes any potential tourism.

⁴² ITAC, World Leader, *supra* note 14.