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## INDIGENOUS PEOPLE'S PROTECTIONS UNDER USMCA

### Ground Breaking Provisions

- USMCA is the most inclusive international trade agreement for Indigenous people and their rights. It is also the first time that the United States forms part of a trade agreement that includes language specific to Indigenous people's rights.

### Protections under USMCA

- A Clear General Exception for Obligations to Indigenous People
  - USMCA includes a general exception to protect the rights of Indigenous peoples. Article 32.5 states that legal obligations to Indigenous people cannot be defeated or interfered with by commitments under trade rules. This general exception covers the entire USMCA.
- A New Chapter on the Environment
  - Provisions under chapter 24 of the agreement recognize the specific importance of the environment for Indigenous people and their role in its long-term conservation. Additionally, USMCA preserves the pre-existing carve-out related to aboriginal harvesting of natural resources.
- Trade of Indigenous Goods and Protection of Preferential Treatment of Indigenous Businesses
  - Indigenous peoples will benefit from Article 6.2, which allows Indigenous handicraft goods to be eligible for duty-free treatment. Additionally, USMCA allows for state-owned enterprises to employ preferential treatment to goods and services from Indigenous-owned businesses.
  - The chapter on small and medium-sized enterprises, chapter 25, encourages the signatory states to promote and support enterprises owned by under-represented groups, including Indigenous people.
- Corporate Social Responsibility
  - USMCA reaffirms the importance of encouraging enterprises to voluntarily incorporate standards, guidelines, and corporate social responsibility principles into their businesses. The rights of Indigenous people are specially mentioned as an area in which enterprises can improve.