



UNITED NATIONS  
**HUMAN RIGHTS  
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HAUT-COMMISSARIAT DES NATIONS UNIES AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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5 May 2026

Excellency,

I write to you in relation to the [letter of 26 April 2024](#) by the Committee on the Elimination of Racial Discrimination (“the Committee”) regarding to actions by Canadian State institutions, Canadian astronomical bodies and Canadian corporations involved in supporting the Thirty Meter Telescope (TMT) project in Hawaii affecting the rights of Indigenous Peoples, the Native Hawaiians. The Committee recalls its two letters to the United States of America concerning this matter, dated [26 April 2024](#) and [12 May 2025](#) respectively.

The Committee thanks the State Party for its response to its letter of 26 April 2024 and for the information provided. It notes the information that the State Party is committed to respect the outcome of the environmental impact assessment study regarding the TMT project in Hawaii, which is being conducted in accordance with domestic legislative framework in the United States of America.

The Committee takes note of the information that the contribution of the State Party in the development and construction of the TMT project is related to the design of the telescope’s dome enclosure and an adaptive optics instrumentation system to sharpen astronomical images, which is led through the National Research Council’s Herzberg Astronomy and Astrophysics Research Centre in collaboration with Canadian private industrial corporations. It notes that the work of the Canadian manufacturers would be conducted in the State Party independent of the decision regarding the location of the TMT project.

The Committee notes that the State Party prioritizes responsible business conduct, including in relation to human rights and the respect for the rights of Indigenous Peoples. It also takes note that the State Party promotes international and regional business standards, such as the United Nations Guiding Principles on Business and Human Rights. It also notes the information on the Responsible Business Conduct Abroad Strategy, launched in 2022, that reinforce transparency and socially responsible operations and consultations with impacted communities by Canadian businesses through prevention, targeted legislation, and non-judicial dispute-resolution mechanisms, including the National Contact Point and the Canadian Ombudsperson for Responsible Enterprise.

H.E. Mr. Peter MacDougall  
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Notwithstanding the information provided, the Committee calls upon the State Party to ensure that its involvement and contributions to the TMT project is conditional to respecting the meaningful and effective consultation with the Native Hawaiians, with a view to obtaining their free, prior and informed consent, and to prevent, mitigate and redress the impact of project on the lands, territories and resources of the Indigenous Peoples, with a view to protecting their customs and traditional ways of life. It also urges the State Party to ensure the prevention of Canadian business entities from engaging in activities that adversely affects the rights of Indigenous Peoples, the Native Hawaiians.

In this regard and in accordance with Article 9 (1) of the Convention and article 66 of its Rules of Procedure, the Committee requests that the State Party provide updated and detailed information on these measures regarding the involvement of the Canadian State institutions, Canadian astronomical bodies and Canadian corporations involved in supporting the TMT project in Hawaii and its impacts on the rights of the Native Hawaiians during the presentation of its combined twenty-fourth and twenty-fifth periodic reports.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Canada with a view to ensuring the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Gün Kut'.

Gün Kut  
Chair

Committee on the Elimination of Racial Discrimination