

belonged. The Doctrine of Discovery has been a critical component of historical relationships between Europeans, their descendants, and Indigenous peoples, and it underlies their legal relationships to this day, having smoothly and relatively uncritically transitioned from Roman Catholic to international law.¹⁹

In April 2010, the Permanent Observer Mission of the Holy See (the UN representative from the Roman Catholic Vatican) issued a statement regarding the Doctrine of Discovery at the ninth session of the UN Permanent Forum on Indigenous Issues.²⁰ The statement noted that earlier papal bulls regarding territorial expansion and the forced conversion of Indigenous peoples had subsequently been abrogated or annulled by the Roman Catholic Church.

Regarding the question of the doctrine of discovery and the role of the Papal Bull *Inter Coetera*, the Holy See notes that *Inter Coetera*, as a source of international law ... was first of all abrogated by the Treaty of Tordesillas in 1494, and that Circumstances have changed so much that to attribute any juridical value to such a document seems completely out of place.... In addition, it was also abrogated by other Papal Bulls, for example, *Sublimis Deus* in 1537, which states, “*Indians and all other people who may later be discovered by Christians, are by no means to be deprived of their liberty or the possession of their property ... should the contrary happen, it shall be null and have no effect.*” This view was expanded upon and reinforced in *Immensa Pastorum* of [Pope] Benedict XIV of 20 December 1741 and a number of other Papal Encyclicals, statements and decrees. If any doubt remains, it is abrogated by Canon 6 of the Code of Canon Law of 1983 which abrogates in general all preceding penal and disciplinary laws.... Therefore, for International Law and for the Catholic Church Law, the Bull *Inter Coetera* is a historic remnant with no juridical, moral or doctrinal value.... The fact that juridical systems may employ the “Doctrine of Discovery” as a juridical precedent is now therefore a characteristic of the laws of those states and is independent of the fact that for the Church the document has had no value for centuries. The refutation of this doctrine is therefore now under the competence of national authorities, legislators, lawyers and legal historians.²¹

For many, that Catholic statement was inadequate. The doctrine’s influence in Western law and its destructive consequences for Indigenous peoples have been well documented by scholars and other experts.²²

In 2014, the North American representative to the UN Permanent Forum on Indigenous Issues, Grand Chief Edward John, tabled the “Study on the Impacts of the Doctrine of Discovery on Indigenous Peoples, Including Mechanisms, Processes, and Instruments of Redress.” The study concluded:

With regard to land dispossessions, forced conversions of non-Christians, the deprivation of liberty and the enslavement of indigenous peoples, the Holy See reported that an “abrogation process took place over the centuries” to invalidate such nefarious actions. Such papal renunciations do not go far enough. There is a pressing