



Request for Direction

The Truth and Reconciliation Commission of Canada's Calls to Action and the United Nations Declaration on the Rights of Indigenous People - Effect on Canadian Local Government

Date of Meeting: Committee of the Whole – April 28, 2016

Recommendations/Requests:

The Board provide direction with respect to the advancement of a Regional Reconciliation Framework and the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

Background:

At the September 30, 2015 Board meeting, the Board resolved:

THAT staff prepare a report to highlight any issues with adopting the United Nations' Declaration on Indigenous Peoples and develop a method of communicating the Board's endorsement, if provided, of this declaration.

Furthermore, at the November 25, 2015 Board Meeting, the Board resolved:

THAT staff bring a report to the Board outlining the rationale and scope of work required to design and implement a Regional Reconciliation Framework that will set out the path to achieving the SLRD Board's priority of enhancing relationships with aboriginal communities and First Nations.

This report addresses the first resolution – a report will be brought forward in May, 2016 addressing the second resolution.

This report describes a topical issue that could have a considerable impact on the Squamish-Lillooet Regional District. Recently elected Prime Minister Trudeau has directly stated that no relationship is more important to him and to Canada than the relationship between Canada, as represented by both its elected leadership and its citizens, and First Nations. Prime Minister Trudeau has firmly stated his intention to transform the means by which Canada interacts with First Nations.

Key Information:

Background:

Summary of the Final Report of the Truth and Reconciliation Commission of Canada report entitled Honouring the Truth, Reconciling for the Future (TRC Summary Report), including Calls to Action:

The TRC Summary Report is a comprehensive and holistic account of, and response to, the charges of abuse and maltreatment of First Nations children resulting from the Indian Residential School tragedy. The residential school system existed in Canada from the 1870s through until as recently as the 1990s. As stated in former Prime Minister Stephen Harper's official apology in 2008, "The two primary objectives of the residential school system were to remove and isolate children from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant culture. These objectives were based on the assumption Aboriginal cultures and spiritual beliefs were inferior and unequal."

In the mid to late 19th century, the Canadian government developed a policy of "aggressive assimilation" calling for Indigenous children to be taught at church-run, government-funded residential schools. Pursuant to this federal policy, an estimated 150,000 Indigenous children were taken from their families and sent to residential schools. The TRC Summary Report makes it clear that abuse at the schools was widespread: many students were physically, mentally, and sexually abused, and some committed suicide, or died fleeing the residential schools. Many children perished from malnourishment or disease. Seven generations of Indigenous children were denied their native identity as they were removed from their language, culture, spiritual traditions, and collective history.

The TRC Summary Report also touches on the systemic discrimination and marginalization caused by the imposition of the *Indian Act*, and, more generally, colonization and how these policies damaged the trust between the Crown and Indigenous people. The final report was released by the Truth and Reconciliation Commission of Canada (TRC) in December 2015 and includes six volumes and some 4,400 pages. The Summary Report is itself nearly 500 pages and a complete summary of it is outside the scope of this report; however, a couple of pertinent points are summarized below.

Established in 2008, the TRC was organized by the parties to the Indian Residential Schools Settlement Agreement and has worked on the Truth and Reconciliation Report for the past six years. The TRC is comprised of three commissioners: The Honourable Justice Murray Sinclair, one of Canada's and Manitoba's first Indigenous Judge; Dr. Marie Wilson, an award winning journalist with extensive experience in Northern Canada; and, Chief Wilton Littlechild, a politician and lawyer with experience working for both First Nations governments and the government of Canada. The TRC also embodies a Survivor Committee comprised of 10 residential school survivors with extensive experience in social welfare, politics and education. The TRC Summary Report and a corresponding list of 94 'Calls to Action' was released in June, 2015. The 'Calls to

Action’ are segregated between ‘Legacy’ calls—dealing with redressing the harms resulting from the residential schools—and ‘Reconciliation’ calls—dealing with establishing a trusting and reconciled relationship between aboriginal and non-aboriginal people.

As stated in the summary report: “To the Commission, reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour.” (pages 6/7). The report goes on to state that “a critical part of the reconciliation process involves repairing damaged trust by making apologies, providing individual and collective reparations, and following through with concrete actions that demonstrate real societal change.” (page 16).

The TRC defined this ‘real societal change’ as being ‘social, political and economic’. Examples include having aboriginal and non-aboriginal children and youth live together in “dignity, peace and prosperity” and establishing a “reconciliation with the natural world.” Above all else, the TRC Summary Report emphasizes that rekindling trust is the single most important element of the reconciliation process. The TRC commissioners recognize that reconciliation will not fully happen in their lifetime, but that it will take many generations of effort to achieve. Reconciliation, it is said, is not about closing a sad chapter of Canada’s past, but about “opening new healing pathways of reconciliation that are forged in truth and justice” (page 12). For governments, new pathways of reconciliation means “building a respectful and trusting relationship involves dismantling a centuries-old political and bureaucratic culture in which, all too often, policies and programs are still based on failed notions of assimilation” (page 21).

While nearly all of the TRC Summary Report’s 94 Calls to Action fall under federal jurisdiction, there are in fact sixteen Calls to Action that have the potential to impact all orders of government.¹ However, there are five Calls to Action with direct references to municipal governments (among all levels of government); these include:

- 1) Call #43—A call for municipal governments to implement the UNDRIP as a framework for reconciliation
- 2) Call #47—A call for municipal governments to repudiate concepts used to justify European sovereignty over Indigenous people
- 3) Call #57—A call for municipal governments to provide Indigenous training and education to public servants;
- 4) Call #75—A call for municipal governments to identify and commemorate Indigenous cemeteries; and,
- 5) Call #77—A call for municipal governments and archives to share any information on residential schools to the TRC.

¹ Call #17 Language and Culture; Call # 23 Health; Calls #40/41 Justice; Call #43 UNDRIP; Call #47 Doctrine of Discovery; Call #55, National Council for Reconciliation; Call #57 Professional Development; Call #64 Education; Calls #75/76/82 Missing Children; Commemoration and Monuments; Call #77 Establish a National Center for Truth and Reconciliation; Calls #87/88/91 Indigenous Sports; Call #92 Business and Reconciliation. For further description of these calls refer to the TRC Calls to Action Report.

Of direct relevance for this report is Article 43: *We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.*

Reconciliation, in this context, means establishing and maintaining a mutually respectful and trusting relationship between Aboriginal and non-Aboriginal peoples by recognizing the grievances of the past, and taking real social, political and economic action to create a new path forward. We can now briefly look at the United Nations Declaration of the Rights of Indigenous Peoples to see how it might be used as a framework for reconciliation in the context of local government.

Summary of the United Nations Declaration of the Rights of Indigenous Peoples:

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), attached, is an international policy adopted by the United Nations on September 13, 2007, to sanctify the rights that “constitute the minimum standards for the survival, dignity and well-being of the Indigenous peoples of the world.” The UNDRIP protects collective rights that may not be addressed in other human rights charters emphasizing individual rights, and it also protects the individual rights of Indigenous people. The Declaration is the product of 25 years of extensive consultation between Indigenous Groups and the United Nations.

The Declaration also guarantees and preserves the rights of Indigenous peoples to enjoy and practice their cultures and customs, their religions, and their languages, and to develop and strengthen their economies and their social and political institutions. Indigenous peoples have the right to be free from discrimination, and the right to a nationality.

Significantly, in Article 3, the UNDRIP recognizes Indigenous peoples’ right to self-determination, which includes the right “to freely determine their political status and freely pursue their economic, social and cultural development.” Article 4 affirms Indigenous peoples’ right “to autonomy or self-government in matters relating to their internal and local affairs,” and Article 5 protects their right “to maintain and strengthen their distinct political, legal, economic, social and cultural institutions.” Article 26 states that “Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired,” and it directs states to give legal recognition to these territories. The Declaration does not override the rights of Indigenous peoples contained in their treaties and agreements, and it directs the implementation of these agreements.

Originally, in 2007 when the UNDRIP was first adopted by the United Nations, the Canadian federal government refused to sign and adopt the policy citing that it contained features that were “fundamentally incompatible with Canada's constitutional framework”. In particular, the Canadian federal government had concerns with Article 19 (which could require governments to secure the consent of Indigenous peoples regarding matters of general public policy), and Articles 26 and 28 (which could allow for the rehashing of historically settled treaties and land claims).

However, by 2010 Canada had changed its position and officially supported the UNDRIP as an ‘aspirational’ policy. The term ‘aspirational’ has been criticized as being a soft qualifier; indeed, in 2014 the Canadian federal government was the only UN member to refuse the adoption of the UNDRIP ‘Outcome Document’ affirming continued commitment to the policy. However, the new federal Liberal government has made it a priority to move beyond the ‘aspirational’ sentiment, and has mandated the full adoption and endorsement of the UNDRIP as a national policy.

In response, a delegation of Indigenous groups and representatives have sent the Prime Minister a letter dated November 23, 2015 (copy attached) requesting that the federal government fully endorse the policy of Free, Prior and Informed Consent from Indigenous groups prior to moving forward with any administrative or legislative change that may have an impact on an Indigenous groups’ rights. A response from the Prime Minister is expected this year, but no such response has yet been given and many First Nations, and Provincial and Local governments, are left wondering what the federal position will formally be. There have been, however, a few moves at the federal level that do indicate change is happening. The federal budget tabled in March allocated \$8.4 billion for First Nations infrastructure, health, education and other areas, but federal officials skirted questions concerning Indigenous sovereignty and jurisdiction, and some Indigenous critics have commented that both implementing the TRC’s recommendations and providing funding for the ‘Indigenous capital deficit’ will cost significantly more. In this respect, the new federal government has made a reasonable financial investment, but the issue of Indigenous reconciliation is so complex that it will likely take significantly more resources and many more years to achieve any sense of finality.

Prime Minister Trudeau has also appointed the Chair of the TRC, Chair Justice Murray Sinclair, to the senate based on merit and his dedication and contribution to Canada for his role on the TRC. This has been seen as a positive move reflective of a position to come. However, until a formal announcement of the federal position is made, all Canadians, First Nations included, are left speculating what that position will be.

Analysis:

Adopting and implementing the UNDRIP as a framework for the Truth and Reconciliation Commission’s Calls to Action at the local government level, and recognizing potential issues:

Reconciliation is an ongoing process about acknowledging past grievances in order to rebuild a trusting relationship through specific actions which address the rights, special status and nature of Canada’s Indigenous peoples. UNDRIP is an international policy which sets out to guarantee and preserve the rights of Indigenous peoples to enjoy and practice their cultures and customs, their religions, and their languages, and to develop and strengthen their economies and their social and political institutions.

At a local level, local governments, and specifically the SLRD, can undertake constructive reconciliatory actions which help guarantee and preserve the rights of Indigenous people to

preserve, distinguish, and strengthen their socioeconomic, political and cultural identity. A list of these actions will be discussed in more detail below.

However, despite the objective of being dutiful, considerate and respectful, the application of UNDRIP at a regional level as a framework for reconciliatory action poses a couple of topics for discussion, as follows:

- 1) Fully implementing and adopting UNDRIP, even as a framework, establishes a very high standard of recognition for Indigenous rights and title. For example, article 19 mandates that the free, prior and informed consent (FPIC) of Indigenous peoples be obtained before adopting and implementing legislative or administrative measures that may affect them. Consent is quite different than consultation, which is the standard today.
- 2) Before moving forward, the SLRD Board must consider and determine how it could effectively obtain the consent of aboriginal decision makers prior to enacting administrative or legislative measures (such as an Official Community Plan or Regional Growth Strategy) that may affect the Indigenous residents within one or more of its electoral areas. Obtaining consent is a significant step to take, and one that would require significant foresight, planning and administration. Beyond article 19, municipal governments face several other articles that establish a similarly high standard of consent, approval and recognition (particularly articles 28, 29 and 32--dealing with the use and management of Crown land and resources). It should be noted that this requirement could impose a challenging obligation on both the respective First Nation communities and on the SLRD.
- 3) Making the statement that the SLRD will fully adopt and implement the UNDRIP as the framework for reconciliation, and then not adequately fulfilling the obligations thereto could undermine both the meaning of the statement and any future reconciliation and relationship building efforts the SLRD may wish to undertake. Furthermore, redacting on a statement of adoption and implementation due to the challenge or impossibility of effectively implementing it could have an adverse effect.

While important, these discussion points do not necessarily establish a strong enough argument to fully dismiss the UNDRIP and the TRC Calls to Action. Many governments of all levels are now beginning to accept the mandate and principles of the UNDRIP, and are attempting to put its provisions into practice within their respective processes of reconciliation. This is being accomplished by acknowledging the rights Indigenous groups have—rights confirmed by the UNDRIP—and proceeding with the implementation of constructive, local actions and policy that serves to nurture these rights.

While these constructive actions play an important role in implementing UNDRIP at the local level, the SLRD Board should still be cognizant of the points raised above. A full implementation of UNDRIP, including article 19, would be an arduous and complicated task for a local government alone. Most local governments are simply not there yet, and neither are most Indigenous communities. Therefore, it is advised that the SLRD at first proceed with constructive local

actions, and wait to see what the response is at the federal level specifically with respect to requiring the request of Free, Prior and Informed Consent of First Nations for administrative and legislative change.

Examples of reconciliation being implemented in other local jurisdictions:

City of Vancouver:

The City of Vancouver was the first jurisdiction in Canada to respond to the TRC's recommendations. Action was initiated at their June 23, 2015 Council Meeting when Vancouver City Council resolved to:

- Have staff report to Council on how to move forward with the TRC's recommendations, while being mindful of the City's jurisdiction;
- Request the City's school board, police department and public library to also conduct a review of the recommendations; and,
- Have the City's motion be forwarded to the Union of BC Municipalities (UBCM) and the Federation of Canadian Municipalities (FCM) to advocate on behalf of local government to the Province and federal government to provide a response to the recommendations.

The City of Vancouver has also declared itself a "City of Reconciliation", and it has established a long-term framework for partnership and relationship building with the Musqueam, Squamish, and Tsleil-Waututh nations and urban Indigenous people.

Throughout the first quarter of 2016 the City of Vancouver has proceeded with their 'City of Reconciliation' strategic work plan. The most significant development has seen the City promote their Aboriginal planner to the position of Aboriginal Relations Manager. The City has also initiated a \$100,000 Indigenous cultural competency training initiative for all City staff, initiated with a 'pilot' training program. Different scales of the cultural competency training for senior managers and all other staff will be rolled-out over the coming months. Finally, the City has started planning various reconciliation projects, such as the placement of Indigenous art in City hall, which have been allocated \$600,000 over the next three years, and will be carried out by various departments once their cultural competency training has been completed.

Metro Vancouver:

Metro Vancouver has undertaken several initiatives to show its support and recognition of the TRC's Calls to Action. For example, at its October 30, 2015 regular meeting, the Greater Vancouver Regional District Board of Directors adopted the following resolution:

That the GVRD Board endorse the Truth and Reconciliation Commission of Canada's Summary Report on Indian Residential Schools, and send letters to the Honourable Minister of Aboriginal Affairs and Northern Development Canada and the Honourable Minister of Aboriginal Relations and Reconciliation urging them to move forward quickly with report recommendations.

Metro Vancouver also supported the September 2013 walk for Reconciliation, the TRC National Event in Vancouver, and the reconciliation sessions held at the UBCM annual convention. The organization is also moving forward with improving communication and engagement with Indigenous groups through the co-hosting of Community to Community Forums and workshops.

In February 2016, the Metro Vancouver Aboriginal Relations Committee approved their 2016 work plan which contained several action items relating to reconciliation activities. These include appointing committee members to various other Aboriginal Relations committees and treaty groups, updating their profiles of First Nations, continuing with the planning of co-hosted community-to-community forums, and implementing a corporate-wide First Nations communications and engagement process.

City of Saskatoon:

The City of Saskatoon (“CoS”) is exemplary in their establishment of a framework for reconciliation in that they have defined city-related initiatives that have been undertaken, and options for future initiatives, including budgetary implications, for 19 of the Calls to Action from the TRC report. For example, with Action 43—of concern in this report—the CoS is undertaking a range of initiatives from having City senior management participate in an information session on the duty to consult presented by a University of Saskatchewan expert, to actively seeking Aboriginal representation on City Boards and Committees. In total, the CoS has identified 80 initiatives they have undertaken, or plan to undertake, for their reconciliation framework.

As of March 2016, the City had carried out a series of Indigenous partnership, engagement and economic development forums, had developed a full-scale indigenous cultural competency training program for over 400 City managers, supervisors and union executives to be implemented throughout the remainder of 2016, and had developed a Community Action Plan with various Saskatoon community and Indigenous organizations (e.g. United Way, Saskatoon Tribal Council, Aboriginal Friendship Centres of Saskatchewan, etc.) also to be implemented throughout 2016 and beyond.

The Cariboo Regional District:

The Cariboo Regional District (CRD) has taken on a number of reconciliation initiatives to foster a culture of awareness, understanding, and collaboration with First Nation communities. For example:

- The CRD acknowledged the atrocities of residential schools and worked together with First Nations to raise awareness of what happened through a Truth and Reconciliation event.
- The CRD worked with First Nations to host the St. Joseph’s Mission (a residential school in Williams Lake, BC) commemorative ceremonies. This reconciliation event has evolved into an annual event called “Orange Shirt Day”.
- The Regional District has also held a series of Community to Community forums with First Nations.

New for 2016, the CRD has formally established a First Nations Relations Committee with a defined purpose “to advise the Cariboo Regional District Board regarding opportunities to strengthen local First Nations and to consider matters referred to the Committee by the Board”. As such, the CRD is tasking their First Nations Relations Committee with the implementation of the various reconciliation initiatives including developing an Aboriginal Athlete development program, and carrying out “Orange Shirt Day” activities. The CRD has decided to defer other reconciliation activities, including refining the CRD’s Indigenous Referral Processes and carrying out CRD staff-level Indigenous cultural competency training, until guidelines and templates on these activities have been provided by the UBCM and FCM.

Alberni Clayoquot Regional District:

The Alberni Clayoquot Regional District (ACRD) has been raising awareness and understanding about Indian Residential Schools through its own Truth and Reconciliation process. The ACRD Board adopted a resolution to embrace reconciliation and to dedicate a section of its website to provide the community with information on what happened in residential schools and the implications for Aboriginal peoples today. The ACRD has also invited Dr. Robert Joseph of Reconciliation Canada to meet with local leaders and senior staff.

At the February 2016 ACRD Reconciliation Committee meeting, the Committee, in collaboration with the Nuuchah-nulth Tribal Council (“NTC”), produced a list of goals and potential actions that the ACRD will seek to accomplish over the year. These include continued education and awareness with both ACRD staff and constituents, increased involvement from First Nations at ACRD Reconciliation Committee meetings, celebratory event for Aboriginal Day, increased prevalence of Aboriginal Art throughout the ACRD, improved signage throughout the ACRD recognizing Aboriginal culture, improved naming of parks and ACRD facilities to involve Aboriginal Culture, and hosting a march and day of honoring for Residential School Survivors and missing and murdered Indigenous women.

What the SLRD’s reconciliatory actions have recently been:

Through Strategic Planning exercises for the 2015-2018 period, the SLRD Board of Directors established a direction and goal of enhancing relationships with Aboriginal Communities and First Nations. On February 25, 2015, the SLRD Board passed the following resolution with respect to adopting the 2015-2018 Strategic Planning Directions and Goals.

Goal #1 of the Strategic Planning Directions and Goals consists of the following:

1. Enhance relationships with aboriginal communities and First Nations

Goal: Collaborative, respectful relationships with aboriginal communities and First Nations

- a) Invite First Nations for a meal when the Board meets in their traditional territory
[ongoing]
- b) When sharing a meal with First Nations, invite the Chief and/or Council to make an informal presentation *[ongoing]*
- c) Learn about events that First Nations are hosting and try to attend and/or ensure the Board is aware of such events *[ongoing]*
- d) Include as the first item on Board agendas, acknowledgement that the Board is meeting on the First Nations’ traditional territory *[Done]*

- e) Create a map which includes First Nations names (and pronunciations), *[and the SLRD's illustration of] territories and claims [Done]*

The Board and Staff have also undertaken a Community to Community (C2C) Forum with the northern St'at'imc Communities in January 2016. This Forum provided a valuable opportunity for elected leaders and Staff from both the SLRD, the District of Lillooet, and the participating First Nations to share a meal, learn about one another's culture, history and governance, and identify challenges and initiatives to continue building upon the relationship into the future.

The SLRD has also undertaken an Economic Development Governance Model Feasibility Study, conducted by the Fraser Basin Council in 2014, which concluded that an inclusive, multi-party working group should be formed to improve communication and guide economic development in the northern SLRD. St'at'imc leadership have expressed preliminary support for the proposed group, but have requested that all elected leadership be brought together to discuss key foundational issues before they would feel comfortable committing to a formal collaborative economic development process. The C2c Forum will, ideally, help resolve this concern.

All of these items are concrete actions that positively contribute to a spirit of reconciliation and relationship building. Each action has meaning and contributes as a relationship building tool.

What the SLRD can continue to do going forward:

Advancing a reconciliation framework for the SLRD with its Indigenous neighbours will be an extensive and even 'generational' responsibility. Moderate but meaningful initiatives have already been accomplished (as mentioned above), and others are in the planning or initiatory stage, such as joint economic development planning in the northern part of the SLRD, which fits into the framework by helping strengthen the economic situation of the region's northern Indigenous communities. SLRD staff have also been recently meeting with administrators and senior management from several of our First Nations neighbours, including T'it'q'et, N'Quatqua, Squamish Nation and Lil'wat Nation. Staff most recently met with Squamish Nation in March, 2016 and received a profound introduction to Squamish Nation's governance structure and current community development activities. The meeting also provided a good opportunity to begin discussing one another's goals and initiatives. These meetings have been highly effective in that staff are able to understand one another's community issues and concerns, gain and understanding of the short and long term community direction, and share experiences and stories to help build both personal and professional relationships. Staff will continue to hold these meetings with the above and other First Nations neighbors in preparation for anticipated elected leadership engagement over the coming months.

In follow-up to the C2C Forum held in mid-January 2016, the SLRD may consider planning and undertaking additional C2C Forum events to continue fostering both the relationship with and recognition and appreciation of First Nations communities' social and cultural identities; in fact, staff is bringing a report on the next C2C funding intake this month (April, 2016). Building awareness, understanding and relationship through cultural education is thought to be the most important component of the reconciliation process.

This report suggests that the SLRD move carefully when advancing a comprehensive stance on the UNDRIP and the TRC Calls to Action, as redacting on a position because of policy change at the provincial or federal level or the ineffectiveness of the SLRD to realize the objectives could be more harmful than advancing reconciliation initiatives in a careful and balanced manner from the outset.

This being said, advancing a careful and balanced approach does not have to mean being laggards on the matter of reconciliation. At its meeting on November 25, 2015, the SLRD Board directed staff to bring a report to the Board outlining the rationale and scope of work required to design and implement a framework for regional reconciliation. That report is forthcoming. However as a start, the following list suggests some potential actions and initiatives that are truly reconciliatory, are consistent with the UNDRIP, and are being carried out elsewhere, and which allow the SLRD to proceed carefully with the adoption of a more comprehensive implementation of the UNDRIP at a future time. These suggested initiatives can be considered examples for a potential framework that could be developed over the coming year or through the remainder of the current 2015 to 2018 planning period.

Suggested Short Term Actions

- Advise First Nations communities of the SLRD's intention to design and implement a framework for regional reconciliation, and invite their involvement in its development;
- Regularly invite First Nations elected officials and staff to come meet with SLRD Board Directors and staff;
- Invite reconciliation leaders and experts to meet with the SLRD Board and Staff;
- Acknowledge the traditional territories that the SLRD lies within prominently on the website;
- Have SLRD Staff continue to meet with First Nations Staff to get a sense of the collaboration and services that are already shared, and that could be expanded on;
- Some SLRD staff have taken Indigenous cultural and historical awareness training which has proven to be useful and effective during interaction and relationship building activities with our Indigenous neighbours. The SLRD could continue to provide Indigenous cultural and historical awareness training to all SLRD Board members and SLRD employees who have not yet participated (as per article #57 of the TRC Calls to Action);
- Celebrate or Formally Recognize Aboriginal Day on June 21st, or Indigenous Peoples Day (internationally recognized on August 9th, and continentally recognized on October 12th—in lieu of Columbus Day) - work with Elders and representative First Nation Leaders on which date would be most appropriate, and the best time for celebration activities.

Example of Medium to Long Term Actions

These could be potential actions within the framework for regional reconciliation. Integrating all of the actions below is dependent on the availability of limited human and monetary resources. The SLRD will need to prioritize and choose between the most practical and useful actions, as could be jointly decided by an SLRD/Indigenous working committee.

- Establish an SLRD Indigenous Relations Committee;
- Declare the SLRD to be a Regional District of Reconciliation;
- Declare a Year of Reconciliation in which SLRD departments develop protocols, hold information sessions for the public, conduct cultural competency training for staff, and host celebratory activities. A good date for launching the Year of Reconciliation is June 21st which is National Aboriginal Day;
- Dedicate a section of the SLRD website to provide the community with information on reconciliation, including the destructive legacies of colonization, what happened in residential schools, and the impact of these actions on Aboriginal peoples today
- Rename a park after a local indigenous legend or hero;
- Support efforts to rename local landmarks of cultural significance to Indigenous peoples;
- Erect a monument in recognition or remembrance of local Indigenous residential school victims or survivors (as per articles 75, 76, & 82 of the TRC Calls to Action);
- Collaborate to identify, maintain, honour and commemorate gravesites of missing residential school children;
- Support National Day for Truth and Reconciliation;
- Display local First Nation art in the SLRD Building;
- Continue to work with local First Nation communities on joint economic development initiatives;
- Invite First Nations representatives to sit on Regional Planning Committees to expand on the duty to consult, as per the *Local Government Act* (e.g. Section 434 (2) (c)) (i.e. RGS Committee, Solid Waste Planning Committee, etc.);
- Assist with educating the public regarding local indigenous athletic history and champions; and support Indigenous athletic development and competitions (as per article 87 and 88 of the TRC Calls to Action);
- Begin to repudiate, and reform policies/bylaws that may rely on concepts of European sovereignty (as per article 47 of the TRC Calls to Action).
- Develop Memorandums of Understanding (MOUs) with regional First Nations on topics of mutual interest and benefit, such as the duty to consult, regional growth and land use planning, economic development or treaty-related measures.

Relevant Policies:

- The Truth and Reconciliation Commissions Calls to Action and Summary Report (2015)
- The United Nations Declaration on the Rights of Indigenous Peoples

- 2015 – 2018 SLRD Strategic Priorities: Enhancing relationships with aboriginal communities and First Nations
- SLRD Regional Growth Strategy (RGS)
 - Goal #8 – Enhance Relations with Aboriginal Communities which
 - Supports expanding dialogue and cooperation with First Nations
 - Supports establishing MOU's between aboriginal communities and local governments that address issues of mutual concern
 - Goal #9 – Improve collaboration among Jurisdictions
- SLRD Integrated Sustainability Plan (ISP) 2.3.9 – Communications and engagement – By 2030: The SLRD, its electoral areas, member municipalities, First Nations and other government partners, work cooperatively together to promote and integrate a shared vision of success and sustainability for the region;
 - A Broad partnership of institutions, businesses, community organizations, individuals, First Nations and all other levels of government work together and share information;
 - Joint planning exercises with First Nations and other regional partners are seen as opportunities to grow together while respecting the responsibilities and jurisdictions of other governments.
- Northern Area Economic Development Assessment, Strategy and Action Plan
 - Goal #5.7: Strengthen and expand partnerships
 - 5.7.2. Establish community accords with First Nations

Attachments:

1. United Nations Declaration on the Rights of Indigenous Peoples
2. The Truth and Reconciliation Commissions Calls to Action
3. Indigenous People Delegation letter to Prime Minister Trudeau—Free Prior and Informed Consent
4. The complete Truth and Reconciliation Report, including the Summary Report, can be accessed here: <http://www.trc.ca/websites/trcinstitution/index.php?p=890>

Submitted by: Graham Haywood, Project and Research Coordinator

Reviewed and Approved by: Lynda Flynn, Chief Administrative Officer



United Nations

United Nations
DECLARATION
on the **RIGHTS**
of **INDIGENOUS**
PEOPLES



United Nations

United Nations Declaration
on the Rights of Indigenous Peoples





Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/61/L.67 and Add.1)*]

61/295. United Nations Declaration on the Rights of Indigenous Peoples

The General Assembly,

Taking note of the recommendation of the Human Rights Council contained in its resolution 1/2 of 29 June 2006,¹ by which the Council adopted the text of the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling its resolution 61/178 of 20 December 2006, by which it decided to defer consideration of and action on the Declaration to allow time for further consultations thereon, and also decided to conclude its consideration before the end of the sixty-first session of the General Assembly,

Adopts the United Nations Declaration on the Rights of Indigenous Peoples as contained in the annex to the present resolution.

*107th plenary meeting
13 September 2007*

Annex

United Nations Declaration on the Rights of Indigenous Peoples

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and good faith in the fulfilment of the obligations assumed by States in accordance with the Charter,

Affirming that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,

¹See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53 (A/61/53)*, part one, chap. II, sect. A.

Affirming also that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,

Affirming further that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

Concerned that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,

Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,

Recognizing also the urgent need to respect and promote the rights of indigenous peoples affirmed in treaties, agreements and other constructive arrangements with States,

Welcoming the fact that indigenous peoples are organizing themselves for political, economic, social and cultural enhancement and in order to bring to an end all forms of discrimination and oppression wherever they occur,

Convinced that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,

Recognizing that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment,

Emphasizing the contribution of the demilitarization of the lands and territories of indigenous peoples to peace, economic and social

progress and development, understanding and friendly relations among nations and peoples of the world,

Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,

Considering that the rights affirmed in treaties, agreements and other constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,

Considering also that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States,

Acknowledging that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights,² and the International Covenant on Civil and Political Rights,² as well as the Vienna Declaration and Programme of Action,³ affirm the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Bearing in mind that nothing in this Declaration may be used to deny any peoples their right to self-determination, exercised in conformity with international law,

Convinced that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

Encouraging States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned,

Emphasizing that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples,

²See resolution 2200 A (XXI), annex.

³A/CONF.157/24 (Part I), chap. III.

Believing that this Declaration is a further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field,

Recognizing and reaffirming that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples,

Recognizing that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration,

Solemnly proclaims the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect:

Article 1

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights⁴ and international human rights law.

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to

⁴Resolution 217 A (III).

their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - (d) Any form of forced assimilation or integration;
 - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.

2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

Article 17

1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.

3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources

equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 30

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.
2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 36

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.
2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 37

1. Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.
2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.

Article 38

States, in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 40

Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 41

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Article 43

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

Article 44

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law

and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

Attachment #2



Truth and Reconciliation Commission of Canada: Calls to Action





Truth and
Reconciliation
Commission of Canada

Truth and Reconciliation Commission of Canada: Calls to Action



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2015

Truth and Reconciliation Commission of Canada, 2012

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Calls to Action

In order to redress the legacy of residential schools and advance the process of Canadian reconciliation, the Truth and Reconciliation Commission makes the following calls to action.

Legacy

CHILD WELFARE

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care by:
 - i. Monitoring and assessing neglect investigations.
 - ii. Providing adequate resources to enable Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside.
 - iii. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the history and impacts of residential schools.
 - iv. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.
 - v. Requiring that all child-welfare decision makers consider the impact of the residential school experience on children and their caregivers.
2. We call upon the federal government, in collaboration with the provinces and territories, to prepare and

publish annual reports on the number of Aboriginal children (First Nations, Inuit, and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child-welfare agencies, and the effectiveness of various interventions.

3. We call upon all levels of government to fully implement Jordan's Principle.
4. We call upon the federal government to enact Aboriginal child-welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:
 - i. Affirm the right of Aboriginal governments to establish and maintain their own child-welfare agencies.
 - ii. Require all child-welfare agencies and courts to take the residential school legacy into account in their decision making.
 - iii. Establish, as an important priority, a requirement that placements of Aboriginal children into temporary and permanent care be culturally appropriate.
5. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate parenting programs for Aboriginal families.

EDUCATION

6. We call upon the Government of Canada to repeal Section 43 of the *Criminal Code of Canada*.
7. We call upon the federal government to develop with Aboriginal groups a joint strategy to eliminate

educational and employment gaps between Aboriginal and non-Aboriginal Canadians.

8. We call upon the federal government to eliminate the discrepancy in federal education funding for First Nations children being educated on reserves and those First Nations children being educated off reserves.
9. We call upon the federal government to prepare and publish annual reports comparing funding for the education of First Nations children on and off reserves, as well as educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.
10. We call on the federal government to draft new Aboriginal education legislation with the full participation and informed consent of Aboriginal peoples. The new legislation would include a commitment to sufficient funding and would incorporate the following principles:
 - i. Providing sufficient funding to close identified educational achievement gaps within one generation.
 - ii. Improving education attainment levels and success rates.
 - iii. Developing culturally appropriate curricula.
 - iv. Protecting the right to Aboriginal languages, including the teaching of Aboriginal languages as credit courses.
 - v. Enabling parental and community responsibility, control, and accountability, similar to what parents enjoy in public school systems.
 - vi. Enabling parents to fully participate in the education of their children.
 - vii. Respecting and honouring Treaty relationships.
11. We call upon the federal government to provide adequate funding to end the backlog of First Nations students seeking a post-secondary education.
12. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate early childhood education programs for Aboriginal families.

LANGUAGE AND CULTURE

13. We call upon the federal government to acknowledge that Aboriginal rights include Aboriginal language rights.

14. We call upon the federal government to enact an Aboriginal Languages Act that incorporates the following principles:
 - i. Aboriginal languages are a fundamental and valued element of Canadian culture and society, and there is an urgency to preserve them.
 - ii. Aboriginal language rights are reinforced by the Treaties.
 - iii. The federal government has a responsibility to provide sufficient funds for Aboriginal-language revitalization and preservation.
 - iv. The preservation, revitalization, and strengthening of Aboriginal languages and cultures are best managed by Aboriginal people and communities.
 - v. Funding for Aboriginal language initiatives must reflect the diversity of Aboriginal languages.
15. We call upon the federal government to appoint, in consultation with Aboriginal groups, an Aboriginal Languages Commissioner. The commissioner should help promote Aboriginal languages and report on the adequacy of federal funding of Aboriginal-languages initiatives.
16. We call upon post-secondary institutions to create university and college degree and diploma programs in Aboriginal languages.
17. We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.

HEALTH

18. We call upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.
19. We call upon the federal government, in consultation with Aboriginal peoples, to establish measurable goals to identify and close the gaps in health outcomes

between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess long-term trends. Such efforts would focus on indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.

20. In order to address the jurisdictional disputes concerning Aboriginal people who do not reside on reserves, we call upon the federal government to recognize, respect, and address the distinct health needs of the Métis, Inuit, and off-reserve Aboriginal peoples.
21. We call upon the federal government to provide sustainable funding for existing and new Aboriginal healing centres to address the physical, mental, emotional, and spiritual harms caused by residential schools, and to ensure that the funding of healing centres in Nunavut and the Northwest Territories is a priority.
22. We call upon those who can effect change within the Canadian health-care system to recognize the value of Aboriginal healing practices and use them in the treatment of Aboriginal patients in collaboration with Aboriginal healers and Elders where requested by Aboriginal patients.
23. We call upon all levels of government to:
 - i. Increase the number of Aboriginal professionals working in the health-care field.
 - ii. Ensure the retention of Aboriginal health-care providers in Aboriginal communities.
 - iii. Provide cultural competency training for all health-care professionals.
24. We call upon medical and nursing schools in Canada to require all students to take a course dealing with Aboriginal health issues, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, and Indigenous teachings and practices. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

JUSTICE

25. We call upon the federal government to establish a written policy that reaffirms the independence of the

Royal Canadian Mounted Police to investigate crimes in which the government has its own interest as a potential or real party in civil litigation.

26. We call upon the federal, provincial, and territorial governments to review and amend their respective statutes of limitations to ensure that they conform to the principle that governments and other entities cannot rely on limitation defences to defend legal actions of historical abuse brought by Aboriginal people.
27. We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
28. We call upon law schools in Canada to require all law students to take a course in Aboriginal people and the law, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
29. We call upon the parties and, in particular, the federal government, to work collaboratively with plaintiffs not included in the Indian Residential Schools Settlement Agreement to have disputed legal issues determined expeditiously on an agreed set of facts.
30. We call upon federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so.
31. We call upon the federal, provincial, and territorial governments to provide sufficient and stable funding to implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.
32. We call upon the federal government to amend the Criminal Code to allow trial judges, upon giving reasons, to depart from mandatory minimum sentences and restrictions on the use of conditional sentences.

33. We call upon the federal, provincial, and territorial governments to recognize as a high priority the need to address and prevent Fetal Alcohol Spectrum Disorder (FASD), and to develop, in collaboration with Aboriginal people, FASD preventive programs that can be delivered in a culturally appropriate manner.
34. We call upon the governments of Canada, the provinces, and territories to undertake reforms to the criminal justice system to better address the needs of offenders with Fetal Alcohol Spectrum Disorder (FASD), including:
 - i. Providing increased community resources and powers for courts to ensure that FASD is properly diagnosed, and that appropriate community supports are in place for those with FASD.
 - ii. Enacting statutory exemptions from mandatory minimum sentences of imprisonment for offenders affected by FASD.
 - iii. Providing community, correctional, and parole resources to maximize the ability of people with FASD to live in the community.
 - iv. Adopting appropriate evaluation mechanisms to measure the effectiveness of such programs and ensure community safety.
35. We call upon the federal government to eliminate barriers to the creation of additional Aboriginal healing lodges within the federal correctional system.
36. We call upon the federal, provincial, and territorial governments to work with Aboriginal communities to provide culturally relevant services to inmates on issues such as substance abuse, family and domestic violence, and overcoming the experience of having been sexually abused.
37. We call upon the federal government to provide more supports for Aboriginal programming in halfway houses and parole services.
38. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to eliminating the overrepresentation of Aboriginal youth in custody over the next decade.
39. We call upon the federal government to develop a national plan to collect and publish data on the criminal victimization of Aboriginal people, including data related to homicide and family violence victimization.
40. We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.
41. We call upon the federal government, in consultation with Aboriginal organizations, to appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls. The inquiry's mandate would include:
 - i. Investigation into missing and murdered Aboriginal women and girls.
 - ii. Links to the intergenerational legacy of residential schools.
42. We call upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the *Constitution Act, 1982*, and the *United Nations Declaration on the Rights of Indigenous Peoples*, endorsed by Canada in November 2012.

Reconciliation

CANADIAN GOVERNMENTS AND THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLE

43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
44. We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the *United Nations Declaration on the Rights of Indigenous Peoples*.

ROYAL PROCLAMATION AND COVENANT OF RECONCILIATION

45. We call upon the Government of Canada, on behalf of all Canadians, to jointly develop with Aboriginal peoples a Royal Proclamation of Reconciliation to be issued by the Crown. The proclamation would build on the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, and reaffirm the nation-to-nation relationship between Aboriginal peoples and the Crown. The proclamation would include, but not be limited to, the following commitments:

- i. Repudiate concepts used to justify European sovereignty over Indigenous lands and peoples such as the Doctrine of Discovery and *terra nullius*.
 - ii. Adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
 - iii. Renew or establish Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.
 - iv. Reconcile Aboriginal and Crown constitutional and legal orders to ensure that Aboriginal peoples are full partners in Confederation, including the recognition and integration of Indigenous laws and legal traditions in negotiation and implementation processes involving Treaties, land claims, and other constructive agreements.
46. We call upon the parties to the Indian Residential Schools Settlement Agreement to develop and sign a Covenant of Reconciliation that would identify principles for working collaboratively to advance reconciliation in Canadian society, and that would include, but not be limited to:
- i. Reaffirmation of the parties' commitment to reconciliation.
 - ii. Repudiation of concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*, and the reformation of laws, governance structures, and policies within their respective institutions that continue to rely on such concepts.
 - iii. Full adoption and implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
 - iv. Support for the renewal or establishment of Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.
 - v. Enabling those excluded from the Settlement Agreement to sign onto the Covenant of Reconciliation.
 - vi. Enabling additional parties to sign onto the Covenant of Reconciliation.

47. We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and *terra nullius*, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.

SETTLEMENT AGREEMENT PARTIES AND THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

48. We call upon the church parties to the Settlement Agreement, and all other faith groups and interfaith social justice groups in Canada who have not already done so, to formally adopt and comply with the principles, norms, and standards of the *United Nations Declaration on the Rights of Indigenous Peoples* as a framework for reconciliation. This would include, but not be limited to, the following commitments:
- i. Ensuring that their institutions, policies, programs, and practices comply with the *United Nations Declaration on the Rights of Indigenous Peoples*.
 - ii. Respecting Indigenous peoples' right to self-determination in spiritual matters, including the right to practise, develop, and teach their own spiritual and religious traditions, customs, and ceremonies, consistent with Article 12:1 of the *United Nations Declaration on the Rights of Indigenous Peoples*.
 - iii. Engaging in ongoing public dialogue and actions to support the *United Nations Declaration on the Rights of Indigenous Peoples*.
 - iv. Issuing a statement no later than March 31, 2016, from all religious denominations and faith groups, as to how they will implement the *United Nations Declaration on the Rights of Indigenous Peoples*.
49. We call upon all religious denominations and faith groups who have not already done so to repudiate concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*.

EQUITY FOR ABORIGINAL PEOPLE IN THE LEGAL SYSTEM

50. In keeping with the *United Nations Declaration on the Rights of Indigenous Peoples*, we call upon the federal government, in collaboration with Aboriginal organizations, to fund the establishment of Indigenous law institutes for the development, use, and

understanding of Indigenous laws and access to justice in accordance with the unique cultures of Aboriginal peoples in Canada.

51. We call upon the Government of Canada, as an obligation of its fiduciary responsibility, to develop a policy of transparency by publishing legal opinions it develops and upon which it acts or intends to act, in regard to the scope and extent of Aboriginal and Treaty rights.
52. We call upon the Government of Canada, provincial and territorial governments, and the courts to adopt the following legal principles:
 - i. Aboriginal title claims are accepted once the Aboriginal claimant has established occupation over a particular territory at a particular point in time.
 - ii. Once Aboriginal title has been established, the burden of proving any limitation on any rights arising from the existence of that title shifts to the party asserting such a limitation.

NATIONAL COUNCIL FOR RECONCILIATION

53. We call upon the Parliament of Canada, in consultation and collaboration with Aboriginal peoples, to enact legislation to establish a National Council for Reconciliation. The legislation would establish the council as an independent, national, oversight body with membership jointly appointed by the Government of Canada and national Aboriginal organizations, and consisting of Aboriginal and non-Aboriginal members. Its mandate would include, but not be limited to, the following:
 - i. Monitor, evaluate, and report annually to Parliament and the people of Canada on the Government of Canada's post-apology progress on reconciliation to ensure that government accountability for reconciling the relationship between Aboriginal peoples and the Crown is maintained in the coming years.
 - ii. Monitor, evaluate, and report to Parliament and the people of Canada on reconciliation progress across all levels and sectors of Canadian society, including the implementation of the Truth and Reconciliation Commission of Canada's Calls to Action.
 - iii. Develop and implement a multi-year National Action Plan for Reconciliation, which includes research and policy development, public education programs, and resources.

- iv. Promote public dialogue, public/private partnerships, and public initiatives for reconciliation.

54. We call upon the Government of Canada to provide multi-year funding for the National Council for Reconciliation to ensure that it has the financial, human, and technical resources required to conduct its work, including the endowment of a National Reconciliation Trust to advance the cause of reconciliation.
55. We call upon all levels of government to provide annual reports or any current data requested by the National Council for Reconciliation so that it can report on the progress towards reconciliation. The reports or data would include, but not be limited to:
 - i. The number of Aboriginal children—including Métis and Inuit children—in care, compared with non-Aboriginal children, the reasons for apprehension, and the total spending on preventive and care services by child-welfare agencies.
 - ii. Comparative funding for the education of First Nations children on and off reserves.
 - iii. The educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.
 - iv. Progress on closing the gaps between Aboriginal and non-Aboriginal communities in a number of health indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.
 - v. Progress on eliminating the overrepresentation of Aboriginal children in youth custody over the next decade.
 - vi. Progress on reducing the rate of criminal victimization of Aboriginal people, including data related to homicide and family violence victimization and other crimes.
 - vii. Progress on reducing the overrepresentation of Aboriginal people in the justice and correctional systems.
56. We call upon the prime minister of Canada to formally respond to the report of the National Council for Reconciliation by issuing an annual "State of Aboriginal Peoples" report, which would outline the government's plans for advancing the cause of reconciliation.

PROFESSIONAL DEVELOPMENT AND TRAINING FOR PUBLIC SERVANTS

57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

CHURCH APOLOGIES AND RECONCILIATION

58. We call upon the Pope to issue an apology to Survivors, their families, and communities for the Roman Catholic Church's role in the spiritual, cultural, emotional, physical, and sexual abuse of First Nations, Inuit, and Métis children in Catholic-run residential schools. We call for that apology to be similar to the 2010 apology issued to Irish victims of abuse and to occur within one year of the issuing of this Report and to be delivered by the Pope in Canada.
59. We call upon church parties to the Settlement Agreement to develop ongoing education strategies to ensure that their respective congregations learn about their church's role in colonization, the history and legacy of residential schools, and why apologies to former residential school students, their families, and communities were necessary.
60. We call upon leaders of the church parties to the Settlement Agreement and all other faiths, in collaboration with Indigenous spiritual leaders, Survivors, schools of theology, seminaries, and other religious training centres, to develop and teach curriculum for all student clergy, and all clergy and staff who work in Aboriginal communities, on the need to respect Indigenous spirituality in its own right, the history and legacy of residential schools and the roles of the church parties in that system, the history and legacy of religious conflict in Aboriginal families and communities, and the responsibility that churches have to mitigate such conflicts and prevent spiritual violence.
61. We call upon church parties to the Settlement Agreement, in collaboration with Survivors and representatives of Aboriginal organizations, to establish permanent funding to Aboriginal people for:
- i. Community-controlled healing and reconciliation projects.

- ii. Community-controlled culture- and language-revitalization projects.
- iii. Community-controlled education and relationship-building projects.
- iv. Regional dialogues for Indigenous spiritual leaders and youth to discuss Indigenous spirituality, self-determination, and reconciliation.

EDUCATION FOR RECONCILIATION

62. We call upon the federal, provincial, and territorial governments, in consultation and collaboration with Survivors, Aboriginal peoples, and educators, to:
- i. Make age-appropriate curriculum on residential schools, Treaties, and Aboriginal peoples' historical and contemporary contributions to Canada a mandatory education requirement for Kindergarten to Grade Twelve students.
 - ii. Provide the necessary funding to post-secondary institutions to educate teachers on how to integrate Indigenous knowledge and teaching methods into classrooms.
 - iii. Provide the necessary funding to Aboriginal schools to utilize Indigenous knowledge and teaching methods in classrooms.
 - iv. Establish senior-level positions in government at the assistant deputy minister level or higher dedicated to Aboriginal content in education.
63. We call upon the Council of Ministers of Education, Canada to maintain an annual commitment to Aboriginal education issues, including:
- i. Developing and implementing Kindergarten to Grade Twelve curriculum and learning resources on Aboriginal peoples in Canadian history, and the history and legacy of residential schools.
 - ii. Sharing information and best practices on teaching curriculum related to residential schools and Aboriginal history.
 - iii. Building student capacity for intercultural understanding, empathy, and mutual respect.
 - iv. Identifying teacher-training needs relating to the above.
64. We call upon all levels of government that provide public funds to denominational schools to require such schools to provide an education on comparative religious studies, which must include a segment on

Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders.

65. We call upon the federal government, through the Social Sciences and Humanities Research Council, and in collaboration with Aboriginal peoples, post-secondary institutions and educators, and the National Centre for Truth and Reconciliation and its partner institutions, to establish a national research program with multi-year funding to advance understanding of reconciliation.

YOUTH PROGRAMS

66. We call upon the federal government to establish multi-year funding for community-based youth organizations to deliver programs on reconciliation, and establish a national network to share information and best practices.

MUSEUMS AND ARCHIVES

67. We call upon the federal government to provide funding to the Canadian Museums Association to undertake, in collaboration with Aboriginal peoples, a national review of museum policies and best practices to determine the level of compliance with the *United Nations Declaration on the Rights of Indigenous Peoples* and to make recommendations.
68. We call upon the federal government, in collaboration with Aboriginal peoples, and the Canadian Museums Association to mark the 150th anniversary of Canadian Confederation in 2017 by establishing a dedicated national funding program for commemoration projects on the theme of reconciliation.
69. We call upon Library and Archives Canada to:
 - i. Fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Joint-Orontlicher Principles*, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
 - ii. Ensure that its record holdings related to residential schools are accessible to the public.
 - iii. Commit more resources to its public education materials and programming on residential schools.
70. We call upon the federal government to provide funding to the Canadian Association of Archivists to undertake, in collaboration with Aboriginal peoples, a national review of archival policies and best practices to:

- i. Determine the level of compliance with the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Joint-Orontlicher Principles*, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
- ii. Produce a report with recommendations for full implementation of these international mechanisms as a reconciliation framework for Canadian archives.

MISSING CHILDREN AND BURIAL INFORMATION

71. We call upon all chief coroners and provincial vital statistics agencies that have not provided to the Truth and Reconciliation Commission of Canada their records on the deaths of Aboriginal children in the care of residential school authorities to make these documents available to the National Centre for Truth and Reconciliation.
72. We call upon the federal government to allocate sufficient resources to the National Centre for Truth and Reconciliation to allow it to develop and maintain the National Residential School Student Death Register established by the Truth and Reconciliation Commission of Canada.
73. We call upon the federal government to work with churches, Aboriginal communities, and former residential school students to establish and maintain an online registry of residential school cemeteries, including, where possible, plot maps showing the location of deceased residential school children.
74. We call upon the federal government to work with the churches and Aboriginal community leaders to inform the families of children who died at residential schools of the child's burial location, and to respond to families' wishes for appropriate commemoration ceremonies and markers, and reburial in home communities where requested.
75. We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of

appropriate memorial ceremonies and commemorative markers to honour the deceased children.

76. We call upon the parties engaged in the work of documenting, maintaining, commemorating, and protecting residential school cemeteries to adopt strategies in accordance with the following principles:
- i. The Aboriginal community most affected shall lead the development of such strategies.
 - ii. Information shall be sought from residential school Survivors and other Knowledge Keepers in the development of such strategies.
 - iii. Aboriginal protocols shall be respected before any potentially invasive technical inspection and investigation of a cemetery site.

NATIONAL CENTRE FOR TRUTH AND RECONCILIATION

77. We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.
78. We call upon the Government of Canada to commit to making a funding contribution of \$10 million over seven years to the National Centre for Truth and Reconciliation, plus an additional amount to assist communities to research and produce histories of their own residential school experience and their involvement in truth, healing, and reconciliation.

COMMEMORATION

79. We call upon the federal government, in collaboration with Survivors, Aboriginal organizations, and the arts community, to develop a reconciliation framework for Canadian heritage and commemoration. This would include, but not be limited to:
- i. Amending the Historic Sites and Monuments Act to include First Nations, Inuit, and Métis representation on the Historic Sites and Monuments Board of Canada and its Secretariat.
 - ii. Revising the policies, criteria, and practices of the National Program of Historical Commemoration to integrate Indigenous history, heritage values, and memory practices into Canada's national heritage and history.

- iii. Developing and implementing a national heritage plan and strategy for commemorating residential school sites, the history and legacy of residential schools, and the contributions of Aboriginal peoples to Canada's history.

80. We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.
81. We call upon the federal government, in collaboration with Survivors and their organizations, and other parties to the Settlement Agreement, to commission and install a publicly accessible, highly visible, Residential Schools National Monument in the city of Ottawa to honour Survivors and all the children who were lost to their families and communities.
82. We call upon provincial and territorial governments, in collaboration with Survivors and their organizations, and other parties to the Settlement Agreement, to commission and install a publicly accessible, highly visible, Residential Schools Monument in each capital city to honour Survivors and all the children who were lost to their families and communities.
83. We call upon the Canada Council for the Arts to establish, as a funding priority, a strategy for Indigenous and non-Indigenous artists to undertake collaborative projects and produce works that contribute to the reconciliation process.

MEDIA AND RECONCILIATION

84. We call upon the federal government to restore and increase funding to the CBC/Radio-Canada, to enable Canada's national public broadcaster to support reconciliation, and be properly reflective of the diverse cultures, languages, and perspectives of Aboriginal peoples, including, but not limited to:
- i. Increasing Aboriginal programming, including Aboriginal-language speakers.
 - ii. Increasing equitable access for Aboriginal peoples to jobs, leadership positions, and professional development opportunities within the organization.
 - iii. Continuing to provide dedicated news coverage and online public information resources on issues of concern to Aboriginal peoples and all Canadians,

including the history and legacy of residential schools and the reconciliation process.

85. We call upon the Aboriginal Peoples Television Network, as an independent non-profit broadcaster with programming by, for, and about Aboriginal peoples, to support reconciliation, including but not limited to:
 - i. Continuing to provide leadership in programming and organizational culture that reflects the diverse cultures, languages, and perspectives of Aboriginal peoples.
 - ii. Continuing to develop media initiatives that inform and educate the Canadian public, and connect Aboriginal and non-Aboriginal Canadians.
86. We call upon Canadian journalism programs and media schools to require education for all students on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations.

SPORTS AND RECONCILIATION

87. We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.
88. We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.
89. We call upon the federal government to amend the Physical Activity and Sport Act to support reconciliation by ensuring that policies to promote physical activity as a fundamental element of health and well-being, reduce barriers to sports participation, increase the pursuit of excellence in sport, and build capacity in the Canadian sport system, are inclusive of Aboriginal peoples.
90. We call upon the federal government to ensure that national sports policies, programs, and initiatives are inclusive of Aboriginal peoples, including, but not limited to, establishing:
 - i. In collaboration with provincial and territorial governments, stable funding for, and access to, community sports programs that reflect the diverse

cultures and traditional sporting activities of Aboriginal peoples.

- ii. An elite athlete development program for Aboriginal athletes.
 - iii. Programs for coaches, trainers, and sports officials that are culturally relevant for Aboriginal peoples.
 - iv. Anti-racism awareness and training programs.
91. We call upon the officials and host countries of international sporting events such as the Olympics, Pan Am, and Commonwealth games to ensure that Indigenous peoples' territorial protocols are respected, and local Indigenous communities are engaged in all aspects of planning and participating in such events.

BUSINESS AND RECONCILIATION

92. We call upon the corporate sector in Canada to adopt the *United Nations Declaration on the Rights of Indigenous Peoples* as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources. This would include, but not be limited to, the following:
 - i. Commit to meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with economic development projects.
 - ii. Ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector, and that Aboriginal communities gain long-term sustainable benefits from economic development projects.
 - iii. Provide education for management and staff on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.

NEWCOMERS TO CANADA

93. We call upon the federal government, in collaboration with the national Aboriginal organizations, to revise the information kit for newcomers to Canada and its citizenship test to reflect a more inclusive history of the diverse Aboriginal peoples of Canada, including

information about the Treaties and the history of residential schools.

94. We call upon the Government of Canada to replace the Oath of Citizenship with the following:

I swear (or affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Queen of Canada, Her Heirs and Successors, and that I will faithfully observe the laws of Canada including Treaties with Indigenous Peoples, and fulfill my duties as a Canadian citizen.

Truth and Reconciliation Commission of Canada

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Attachment #3

Rt. Hon. Justin Trudeau
Prime Minister of Canada

November 23, 2015

Dear Prime Minister,

Our organizations welcome your public commitment to a renewed relationship between the federal government and Indigenous Peoples in Canada based on the rights guaranteed in Canada's Constitution and enshrined in the *United Nations Declaration on the Rights of Indigenous Peoples*. We hope that this vision of cooperation and partnership will shape your government's actions and priorities from the outset.

We are encouraged that, as a "top priority", you have mandated the Minister of Indigenous and Northern Affairs to support reconciliation and implement the *UN Declaration*.

In particular, our organizations believe that there is an immediate and pressing need for your government to collaborate with Indigenous Peoples to institute the crucial human rights safeguard of free, prior and informed consent (FPIC) in the laws, policies and procedures of the federal government.

The FPIC standard is set out in numerous provisions of the *UN Declaration*, and in an extensive body of international human rights jurisprudence and treaty body recommendations. FPIC is a necessary corollary of Indigenous Peoples' right of self-determination and the right to own and control their own lands, territories, and resources. It is also a precautionary standard responsive to the widespread, largely unaddressed human rights violations against Indigenous peoples and the need for rigorous protection against further harm.

Over the last decade, the federal government has repeatedly approved large-scale resource development projects - like the Northern Gateway Pipeline and the Site C dam in British Columbia - over the objections of Indigenous Peoples. Such actions run counter to the directions set by the Supreme Court of Canada and violate Canada's human rights obligations. These actions are not honourable and have dramatically set back the vital goal of reconciliation between Indigenous and non-Indigenous peoples.

Furthermore, rather than promoting economic growth, the repeated violation of Indigenous Peoples' rights has created needless, prolonged conflicts. This has forestalled opportunities for Indigenous Peoples to work cooperatively with federal, provincial and territorial governments to advance mutually agreed upon and mutually beneficial objectives, including community development.

While federal officials have persisted in denouncing and denying free, prior and informed consent, the world has moved ahead without us. The International Finance

Corporation (IFC) has adopted detailed FPIC requirements. International industry bodies such as the International Council on Mining and Metals have also called on members to meet FPIC requirements. The Forest Stewardship Council requires operators to achieve FPIC as an internationally recognized human rights standard that can deliver sustainable, equitable land use and business certainty. Prominent global corporations, including financial corporations and resource development corporations, have begun integrating FPIC into their own procedures.

In December 2013, the UN Global Compact issued *A Business Reference Guide to the UN Declaration on the Rights of Indigenous Peoples*. The *Guide* indicated: “The concept of ... FPIC ... is fundamental to the UN Declaration as a measure to ensure that indigenous peoples’ rights are protected.” The *Guide* added:

The concept of a State’s FPIC obligation is well enshrined in international law. ... FPIC should be obtained whenever there is an impact on indigenous peoples’ substantive rights (including rights to land, territories and resources, and rights to cultural, economic and political self-determination).

Canada’s failure to recognize and implement FPIC standards has created confusion and uncertainty. It has resulted in the deplorable situation of a Canadian regulatory framework that asks less of corporations operating in Canada than, for example, the IFC would require for their operations abroad.

Free, prior and informed consent is the right of Indigenous Peoples to say ‘no’ to the imposition of decisions that would further compound the marginalization, impoverishment and dispossession to which they have been subjected throughout history. FPIC is also the power to say ‘yes’ to mutually beneficial initiatives that can promote healthy and vital Indigenous Nations for the benefit of present and future generations.

This must be a matter of urgent priority for any government committed to a respectful relationship with Indigenous Peoples. It is something that all Canadians should support.

Our organizations urge you to collaborate with Indigenous Peoples’ governments and organizations to ensure that:

- Federal laws, regulations and policies – especially those dealing with resource development – are reformed to ensure that the free, prior and informed consent of Indigenous Peoples is required for any decisions that have the potential for serious impacts on the environment and on their rights.
- Government support for corporate activities in Canada and internationally, whether in the form of tax credits, grants, loans, or political and diplomatic

support, will be contingent on their actions being consistent with international human rights standards including FPIC.

Speaking to the Assembly of First Nations Annual General Assembly in July you said that, “Words will never be enough so long as the government lacks the political will to be a true and honest partner.” Implementation of the rights of Indigenous Peoples is critical for your promise for a Nation-to-Nation relationship and critical for concrete, meaningful and much needed action.

Respectfully,

Assembly of First Nations
Assemblée des Premières Nations du Québec et Labrador/ Assembly of First Nations of Québec and Labrador
Amnesty International Canada
Amnistie internationale Canada francophone
BC Assembly of First Nations
Canadian Friends Service Committee (Quakers);
First Nations Summit
Grand Council of the Crees (Eeyou Istchee)
Greenpeace Canada
Hul'qumi'num Treaty Group
KAİROS: Canadian Ecumenical Justice Initiatives
MiningWatch
Native Women's Association of Canada
Oxfam
Québec Native Women/Femmes Autochtones du Québec
Union of BC Indian Chiefs
West Coast Environmental Law Association

cc. Hon. Carolyn Bennett, Minister of Indigenous and Northern Affairs
Hon. Stéphane Dion, Minister of Foreign Affairs
Hon. Jody Wilson-Raybould, Minister of Justice
Hon. Catherine McKenna, Minister of Environment and Climate Change