

ATTACHMENT 1: BACKGROUNDER

Our ask to the Province of British Columbia:

Support trauma-informed, Indigenous-led education, training, and policy guidance for local governments and associated law enforcement and emergency services to implement municipal-specific recommendations from the Truth and Reconciliation Commission (TRC), National Inquiry for Missing and Murdered Indigenous Women and Girls (MMIWG2S),¹ and the United Nations Declaration on the Rights of Indigenous Peoples.²

Attention: Premier John Horgan

CC: Minister Murray Rankin

In order to take steps towards reconciliation, local governments across British Columbia are looking towards the Truth and Reconciliation Commission (TRC) Report's calls to action and the National Inquiry for Missing and Murdered Indigenous Women and Girls (MMIWG) calls for justice. The actions arising from each of these reports are respected and recognized by Indigenous peoples and governments across Canada. Additionally, the TRC report calls upon all levels of government to fully adopt and implement the United Nations Declaration on the Rights of Indigenous People (UNDRIP) as the framework for reconciliation.

Truth and Reconciliation Commission Findings:

- Canada's residential school system operated for over 100 years, with the last school closing in 1996.
- "Residential schools existed for the purpose of separating Aboriginal children from their families, in order to minimize and weaken family ties and cultural linkages, and to indoctrinate children into a new culture—the culture of the legally dominant Euro-Christian Canadian society, led by Canada's first prime minister, Sir John A. Macdonald".³
- The TRC found Canada to be engaged in cultural genocide, which is defined as "the destruction of those structures and practices that allow the group to continue as a group".⁴
 - State actions which are considered cultural genocide include seizing land; forcibly transferring populations; banning of languages, spiritual leaders, spiritual practices, and the use of spiritual objects; and disruption of families to prevent the generational transfer of culture.

¹ https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls_for_Justice.pdf

² https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

³ https://ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Executive_Summary_English_Web.pdf

⁴ Ibid.

Truth and Reconciliation Commission:

- The Truth and Reconciliation Commission of Canada (the commission) was Constituted and created by the Indian Residential Schools Settlement Agreement.
- The commission is focused on determining the truth with the intention to lay the foundation for the important question of reconciliation.
- With the knowledge of the truth and legacy of residential schools, the commission produced calls to action for all levels of government, 5 of which are specific to municipal governments.

National Inquiry for Missing and Murdered Indigenous Women and Girls

- The National Inquiry was commissioned for the purpose of listening to and learning from the Indigenous women, girls, and 2SLGBTQQIA people in Canada, who have been the targets of violence.⁵
- The Inquiry describes this violence as acts of genocide, and it is empowered by colonial structures evidenced notably by the Indian Act, the Sixties Scoop, residential schools and breaches of human and Indigenous rights.
- The report includes testimony from family members and survivors of violence, and they describe the surrounding context of multigenerational and intergenerational trauma and marginalization in the form of poverty, insecure housing or homelessness and barriers to education, employment, health care and cultural support.
- The report includes 231 individual Calls for Justice directed at governments, institutions, social service providers, industries and all Canadians.

The United Nations Declaration on the Rights of Indigenous Peoples

- The United Nations adopted UNDRIP on September 13, 2007, to enshrine the rights that “constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world”.⁶
- UNDRIP is significant for Indigenous peoples, as it addresses collective rights which may not be considered in other human rights legislation.
- UNDRIP is the outcome of a 25 year deliberation process between the UN and Indigenous groups, and it is significantly the first piece of UN legislation to be contributed to through civil society.
- The Federal government is working on Bill C-15, which provides that the Government of Canada must take all measures necessary to ensure that the laws of Canada are consistent with the UNDRIP, and must prepare and implement an action plan to achieve the objectives of the Declaration.⁷

Alignment with the B.C. government

⁵ https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf

⁶ https://indigenousfoundations.arts.ubc.ca/un_declaration_on_the_rights_of_indigenous_peoples/

⁷ <https://parl.ca/DocumentViewer/en/43-2/bill/C-15/first-reading>

- The affirmation of the principles of UNDRIP into BC laws and the implementation of UNDRIP is a legal requirement of the Province under the *Declaration on the Rights of Indigenous Peoples Act (DRIPA)*.⁸
- The Ministry of Indigenous Relations and Reconciliation Ministerial mandate letter⁹ asks the Minister to deliver the action plan required under the DRIPA to build strong relationships based on recognition and implementation of the inherent rights of Indigenous peoples protected in Canada's constitution.
- The mandate letter asks the Minister to facilitate partnership with First Nations around key decisions on regional land and resource use allocation through evolving shared decision making, building on the Declaration on the Rights of Indigenous Peoples Act.
- Regarding the TRC, all Provincial Ministers have been asked to implement the calls to action in B.C., and the Province has committed to working with the federal government on their specific asks to move the calls to action forward.
- Action 3 of the Province's concrete actions towards reconciliation is for strong government to government relationships, which includes Local Government.

Local governments will be required to achieve each of the Provincial promises towards reconciliation.

- Many of the government to government relations include local government to First Nation.
- Partnerships with First Nations on key decisions surrounding regional land and resource allocation will often involve local governments.
- Local governments are a creature of the Province, thus recognizing UNDRIP in BC laws will necessarily involve the laws of local governments as well.

Call to Action number 57 requests professional development and training for Public Servants at all levels of government. The majority of local governments in BC do not have the resources or capacity to develop a meaningful and effective training program. Such education is an important first step to building the understanding and foundations necessary for partnerships with First Nations and strong government to government relationships. Thus, this will be necessary for the Province to fulfil its promises surrounding the Ministerial mandate letter, DRIPA, and the TRC Calls to Action.

Since the Province has committed to working with the Federal government on their Federally specific calls, working with local governments as well would be justified. There are 5 municipally specific calls to action, and they are also calling on the Province. The Province can answer these calls more fully and meaningfully by supporting local governments in answering them as well.

⁸ <https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19044>

⁹ https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet-mlas/minister-letter/rankin_mandate_2020.pdf