



Council Report

For the Meeting of December 10, 2015

To: Council **Date:** December 4, 2015
From: Chris Coates, City Clerk
Subject: Truth and Reconciliation Commission's Calls to Action

RECOMMENDATION

That Council direct staff to create a Terms of Reference for committee/working group that will take forward the TRC's Calls to Action that are within the City's jurisdiction to act, with membership including representatives from a variety of groups in Victoria and, possibly, the Capital Regional District.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with research findings on how to move forward on the actions recommended by the Truth and Reconciliation Commission's (TRC) Calls to Action that are within the City of Victoria's jurisdiction to act upon.

Included in this report are findings based on initial research of the actions of five major Canadian city councils and the individual work that is being done. All of the cities that are included have the TRC Calls to Action not only in discussion, but most have made council motions similar to the motion put forward by Victoria City Council in October. Victoria has already begun this process as reflected in this report, to deepen its relationship with the Songhees and Esquimalt First Nations. Further consideration regarding ongoing actions and resourcing will require Council discussion and decision.

PURPOSE

The purpose of this report is to present Council with research findings so as to inform next steps in the City's actions to move forward on the actions recommended by the TRC's Call to Action that are within the City's jurisdiction to act.

BACKGROUND

On October 8, 2015, Council approved a motion brought forward by Councillors Alto and Thornton-Joe, as follows:

BE IT RESOLVED THAT Council ask the city manager to consider the 'calls to action' in the Truth and Reconciliation final report, and report back to Council, before December 17, 2015, with recommendations on how to move forward on the actions recommended by the Truth and Reconciliation Commission that are within the City's jurisdiction to act.

See Appendix A for the full motion.

This report has been prepared in response to that direction, and includes research on the actions of other local governments and a recommended next step.

The Truth and Reconciliation Commission's Calls to Action

The Truth and Reconciliation Commission will build upon the "Statement of Reconciliation" dated January 7, 1998 and the principles developed by the Working Group on Truth and Reconciliation and of the Exploratory Dialogues (1998-1999). These principles are as follows: accessible; victim-centered; confidentiality (if required by the former student); do no harm; health and safety of participants; representative; public/transparent; accountable; open and honourable process; comprehensive; inclusive, educational, holistic, just and fair; respectful; voluntary; flexible; and forward looking in terms of rebuilding and renewing Aboriginal relationships and the relationship between Aboriginal and non-Aboriginal Canadians.

Reconciliation is an ongoing individual and collective process, and will require commitment from all those affected including First Nations, Inuit and Métis former Indian Residential School (IRS) students, their families, communities, religious entities, former school employees, government and the people of Canada. Reconciliation may occur between any of the above groups¹.

The TRC was a component of the Indian Residential Schools Settlement Agreement. Its mandate was to inform all Canadians about what happened in Indian Residential Schools (IRS). The Commission documented the truth of survivors, families, communities and anyone personally affected by the IRS experience. As an independent body, the TRC provided a space for survivors of residential schools to share their experiences and participate in a process of truth, healing and reconciliation. This included First Nations, Inuit and Métis former Indian Residential School students, their families, communities, the Churches, former school employees, Government and other Canadians. The Commission had a five-year mandate and was supported by a TRC Secretariat, which is a federal government department.²

The TRC Mandate was:

- To tell Canadians what happened in the Indian Residential Schools
- To create a permanent record of what happened in the Indian Residential Schools
- To foster healing and reconciliation within Canada

¹ Truth and Reconciliation Commission of Canada, <http://www.trc.ca/websites/trcinstitution/index.php?p=7>

² Truth and Reconciliation Commission of Canada, <http://www.trc.ca/websites/trcinstitution/index.php?p=10>

Between 2009-2015, the TRC:

- Prepared a comprehensive historical record on the policies and operations of the schools and produce.
- Prepared a report that included recommendations to the Government of Canada concerning the IRS system and its legacy.
- Hosted national events in different regions across Canada to promote awareness and public education about the IRS system and its impacts.
- Established a national research centre that will be a permanent resource for all Canadians. supported community events designed by individual communities to meet their unique needs.
- Will support a Commemoration Initiative that will provide funding for activities that honour and pay tribute in a permanent and lasting manner to former Indian Residential Schools students.

The findings of the TRC investigations are summarized in the TRC's Final Report, released June 2, 2015, and include 94 recommendations for action by all levels of government. The TRC's Principles of Reconciliation are contained in Appendix B of this report.

The TRC "Calls to Action" for local governments, that the TRC believes are within the authority of a municipal government, are:

#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.

#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.

#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.

#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.

#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.

City of Victoria Actions to Date

The City of Victoria was established on the lands of the Lekwungen People. The Songhees and Esquimalt Nations are part of the Coast Salish family and are descendants of the Lekwungen family groups. Lekwungen is the original language of this area. The City of Victoria recognizes and respects the First Nations traditional territory as well as the potential opportunities the area presents to First Nations peoples from a cultural, social, environmental and economic perspective.

As echoed in recent reports to Council, before the Truth and Reconciliation Commission undertook its work, the City of Victoria had already taken significant steps to recognize the importance of local First Nations residents and history and begin the City's journey towards reconciliation.

There have been many actions, to date, that embody the respect and partnership the City has with the Songhees and Esquimalt Nations. The following describes a few examples that connect with the TRC's Calls to Action.

- To recognize his efforts at relationship building, Chiefs of the Songhees and Esquimalt Nations presented a former Mayor with a hand-made personal drum.
- Spirit Square, honouring local First Nations' history, occupies the western half of city hall's Centennial Square precinct.
- For the first time, Songhees and Esquimalt Chiefs met with City Council at an official Council meeting. Public meetings at City Hall now begin by recognizing that Council deliberations take place on the traditional territories of the Songhees and Esquimalt People.
- Meeting rooms in City Hall bear the names of the Songhees and Esquimalt Nations.
- The language of all City Proclamations has been amended to recognize the City of Victoria in the traditional territories of the Esquimalt and Songhees First Nations.

Burial Ground in Beacon Hill Park

- With the guidance and support of the Esquimalt and Songhees Nations, the existing ancient burial ground in Beacon Hill Park has been identified as a special place to rebury First Nations human remains that may be uncovered during construction of sewage treatment infrastructure. It has garnered regional support and raised awareness of the archeological significance and history of the area.
- Located on the southeast slope of Beacon Hill near the Checkers Pavilion, the ancient First Nations burial site is marked by cairns. The site can be accessed by pedestrians from Circle Drive or the parking lot on top of Beacon Hill. A draft concept plan for the burial ground includes First Nations figures that are similar to totem poles, and split-rail fencing.
- The whole of City Council witnessed the signing of an Agreement in Principle that foreshadows the first local modern agreement since the Douglas Treaty
- Beacon Hill Park Repatriation Motion: in December 2015, Council passed a motion for the City of Victoria to return to the Esquimalt and Songhees People a portion of their traditional territories for their use as a site to build a traditional Long House, to be used for First Nations cultural and educational activities.

Witness Blanket

- In September 2014 hundreds of residents visited Victoria City Hall to witness an art installation incorporating objects connected to residential school experiences across Canada. The Witness Blanket brought members of the community together to raise awareness of the residential school experience in Canadian History.

Archeological Protocol

- The City developed an *Archeological Protocol for Operations and Public Communications* for the City of Victoria and contracted crews in the event human remains and/or artifacts are uncovered during excavation in Victoria. This protocol was informed by local First Nations input and archaeological advisers and has been requested by several other municipalities and regional districts.
- Areas of Victoria are archaeologically significant due to the city's rich First Nations history. Songhees and Esquimalt Nations human remains and artifacts have been uncovered at several excavation sites in the James Bay/Dallas Road area over the past few years. Artifacts have included arrows and spear heads, shells, animal bones and stone flakes.
- It is likely that human bones and artifacts may be uncovered during future excavation, which is why this protocol is in place and has been tested since its inception. It ensures disturbed remains are cared for with respect and are guided by the wishes of First Nations culture.

Signs of Lekwungen

- In 2008, the Signs of Lekwungen, an interpretive walkway was installed along the Inner Harbour and surrounding areas that honours the art, history and culture of the Coast Salish people who have resided in the Victoria area for hundreds of years. It raises awareness to all who visit and reside in Victoria of the traditional territories in which Victoria is located.
- The Signs of Lekwungen consist of seven unique site markers - bronze castings of original cedar carvings, conceptualized and carved by Coast Salish artist, Butch Dick. The markers depict spindle whorls that were traditionally used by Coast Salish women to spin wool. The spindle whorl was considered the foundation of a Coast Salish family.

ISSUES & ANALYSIS

Based on research of five major Canadian city councils and by connecting with staff from some of those cities who are working on TRC Calls to Action, the following information summarizes the work and actions being taken in Calgary, Edmonton, Vancouver, Whitehorse and Yellowknife as it pertains to the TRC's Calls to Action. The work in the cities is prefaced by a few points of information of the Federation of Canadian Municipalities.

Federation of Canadian Municipalities (FCM)

- June 2015: FCM held a workshop on building mutual prosperity through improved municipal and First Nations relationships as part of the annual conference in Edmonton, and the day before the TRC report was released.
- June 2015: The FCM Big City Mayors Caucus (BCMC) issued a statement and a 'commitment to learn the lesson of the TRC, and to take action to ensure the needs and aspirations of Aboriginal people are fully acknowledged in policy, and in the great cities we seek to build' ³. This full statement is in Appendix C.

³ Federation of Canadian Municipalities, <http://www.fcm.ca/home/media/news-releases/2015/statement-of-fcm-president-on-the-work-of-the-truth-and-reconciliation-commission.htm>

City of Calgary

- July 27, 2015: City Council approved a Notice of Motion directing administration to report back to Council no later than May 2016 with recommendations on moving forward with TRC recommendations that are within the City's jurisdiction, and to provide an update memo to Council on progress on the review of the TRC recommendations and next steps no later than November 2015. See Appendix D for this Notice of Motion.
- Council directed Calgary's Mayor to write to the Government of Canada requesting they hold a comprehensive, independent national inquiry into murdered and missing indigenous women and girls in Canada, as per TRC recommendation #41.
- The City of Calgary has established the Calgary Aboriginal Urban Affairs Committee (CAUAC). See Appendix E CAUAC's for Terms of Reference.

City of Edmonton

- City of Edmonton has an Aboriginal Relations Office.
- The City of Edmonton's proposed 2016-2018 budget outlines the plan to re-allocate funds to support and advance the TRC Commission's Calls to Action and its ongoing reconciliation efforts.
- Edmonton's End Poverty Strategy:
 - One of the five defining features of the strategy is to "Honour the Treaty Spirit" which acknowledges that many of these people have been dramatically affected by the intergenerational trauma of residential schools and assimilationist policies, and poverty represents a legacy of inequities and injustices that continue today.
 - Another defining feature: "Implement a Community Witness program" connects with the TRC as this strategy states that the term "witness" refers to the Aboriginal principle of witnessing. Through witnessing, the event or work that is undertaken is validated and provided legitimacy. Through the creation of a community witness program, witnesses are asked to store and care for the history of significant events in a person's life (trauma, injustice, sexual abuse, and even successful achievements) that they witness, and most importantly, to share it with their own people when they return home.⁴
- AKSIS: Edmonton's Aboriginal Business and Professional Association serves as a central meeting point that inspires Edmonton's Aboriginal business community to connect, collaborate and create.
- The Nikaniw program strives to attract and engage Aboriginal youth in the City's workforce and strengthen the City's ties with Aboriginal citizens and the organizations that work on their behalf
- These initiatives align with the City of Edmonton's Strategic Plan.

City of Vancouver

- October 28, 2014: City Council unanimously passed a motion to support the City of Reconciliation framework: The framework focused on building cultural competency, strengthening relations and developing efficient decision-making within the City's service provision, as well as strengthening ongoing relationships with Vancouver's host First Nations, the Musqueam, Squamish, Tsleil-Waututh and urban Aboriginal community. The report also recommended that Council direct staff to develop a four-year work plan and report back with progress every two years.

⁴ End Poverty in a Generation: A Strategy (Sept 2015),

[http://www.edmonton.ca/city_government/documents/PDF/EndPovertyInAGeneration_Strategy.pdf#search=end poverty strategy](http://www.edmonton.ca/city_government/documents/PDF/EndPovertyInAGeneration_Strategy.pdf#search=end%20poverty%20strategy)

- July 2015: Council passed a motion (see Appendix F) that directed staff to report back to Council no later than September 30, 2015, with recommendations on how to move forward on the actions recommended by the TRC which are within the City's jurisdiction to act.
 - This same motion included that Council request that the Vancouver School Board, Vancouver Police Department and Vancouver Public Library Board consider a similar review of the TRC recommendations.
- Recently: Vancouver Park Board was provided with an update that indicated current work was addressing some of the calls for action and that a review of the entire TRC document was underway; recommendations will be coming forward once further analysis is completed.
- City staff are currently working on a report for Council regarding how TRC recommendations can be operationalized in the City of Vancouver; report to be presented on January 18, 2016 to Vancouver City Council.
- Developed interdepartmental committee led by the City of Vancouver's Aboriginal Planner, staff, Vancouver Police, Library, Archives and others.

City of Whitehorse

- September 27, 2015: First Nations leaders and elders were invited to City Hall for a special meeting with Council to "acknowledge and recognize" the TRC report and started looking at how to act on the TRC Recommendation's Calls to Action.

City of Yellowknife

- June 2015: Generations of survivors marched on Yellowknife's City Hall to mark the beginning of the end of the Truth and Reconciliation Commission.
- July 27, 2015: Council approved a motion asking city administration to research and provide Council with best options for implementing recommendations from the TRC that are within the areas of responsibility of the City. See Appendix G for the motion.
- October 26, 2015: Council adopted the following recommendations on how to move forward on the actions recommended by the TRC's Calls to Action:

Article 43: Adopt the *United Nations Declaration on the Rights of Indigenous Peoples*

Article 47: The Mayor corresponds with the GNWT to ensure that any and all laws that rely upon the Doctrine of Discovery and *terra nullius* are repudiated.

Article 57: That funding be identified for the provision of skill-based training for all City staff to undergo that will provide a learning experience on the history of Aboriginal peoples relating to residential schools; UN Declaration on the Rights of Indigenous Peoples; Treaties and Aboriginal Rights, Indigenous Law; and, Aboriginal–Crown relations.

Articles 75, 76 and 77: The Mayor correspond with the GNWT and School Boards encouraging them to ensure that they provide any and all information pertaining to identification, documentation, maintenance, commemoration, and protection of residential school cemeteries/sites where residential school children are buried, and for them to provide all known records to the National Centre for Truth and Reconciliation

OPTIONS & IMPACTS

Knowing that other Canadian cities are moving forward on the TRC Calls to Action, and having a commitment to bringing forward recommendations for how the City of Victoria can do the same, staff recommend that Council create a committee/working group that will take forward the TRC's Calls to Action that are within the City's jurisdiction to act.

The work of the committee can be to dig deeper into not only the five recommendations highlighted but also consider how the City of Victoria can work with partners to acknowledge any other TRC Calls to Action. Lessons and insight can be shared from city staff in other jurisdictions, as work moves forward around the same time. Staff encourage Council to consider the membership of this committee as Council continues discussion.

Additionally or instead, Council may wish to consider a different approach and direct staff to bring forward recommendations on actions that could be taken.

2015-2018 Strategic Plan

Implementing a plan to move forward with the TRC Calls to Action supports the 2015-18 Strategic Plan's Objective #2: Engage and Empower the Community and Objective #7: Facilitate Social Inclusion and Community Wellness.

Impacts to 2015 – 2018 Financial Plan

There are no implications on the financial plan.

Official Community Plan Consistency Statement

The City of Victoria formally involved the Songhees and Esquimalt First Nations in the process to form Victoria's draft Official Community Plan. A significant community feast was hosted by the City at the Esquimalt Nation Long House to strengthen the City's relationship and understanding, and provided a wonderful opportunity to learn more about the First Nations vision for the future. Their participation helped to create Victoria's Official Community Plan.

The consideration of these recommendations is consistent with the policy direction of "Community Well Being" in the OCP and will continue to foster the relationship with the Songhees and Esquimalt First Nations.

CONCLUSION

Council may consider joining other Canadian cities to move forward action plans, each unique to geographic contexts, on the Truth and Reconciliation's Calls to Action which the TRC believes are within the jurisdiction of a municipal government. As Council deliberates how best to move forward, there will be engagement of appropriate groups, partners, individuals, levels of governments and city staff in this work for reconciliation.

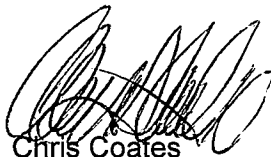
Respectfully submitted,



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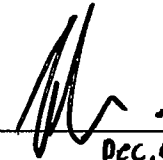
Chris Coates
City Clerk



Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager:

Date:


Dec. 8, 2015

List of Attachments

- Appendix A – TRC Motion, City of Victoria, October 2015
- Appendix B – Truth and Reconciliation Commission's Principles of Reconciliation
- Appendix C – Statement of Reconciliation from Canada's Big City Mayors, June 2015
- Appendix D – City of Calgary Notice of Motion, July 2015
- Appendix E – Calgary Aboriginal Urban Affairs Committee Terms of Reference
- Appendix F – Vancouver City Council TRC Motion, July 2015
- Appendix G – City of Yellowknife's Motion, July 2015