There is a high cost for NOT stopping the site C dam construction given all that we know: the fact that we no longer live in the large hydro-electric dam construction era of the 1950s/60s; that there are alternative ways of geothermal, wind, wave, and solar if/when there maybe, even though questionable, more demand; and we have surplus capacity already in existing infrastructures we can utilize if we need. And, by taking climate change science seriously, we MUST act on it and change our ways for, "building a sustainable economy that works for everyone". (2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus) This includes funding ways to modernize and taking conservation seriously also, as this can help reduce costs beyond just the dollars.

In words by the late John Dillon of KAIROS: "Ecological justice includes social justice—participation in decision making and sustainable use of natural resources—and requires putting the economy in its place as a subsystem within society and the wider natural world. In an ecological economy, production and consumption are determined by social needs and ecological balance. The goal of economic activity is to produce enough to meet the needs of creation rather than seeking endless growth which is impossible on a finite planet." (KAIROS website: https://www.kairoscanada.org/what-we-do/ecological-justice) The relationship we have with the land, water and air is sacred. Reminded by Dr. Sallie McFague, "Ecology is, at its simplest, 'words about home': oikos (home) and logos (word)... the most important and simplest house rule is also the most complex and difficult to internalize: everything is related to everything else." (McFague, Sallie: A New Climate for Theology, 2008) Having travelled on the Rolling Justice Bus organized by BC-Yukon KAIROS in 2015 and 2016 I was able to see first hand the contrast of the before and after of the tree cuttings along the shores of the river. I witnessed from one year seeing green banks with trees and eagles soaring above us to the next year, the loss of eagle nesting habitat taken over by flat, grey, silty water and grey river banks. If any of you believe in our connection to the land, water and air, you would have wept with me. "The dam would flood over 31,000 acres of agricultural lands including some of B.C.’s best farmland." (KAIROS Briefing Paper 46 - attachment 1) How is this possible when we need more locally produced food sources? THIS is part of the economic equation to factor in.

And here we are at a time when words we hear and read about are supportive of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation Commission 94 Calls to Action. (attachments 2 & 3) This means taking economics to another level inclusive of social costs by honouring the voices and rights of the Indigenous peoples. A reminder to us all, that two existing hydro dams have already flooded 70% of the Peace River Valley. "IF built, the Site C dam would flood half of the remaining 30 % of the Peace River Valley. These include lands most used by Treaty Eight First Nations for hunting and fishing, and are the location of 78 Indigenous heritage sites, including burial grounds." (KAIROS Briefing paper 46 - attachment 1) This is ecological and Indigenous justice right here, now!

No longer can we live by the cognitive dissonance surrounding site C and other resource-based decisions evaluated narrowly only through the economic lens. We are at a turning point when we know so much more, we can think and do things in a new way – to change and adapt! The federal adaptation framework applies here in B.C. also, and the decision around Site C can be a positive example! I see hope in new relationships and alliances being formed around Indigenous land and water rights such as
we see here and with friends in the Peace River Valley with the Land Owners' Association, Prophet River First nation, West Moberly First Nations and Blueberry First Nations and the Peace Valley Environment Association. Trusting in your ability to listen, and believing in a vision greater than what we often only see in the immediate, I pray BCUC will do the right thing for our future generations. This is a big first step in right relationship with all of us, the people of Beautiful British Columbia. 
May it be so.
Thank you.
Resistance to British Columbia’s Site C Dam Gaining Momentum
By John Dillon, Ecological Economy Program Coordinator

On June 10, 2016, KAIROS released an Open Letter to Prime Minister Justin Trudeau and British Columbia Premier Christy Clark urging them to suspend construction of the Site C dam on the Peace River until Indigenous peoples’ rights have been respected and the B.C. Utilities Commission has conducted a thorough review. This Briefing Paper will explain why KAIROS and other civil society organizations are taking action on this issue.

When the new federal cabinet was sworn in on November 4, 2015, the Prime Minister included this pledge in his mandate letters to every minister: “No relationship is more important to me and to Canada than the one with Indigenous Peoples. It is time for a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation, and partnership.” The sincerity of this commitment is in doubt in light of his government’s failure to revisit the permits for the Site C project issued by former Prime Minister Stephen Harper’s government before last fall’s federal election.

At stake is the government’s promise to respect the United Nations Declaration on the Rights of Indigenous Peoples. Allowing permits enabling construction of the Site C dam to proceed while the West Moberly and the Prophet River First Nations are in court contesting the project constitutes a failure to uphold their rights to free, prior and informed consent as set out in the UN Declaration.

The government’s refusal to reconsider the project also ignores the findings of a joint federal-provincial review panel which identified 22 significant adverse environmental effects, the largest number since the enactment of the Canadian Environmental Assessment Act in 1992. According to the review, flooding an 83-kilometre section of the Peace River valley will negatively impact Indigenous fishing and hunting practices, traditional land use and physical and cultural heritage resources in ways that cannot be reversed.

The Peace River Valley before and after timber cutting and road construction for the Site C dam project. Photos by Garth Lenz.
Existing Peace River Dams Have Flooded Indigenous Lands

Two existing hydro dams have already flooded 70% of the Peace River valley. The W.A.C. Bennett dam built between 1961 and 1967 flooded 350,000 acres of forested land and resulted in the displacement of the Tsay Keh Dene First Nation. University of British Columbia historian Tina Loo has documented how the loss of the Tsay Keh Dene’s ancestral land led to “isolation, alienation and ‘social disorganization.”’ The smaller Peace Canyon dam downstream from the W.A.C. Bennett was completed in 1980.

When the Site C dam project was first proposed in the early 1980s, it was referred to the B.C. Utilities Commission for a thorough, three-year review. After assessing B.C. Hydro’s forecasts for electricity demand, the Commission recommended the project be deferred until it was clear that there was a need for new supplies of electricity. The Commission also recommended exploring alternative sources to determine if Site C was the best option for new sources of power. The government of the day accepted these recommendations, a prudent decision since the system-wide energy demand forecasted in 1981 by B.C. Hydro for 1992-1993 didn’t materialize for another 24 years.

If built, the Site C dam would flood half of the remaining 30% of the Peace River valley. These include lands most used by Treaty Eight First Nations for hunting and fishing, and are the location of 78 Indigenous heritage sites, including burial grounds.

The dam would flood over 31,000 acres of agricultural lands including some of B.C.’s best farmland. According to agricultural economist Wendy Holm: “The land to be flooded is capable of providing an annual, local, sustainably produced supply of fresh vegetables to over a million people. Think of what that could mean for nutrition in northern communities.”

Joint Review Panel’s Mandate Severely Limited

In February 2012, federal and provincial environment ministers established a Joint Review Panel (JRP) to conduct an environmental assessment of the Site C project. The JRP was instructed to “receive information regarding the manner in which the Project may adversely affect … Aboriginal rights or treaty rights.” At the same time, it was explicitly told not to draw any conclusions or make any recommendations as to the strength of Indigenous peoples’ rights including “whether the Crown had met its duty to consult Aboriginal groups” or “whether the Project is an infringement of Treaty No. 8.”

After tabling the JRP report its chair, Harry Swain, explained: “We were to catalogue the assertions of First Nations regarding treaty rights and aboriginal rights. But we were not to pass an opinion on them. We were not to say whether consultation had been adequate.”

In contrast to the JRP’s limited scope, a review by the B.C. Utilities Commission would have a strikingly different mandate. The guidelines under the Utility Commissions Act would:

a) ensure that a determination is made respecting the adequacy of Crown consultation by a quasi-judicial body independent from both the Crown and First Nations; and
b) require information to be filed in the public domain respecting where the scope of the duty to consult falls on the spectrum established by the Supreme Court in its decision on the Haida case, including whether “the right and potential infringement is of high significance to the Aboriginal peoples, and the risk of noncompensable damage is high.”

The reference to the spectrum established by the Supreme Court in the Haida case is particularly relevant because it had determined: “The content of the duty [to consult] varied with the circumstances: from a minimum ‘duty to discuss important decisions’ where the ‘breach is less serious or relatively minor;’ through the ‘significantly deeper than mere consultation’ that is required in ‘most cases;’ to ‘full consent of [the] aboriginal nation’ on very serious issues” (quotes from Delgamuukw v. British Columbia, 1997).

A thorough examination of the scope of violations of Indigenous rights by the Site C project could very well conclude that the damage to Indigenous people would be very serious, requiring the full consent of the Treaty 8 First Nations before the project could continue. Indeed, despite a limited mandate that ruled
out drawing conclusions or making recommendations, the JRP still found: “The Project would likely cause a significant adverse effect on fishing opportunities and practices … on hunting and on non-tenured trapping for the First Nations [and] on other traditional uses of the land for the First Nations.”

**The Impact of the Clean Energy Act**

A more thorough review by the B.C. Utilities Commission has not occurred because the B.C. Clean Energy Act of 2010 exempts the Site C project from such a review. The JRP, however, recommended a review in part because the panelists were given only nine months to prepare their report, too tight a timeline for them to assess alternatives to the Site C project.

Although B.C. Hydro presented the panel with three alternatives for generating the same amount of power as forecast for the Site C project, other alternatives were never explored. A major constraint on the ability of B.C. Hydro to consider other options is a clause in the Clean Energy Act that requires B.C. to achieve electricity self-sufficiency by 2016. This restriction prevents B.C. Hydro from relying on imports, “Even though the cost of these imports is acknowledged by B.C. Hydro to be very low, very likely to remain low …[at] much less than the unit energy cost of all of the available domestic supply-side resources, including the Site C project.”

The self-sufficiency requirement of the Clean Energy Act also precludes B.C. Hydro from relying on what is known as “the Canadian entitlement” under the Columbia River Treaty. Under that 1961 treaty, Canada can draw on half of the additional hydro power generated at plants along the Columbia River in the U.S. from dams located in B.C. This entitlement would allow B.C. to import an amount of power almost equivalent to what would be generated by the Site C project. JRP chair Harry Swain calls the failure to take the power under the entitlement “inexplicable.” An energy analyst hired by the Treaty 8 Tribal Association questioned building Site C to generate power at an estimated cost of $83 per megawatt hour (MWh) while selling power from the Canadian entitlement for $25 to $40 per MWh.11

In a letter to the B.C. government in December 2014, the Treaty 8 Tribal Association noted that power from Site C would not be needed until 2031 or 2041 depending on how fast demand grows – unless electricity from Site C were used to power the Liquefied Natural Gas (LNG) industry. If that were the case, power from Site C would be needed by 2027 according to the scenarios explored by the Tribal Association.12

The Treaty 8 letter raises many questions about what it calls “implausible and dubious assumptions” in B.C. Hydro’s scenarios including:

- a forecast for high electricity demand;
- an assumption that there will be no further declines in the cost of wind power before 2041;
- a pessimistic forecast of savings through demand side management;
- an assumption that solar power will not be cost-effective in B.C. before 2041;
- an assumption that geothermal energy will not be developed in B.C.; and
- an assumption that there will be no construction cost overruns for Site C.13

These assumptions do not stand up to scrutiny. For example, B.C.-based Clean Energy Canada reports that the unsubsidized cost of wind energy fell by 61% between 2009 and 2015. Similarly, the cost of utility-scale solar photovoltaic electricity generation fell by 82% over the same period.14 Further declines in the costs of renewable power sources are anticipated.

The Geological Survey of Canada notes that north-eastern B.C. has “the highest potential for immediate development of geothermal energy” in Canada.15 The Canadian Geothermal Energy Association (CanGEA) maintains that geothermal power can meet B.C.’s energy needs at a lower financial and environmental cost than Site C.

In a 2014 report, CanGEA estimated that geothermal power would cost $73 per MWh, $10 less than the cost projected by B.C. Hydro. The Association also says geothermal power plants could be built for less than half the cost of the Site C dam, and would pro-
vide about 2,000 permanent jobs at locations throughout the province, compared to only 150 at the Site C generating station once it is built.¹⁶

JRPs chair Harry Swain points out: “Up in the Peace, in the very strata that are being drilled for natural gas, there’s a lot of hot water. Moreover, since the well logs of exploration and drilling companies are supposed to be deposited with the provincial government, there is a vast amount of information available. It was surprising to me that no attempt had been made to exploit that information.”¹⁷

Why is our government pushing so hard for Site C?

Ben Parfitt, a researcher at the B.C. office of the Canadian Centre for Policy Alternatives, argues that the real destination for Site C electricity is to power the Liquefied Natural Gas (LNG) industry. He writes: “Why is our government pushing so hard for Site C? The answer lies in the theoretical emergence of an LNG industry in the province, a premise on which Premier Clark has staked her political future. According to B.C. Hydro’s filings with the B.C. Utilities Commission, only with LNG plants coming online would hydro consumption begin to outstrip domestic supply.

“Despite the fact that LNG proponents like Shell and Petronas haven’t actually committed a cent to building any plants, the rush is on to supply ‘clean’ power for these theoretical projects, in order to offset some of the considerable emissions they would produce. In addition to Site C construction, B.C. Hydro is working on new transmission lines for the benefit of LNG proponents. Energy Minister Bill Bennett recently said that the government wants these [new] transmission line extensions exempt from review by the B.C. Utilities Commission, meaning that hydro rate-payers and taxpayers will never know whether the Commission considers either project to be justified.”¹⁸

Using hydro power to cool natural gas into its liquid form has been described as using a clean power source to produce a dirty one for export. While it is true that natural gas is only half as polluting as coal at the point of combustion, hydraulic fracturing (fracking) operations to recover gas from shale formations in northeastern B.C. release large amounts of methane, a greenhouse gas that is 86 to 105 times more potent than carbon dioxide over a 20-year period.¹⁹

A document prepared for B.C.’s Environment Minister warns that the pursuit of an LNG industry could double the province’s greenhouse gas emissions, imperiling its legislated targets for GHG reductions. The document, obtained under a freedom of information request, says that emissions would rise by a minimum of 16% to as high as 100%. It warns: “At the high end of that range B.C.’s natural gas sector emissions would be comparable to those from Alberta’s oil sands.”²⁰

Impacts on Women and the Land

KAIROS’ Gendered Impacts of Resource Extraction project has gathered testimony from Indigenous women showing a correlation between increased violence against women and girls and the arrival of large resource projects on their lands. A recurring theme is the relationship between Indigenous women and the land. If one is abused the other suffers.

On November 18, 2015, Amnesty International’s Secretary General wrote to Prime Minister Trudeau and Premier Clark raising several concerns about the Site C project including the impacts on women that so far have not been taken into account. The letter states in part:

“Many of the social strains created by the regional resource economy, such as the shortage of affordable housing and the large wage gap between women and men, are among the established risk factors for violence against women and girls. Studies in northern B.C. and elsewhere have also linked the presence of a very large, mostly male transient labour force, and the lifestyle often associated with long shifts in labour camps, with increased rates of domestic violence, sexual assault and other violence against women.

“A local Indigenous women’s organization, the Fort St. John Women Warriors, is working to draw particular attention to the large numbers of missing and murdered Indigenous women from the community. States have a responsibility to take every reasonable effort to prevent such violence. This includes understanding factors putting women and girls at risk and taking effective responses to prevent such violence in every aspect of state decision-making and policy. In this instance, however, there is no indication that the specific impacts of the construction of the Site C dam on women’s and
girls’ lives and safety was considered at any point in the decision-making process.”

KAIROS’ research into the gendered impacts of resource extraction projects has found that women who play a key role in the defense of collective rights and the environment are often among those who are persecuted and criminalized. A case in point is the civil suit launched by B.C. Hydro against several women who camped for two months at the historic Rocky Mountain Fort site in an attempt to dissuade B.C. Hydro from logging an area that would be flooded by the dam.

Helen Knott, a social worker from the Prophet River First Nation, Yvonne Tupper, a health worker from the Saulteau First Nation, along with farmers Ken and Arlene Boon, were accused of “conspiracy, intimidation, trespass, creating a public and a private nuisance and ‘intentional interference with economic relations by unlawful means.’” The case has all the hallmarks of a SLAPP suit (Strategic Lawsuit Against Public Participation). It seeks financial damages for B.C. Hydro which could lead to the loss of their homes as well as other assets.

Even though the camp was promptly dismantled once it was declared illegal, B.C. Hydro has not withdrawn the suit. Instead it has increased the pressure on the Boon family by asking them to vacate their farm by the end of 2016 even though the dam would not flood their land until 2024.

The pretext for asking them to move is that B.C. Hydro wants to realign Highway 29 across their land away from the flood zone. It appears they are being singled out because Ken Boon is the outspoken president of the Peace Valley Landowners Association which has also launched a court case against the project.

Royal Society of Canada Intervenes

The Royal Society of Canada was established by an Act of Parliament in 1883 as “the senior collegium of distinguished scholars, artists and scientists in the country.” The Society seldom intervenes in public debates unless urged to do so by its members. On May 19, 2016, in an intervention virtually without precedent, the Royal Society wrote to the prime minister and issued a statement signed by 250 scientists and academics expressing deep concern about “significant gaps and inadequacies in the regulatory review and environmental assessment process for the Site C Project … [which] did not accord with the commitments of both the provincial and federal governments to reconciliation with and legal obligations to First Nations, protection of the environment, and evidence-based decision-making with scientific integrity.”

Unfortunately the Society’s public statement failed to illicit a positive response. According to a report in *The Globe and Mail* the federal government has no intention of revisiting the Site C approval.

Growing Concern Being Expressed by Canadians

Several other civil society groups are campaigning for a halt to construction of the Site C dam. An online petition has been started by Leadnow.ca calling on the prime minister not to sign construction permits.

Amnesty International has launched an online campaign urging the prime minister to honour promises made to Indigenous peoples and to respect Treaties with Indigenous peoples. The web page for this campaign contains a three-minute video featuring an interview with KAIROS partner Helen Knott. Amnesty International is also encouraging Canadians to contact their members of parliament to halt the Site C project.

The KAIROS open letter is part of this growing movement to defend Indigenous rights and the ecological integrity of the Peace River valley. These initiatives by Leadnow.ca and Amnesty International offer concerned Canadians an opportunity to become engaged with so many others in these vital issues of national concern.

KAIROS thanks Sister Anne O’Brien, GSIC, for her ongoing and invaluable contribution in editing this publication.
End Notes:

1. See “KAIROS calls on Prime Minister Trudeau and Premier Clark to suspend construction of Site C dam.”
   www.kairos canada.org/kairos-calls-on-prime-minister-to-suspend-construction-of-site-c

2. See Ministerial mandate letters at http://pm.gc.ca/eng/ministerial-mandate-letters


4. Cited in Stop the Site C Dam at www.stopsitec.org/learn_more

5. Quotations from the JRP Mandate cited in Briefing Note #1: First Nations and Site C written by concerned scholars in support of the Statement of Concern on the Site C dam project released by the Royal Society of Canada. May 24, 2016.


7. Cited in Briefing Note #1 by the concerned scholars. See Note 5 above.

8. Ibid.

   https://sitecstatement.files.wordpress.com/2016/01/briefing-note-3-regulatory-process1.pdf


11. Ibid.


13. Ibid. Pages 9-12 and 18-19.


   www.policyalternatives.ca/publications/commentary/real-reason-bc-government-spending-9-billion-site-c

   www.kairos canada.org/product/ethical-reflections-on-fracking


   http://blogs.theprovince.com/2016/05/25/sarah-cox-b-c-hydro-should-drop-slapp-suits-against-protesters/


24. See the Royal Society of Canada website at https://www.rsc-src.ca/ for more information.

25. See “Site C: Statement by Concerned Scholars.”
   https://sitecstatement.org/


27. To sign the Leandnow.ca petition, go to www.leadnow.ca/stop-site-c/
   To participate in the Amnesty International letter writing campaign, go to http://www.amnesty.ca/get-involved/take-action-now/site-c-dam-contact-your-member-parliament
United Nations
DECLARATION
on the RIGHTS
of INDIGENOUS
PEOPLES
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)]


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,

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,

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\(^2\) See resolution 2200 A (XXI), annex.
\(^3\) A/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

4 Resolution 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 discrimina-
tion 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 spir-
itual 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 cer-
emonies; 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 cer-
emonial 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.
Truth and Reconciliation Commission of Canada: Calls to Action
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, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

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 PEOPLES

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.
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.

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-Orentlicher 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-Orentlicher 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

1500–360 Main Street
Winnipeg, Manitoba
R3C 3Z3
Telephone: (204) 984-5885
Toll Free: 1-888-872-5554 (1-888-TRC-5554)
Fax: (204) 984-5915
E-mail: info@trc.ca
Website: www.trc.ca