

10 March 2021

## Open letter in support of Bill C-15

*“The United Nations Declaration on the Rights of Indigenous Peoples is the framework for reconciliation at all levels and across all sectors of Canadian society.”* – Truth and Reconciliation Commission of Canada, Principles of Reconciliation, Principle # 1.

Parliament has an historic opportunity to advance reconciliation.

The *UN Declaration on the Rights of Indigenous Peoples* is a consensus global human rights instrument, elaborating minimum standards for the “survival, dignity and well-being of Indigenous peoples.” Implementation of these standards is vital to improving the lives of Indigenous peoples in Canada and around the world, and to upholding Canada’s solemn and urgent human rights commitments.

Members of the House of Commons and Senate must ensure that Bill C-15, An Act Respecting the *United Nations Declaration on the Rights of Indigenous Peoples*, passes into law before this session of Parliament concludes.

The *UN Declaration* affirms the inherent rights of Indigenous peoples and the corresponding obligations of States. The Truth and Reconciliation Commission was right to put the *Declaration* at the heart of its vision for reconciliation. The *Declaration* condemns the racist and colonial doctrines, laws and beliefs that continue to cause so much harm to Indigenous peoples. It also provides the principles and mechanisms needed to redress these harms, as well as safeguards critical to ensuring these violations are never repeated.

Canada has repeatedly committed to implement the *UN Declaration*. The federal government has even stated this commitment in the preamble to recent Acts of Parliament like the *Indigenous Languages Act*. Bill C-15 is about putting these commitments into practice.

- Bill C-15 underlines and reinforces the *UN Declaration’s* rejection of racism and other forms of discrimination, colonialism, forced assimilation and destruction of culture.
- The Bill requires the Government of Canada to work with Indigenous peoples to establish priorities and processes for implementing the *Declaration’s* diverse provisions – and to report annually to Parliament on the progress made.
- The Bill provides clarity around the fact that the *Declaration*, like other international human rights instruments, is already being used by courts to interpret Canadian law.
- In particular, the Bill also requires a collaborative process of legal review and reform to bring federal laws into line with the human rights affirmed in the *Declaration*.

These are important, practical and achievable measures that deserve the support of all Canadians.

We are mindful that a previous effort to meet Canada’s implementation obligations, Bill C-262, died on the Order Paper after unnecessary delay and obstruction in the Parliamentary process. We do not want any further delays in meeting Canada’s obligations to implement the *UN Declaration*.

Some Indigenous peoples' governments and organizations, including some represented in this letter, are proposing or supporting amendments to clarify and strengthen Bill C-15. We believe that the Parliamentary process can accommodate a fulsome consideration of such amendments, while still ensuring that Bill C-15 is adopted before the end of the current session of Parliament.

Concrete measures to implement the *UN Declaration* in Canadian law and policy are necessary and overdue. Passage of Bill C-15 should be a top priority for all Members of Parliament and Senators.

Mercredi 10 mars 2021

## **Lettre ouverte en soutien au projet de loi C-15**

« La Déclaration des Nations Unies sur les droits des peuples autochtones constitue le cadre pour la réconciliation à tous les niveaux et dans toutes les sphères de la société canadienne. » – Commission de vérité et réconciliation du Canada, Principes de la réconciliation, Principe no 1.

Le Parlement a une occasion historique de faire progresser la réconciliation.

La Déclaration des Nations Unies sur les droits des peuples autochtones est un instrument de consensus mondial en matière de droits de la personne qui élabore des normes minimales nécessaires « à la survie, à la dignité et au bien-être des peuples autochtones ». La mise en œuvre de ces normes est essentielle à l'amélioration de la vie des peuples autochtones au Canada et dans le monde, et au respect des engagements formels et pressants du Canada en matière de droits de la personne.

Les députés de la Chambre des communes et les membres du Sénat doivent veiller à ce que le projet de loi C-15 (Loi concernant la Déclaration des Nations Unies sur les droits des peuples autochtones) soit adopté d'ici la fin de la session parlementaire.

La Déclaration affirme les droits intrinsèques des peuples autochtones et les obligations correspondantes des États. La Commission de vérité et réconciliation a eu raison de placer la Déclaration de l'ONU au cœur de sa vision de la réconciliation. La Déclaration condamne les doctrines, les lois et les croyances racistes et coloniales qui continuent de causer tant de préjudices aux peuples autochtones. Elle fournit également les principes et les mécanismes de réparation visant ces préjudices, ainsi que des protections qui garantissent que ces violations ne soient jamais répétées.

À maintes reprises, le Canada s'est engagé à mettre en œuvre la Déclaration des Nations Unies. Le gouvernement fédéral a même énoncé cet engagement dans le préambule des lois récentes du Parlement, comme la Loi sur les langues autochtones. Le projet de loi C-15 vise à mettre en pratique ces engagements.

- Le projet de loi C-15 souligne et renforce l'intention exprimée dans la Déclaration de l'ONU de rejeter le racisme et autres formes de discrimination, le colonialisme, l'assimilation forcée et la destruction de la culture.
- Le projet de loi oblige le gouvernement du Canada à travailler avec les peuples autochtones afin d'établir les priorités et les processus de mise en œuvre des diverses dispositions de la

Déclaration, et à faire annuellement rapport au Parlement sur les progrès réalisés.

- Le projet de loi précise le fait que la Déclaration, comme d'autres instruments internationaux en matière de droits de la personne, est déjà invoquée par les tribunaux pour interpréter les lois canadiennes.
- En particulier, le projet de loi exige également un processus de collaboration en matière d'examen et de réforme juridiques pour rendre les lois fédérales compatibles avec les droits de la personne énoncés dans la Déclaration.

Il s'agit de mesures importantes, pratiques et réalisables qui méritent l'appui de l'ensemble des Canadiens.

Nous sommes conscients qu'un précédent effort visant à respecter les obligations de mise en œuvre du Canada, le projet de loi C-262, est mort au Feuilleton en raison d'une obstruction et d'un retard injustifiés du processus parlementaire. Il ne faut pas retarder davantage la mise en œuvre des obligations du Canada à l'égard de la Déclaration de l'ONU.

Quelques organisations de peuples autochtones, y compris les organisations représentées dans la présente lettre, proposent ou appuient des modifications visant à préciser et à renforcer le projet de loi C-15. Nous croyons que le processus parlementaire peut tenir pleinement compte de ces amendements, tout en veillant à ce que le projet de loi C-15 soit adopté d'ici la fin de la session parlementaire.

Des mesures concrètes pour intégrer la Déclaration des Nations Unies dans la législation et la politique canadiennes s'imposent et se font attendre depuis longtemps. L'adoption du projet de loi C-15 devrait être une priorité absolue pour tous les députés et sénateurs.

#### **Nations, Governments, and Organizations**

Amnesty International Canada / Amnistie Internationale Canada	Canadian Parks and Wilderness Society, Yukon Chapter	The Hispanic Development Council
Assembly of First Nations		Hul'qumi'num Treaty Group (Cowichan Tribes, Penelakut Tribe, Halalt First Nation, Lyackson First Nation, Ts'uubaa-asatx First Nation)
BC Assembly of First Nations	Chinese & Southeast Asian Legal Clinic	
British Columbia Treaty Commission	Citizens for Public Justice / Citoyens pour une politique juste	Human Rights Research and Education Centre at the University of Ottawa
Canadian Arab Anti-discrimination Committee	Colour of Poverty Colour of Change	Human Rights Watch
Canadian Arab Federation	Conseil central du Montréal métropolitain – CSN	Inuit Circumpolar Council
Canadian Council for Refugees / Conseil canadien pour les réfugiés	Cooperation Canada	Jesuits of Canada / Jésuites du Canada
Canadian Friends Service Committee (Quakers)	Dogwood Initiative	KAIROS: Canadian Ecumenical Justice Initiatives
Canadian Labour Congress	First Nations Summit	Ligue des droits et libertés
	Grand Council of the Crees (Eeyou Istchee) / Cree Nation Government	

McMaster Centre for Human Rights  
and Restorative Justice

Mennonite Church Canada  
Indigenous-Settler Relations

Métis National Council

Nunavut Tunngavik Inc

National Association of  
Women and the  
Law/Association nationale  
Femmes et Droit

OCASI - Ontario Council of Agencies  
Serving Immigrants

Oxfam Canada

The Presbyterian Church in Canada

Public Service Alliance of Canada /  
Alliance de la Fonction publique du  
Canada

Raoul Wallenberg Centre for  
Human Rights

RAVEN (Respecting  
Aboriginal Values and  
Environmental Needs)

Regroupement des centres  
d'amitiés autochtones au Québec

Skidegate Band Council

South Asian Legal Clinic of Ontario  
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Southeast Alaska  
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