

Written Submission for the Pre-budget Consultations in Advance of the Upcoming Federal Budget



QUAKERS

Canadian Friends
Service Committee

By: Sandra Wiens, Government Relations Representative

QuakerService.ca

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Summary of recommendations

Recommendation 1

1.a) Increased funding from 2024 levels for advancing rights-based discussions with rights-holders to ensure Indigenous peoples can fully participate in negotiation processes. Meeting “consultation and cooperation” requires greater investments and would allow for enhanced participation, aligning with the minimum standard of free, prior, and informed consent, as affirmed in the *UN Declaration*.

1.b) The establishment of an independent Indigenous rights mechanism to monitor *UN Declaration Act* implementation and to provide accountability and remedies when individual or collective rights are violated. This should also include monitoring of the recommendations from UN treaty bodies, as well as domestic bodies. In the interim, the creation of a high-level independent representative could help to lead the work of developing such a permanent oversight and remedy mechanism.

1.c) To plan and develop a strategy, in consultation with provincial and territorial counterparts and with Indigenous peoples, for the adoption and full implementation of the *UN Declaration* across all the jurisdictions in Canada.

Recommendation 2

2.a) To adopt legislation before the House and Senate on a Guaranteed Basic Livable Income (Bills C-223 and S-233).

2.b) To reassess and sufficiently allocate funding and the supporting structures needed for the effective implementation of the Federal Framework to Reduce Recidivism.

Recommendation 3

3.a) Allocate \$3 million over three years to develop a new training program for MPs that includes compassionate communication skills, using existing program models (from programs in the UK and US) and funding non-partisan Canadian-based organizations to run it.

3.b) Increasing focus on Canadian diplomacy and humanitarian aid as the vehicle to preserve the rules-based international order that will work towards greater security and prevention of destructive conflicts.

Introduction

Canadian Friends Service Committee (CFSC) is the peace and social justice agency of the Religious Society of Friends (Quakers). For centuries, Quakers have been exploring the tough question of how to respond effectively to violence, in all its forms: interpersonal, nation-to-nation, systemic, and institutional. In trying to address the underlying factors and causes of violence—particularly in Canada—CFSC focuses its work on Indigenous peoples’ human rights, transformative justice, and peace.

Indigenous peoples’ human rights

Last year the government tabled the inaugural five-year *Action Plan* for the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples Act*. Eagerly awaited, it is meant to uphold the standards set out in the *UN Declaration*, putting in clear legislative requirements for their full and effective implementation in Canada. It is concerning that despite all the recommendations and actions that have emerged from the Truth and Reconciliation Commission’s (TRC) *94 Calls to Action* and the National Inquiry into Missing and Murdered Indigenous Women and Girls’ (MMIWG) *Calls for Justice*, there has been slow and uneven progress towards fulfilling the commitments set out in the *Declaration Act*. The *UN Declaration* was heralded by the TRC as the “framework for reconciliation.”

What has emerged in testimonies and written submissions in a Senate study of the *Declaration Act* implementation is that there exists a clear problem with meeting the standards required for consultation and cooperation with Indigenous peoples. The combined term of “consultation and cooperation” requires a significantly higher degree of participation than merely having Indigenous peoples at the table. What is required by the decision-making process is to have the capacity to accommodate effective and meaningful participation of Indigenous peoples that is consistent with their inherent right to self-determination, consistent with the *UN Declaration*. This would include, “mutually agreed timelines, effective information sharing, and transparency about how the views of Indigenous Peoples will be incorporated into the final decision, including a mutually agreed upon understanding of how free, prior, and informed consent will be operationalized.”¹

To advance rights-based discussions, more than the \$96.4 million over two years pledge from the 2024 Budget is required. There is a tremendous need for adequate funding to ensure true consultation and cooperation practices that will lead to harmonization of the *Declaration Act* and *Action Plan* across government departments.

¹ Coalition for the Human Rights of Indigenous Peoples, *Submission to the Senate Standing Committee on Indigenous Peoples: Study to examine the implementation of the United Nations Declaration on the Rights of Indigenous Peoples Act, 2021 by Canada and First Nations, Inuit and Métis peoples*, 8 May 2024.

An effective process is needed to review and reform Canada's laws and policies to ensure consistency with the *UN Declaration*.

What the *Action Plan* also failed to develop was the necessary structures to support implementation of the *Declaration Act*, namely, measures related to monitoring, oversight, and recourse, remedy, or other accountability measures needed for effective implementation. Such a structure is indispensable so as to ensure fundamental accountability. Without accountability the *Declaration Act* cannot live up to its potential to advance reconciliation. What could be done in the short-term is the creation of a high-level independent representative that could help to lead the work of developing such a permanent oversight and remedy mechanism. This could be seen as a positive signal that the government is intent on fulfilling its obligations with respect to monitoring, oversight, and accountability.

Lastly, an important component for implementation (and reconciliation) is the legislative adoption of the *UN Declaration* in every province and territory across Canada. As this is federal legislation, it is incumbent on the government to plan and develop a strategy, in consultation with provincial and territorial counterparts and with Indigenous peoples, for the adoption of the *UN Declaration* in all the jurisdictions in Canada.

Transformative justice

Indigenous peoples are overrepresented in poverty statistics, homelessness, and incarceration rates. For instance, while child poverty rates have fallen since 2015 in Canada, it was found that 50% of Indigenous children both on and off reserve experience poverty.² *Call for Justice 4.5* of the National Inquiry for MMIWG, concretely asks for a, "guaranteed annual liveable income for all Canadians, including Indigenous Peoples, to meet all their social and economic needs." And in response to the ever-increasing overrepresentation of Indigenous people in the carceral system, Canada's Correctional Investigator, Ivan Zinger, stated in the report *Ten Years since Spirit Matters: A Roadmap for the Reform of Indigenous Corrections in Canada*, that one-third of incarcerated individuals identify as Indigenous and 50% of all women incarcerated are Indigenous. According to Mr. Zinger, the disproportionate and growing number of incarcerated Indigenous people is Canada's most pressing human rights issue and needs to be urgently addressed.

Likewise, the leading risk factor for incarceration and/or contact with the legal system is poverty. A Guaranteed Liveable Basic Income (GLBI) would be a transformational approach to preventing incarceration in the first place, and would also constitute a solution for those exiting the carceral system as income and

² Beedie, N., Macdonald, D. and Wilson, D. (2019, June 24). *Towards Justice: Tackling Indigenous Child Poverty in Canada*. Assembly of First Nations and The Canadian Centre for Policy Alternatives. Retrieved: https://www.afn.ca/wp-content/uploads/2019/07/Upstream_report_final_English_June-24-2019.pdf

housing are often barriers to successful reintegration. Data shows that 85.5% of those who were homeless before being incarcerated anticipated being homeless again upon discharge.³ With no funds and prospects for housing, employment, etc., individuals can be put in a position where their parole conditions are breached, resulting in their return to prison.

In addition to a GLBI in Canada, providing adequate funding and resources to the Federal Framework to Reduce Recidivism (FFRR) is a complementary approach to addressing one of the goals stated by the government—to increase public safety by reducing recidivism, thereby creating safer communities. The Framework, which was launched in 2021, had its implementation plan released in November 2023, but remains without funds to support the structures and organizations needed to make the strategy effective in its principal objective—the reduction of recidivism.

Legislation for a GLBI and a well resourced FFRR could become important pieces in the process of dismantling inequities in our society. The benefits can only flow in a positive direction from such measures being adopted.

Peace

With the increase of affective polarization seen both in our media and in our politics, there is a need for increased communication skills across party lines. Canadians need our various government parties to collaborate effectively, but also to have meaningful and constructive disagreements. This would require our MPs to possess stronger conflict resolution and compassionate communication skills. Pilot programs such as the Mindfulness Initiative⁴ in the United Kingdom have proven that when MPs have access to this training, it makes a significant difference in the way they engage with their communities and colleagues. Similarly, the US organization Global Progress Action has launched a brand-new initiative, “Field Fellowship” under the leadership of former New Zealand prime minister Jacinda Ardern. She states in a media release, “[Field] is a 12-month programme that supports and connects global political leaders who embody political leadership that draws on the strength of kindness and empathy...” This training can help navigate political differences. Canada’s former reputation in global diplomacy and peacebuilding could be reestablished, and it could start with how our MPs engage with each other and the media.

Another tact that Canada needs to take to regain its standing as a leader in global diplomacy and champion of the rules-based order is to meet our own commitments and support for International and Humanitarian Law. Paramount to this is standing

³ Government of Canada. (2021, November 5). *Ex-prisoner Helps Forge New Path for Others at Risk of Homelessness*. National Housing Strategy. Retrieved: <https://www.placetocallhome.ca/stories/083-from-prison-to-homelessness-ending-a-perilous-trajectory>

⁴ See <https://www.themindfulnessinitiative.org>

up and using our diplomatic tools to consistently support bodies to which we are members, including the International Criminal Court, the International Court of Justice, and the United Nations and all treaties, conventions, and agreements that we have adopted and ratified.

Canada has been critiqued by some about its allegedly low military spending (NATO's arbitrarily determined 2% of GDP expectation). However, Canada is seventh in NATO and 16th in the world in terms of military spending, and this is projected to increase to \$50 billion annually by 2030. The massive increases in Canada's military spending are largely due to procuring new offensive weapons systems. This comes in a context where global military spending has reached an all time high of \$2.4 trillion annually. This record high comes on the heels of steady increases over the past nine years⁵ in military spending globally, but has not resulted in greater peace or security. We are not seeing the major spending increases improving Canada's capacities at diplomacy or peacebuilding.

Canada has proudly stated that it recognizes the need to address the drivers of conflict and the root causes of poverty to address humanitarian strife. While providing \$14 billion in sustainable development assistance, \$26 billion was spent on defense in 2022. A way to respond to criticisms regarding NATO spending targets would be to include or acknowledge development assistance spending in the calculus for member States, as these combined efforts also address, and are an integral part of, Canada's response to international peace and security.

Opportunities exist to consider a different approach. The forthcoming UN Summit of the Future taking place in September 2024 is an attempt to (re)build global cooperation to prevent destructive conflicts. More importantly, it states that this is a once in a generation opportunity to, "mend eroded trust and demonstrate that international cooperation can effectively achieve agreed goals and tackle emerging threats and opportunities."⁶ 'Might makes right' is not a direction that Canada should follow. Canada could instead consider a reduction in offensive weapons systems that can only be used to fight in foreign wars, an increase in sustainable development assistance, and making strategic investments in diplomacy and shoring up our peacebuilding capacity. It is more important than ever to champion these efforts and stem the tide of insecurity.

⁵ Stockholm International Peace Research Institute, *Global Military Spending Surges Amid War, Rising Tensions and Insecurity*. April 22, 2024. Accessed: <https://www.sipri.org/media/press-release/2024/global-military-spending-surges-amid-war-rising-tensions-and-insecurity>

⁶ United Nations, *Summit of the Future*. Accessed: <https://www.un.org/en/summit-of-the-future/about>