

Motion – Mayor C. Clark – United Nations Declaration on the Rights of Indigenous Peoples

ISSUE

In June 2021, the Parliament of Canada passed Bill C-15, an Act respecting the United Nations Declaration on the Rights of Indigenous Peoples, as a legal instrument to support reconciliation in Canada. Since then, other orders of government, including municipalities, have been exploring ways to potentially adopt the United Nations Declaration on the Rights of Indigenous Peoples (the UN Declaration). This report provides information to City Council on what it means to adopt and implement the UN Declaration for the City of Saskatoon; and what the City can do to further advance reconciliation through the use of the UN Declaration.

BACKGROUND

The Governance and Priorities Committee, at its meeting held on July 19, 2021, considered a motion of Mayor Clark with respect to the UN Declaration as follows:

The Committee resolved:

That City Administration report back to the Governance and Priorities Committee on the process and implications for adopting and implementing UNDRIP for the City of Saskatoon.

The UN Declaration is a comprehensive international human rights instrument on the rights of Indigenous People, adopted by the United Nations General Assembly in 2007. It offers guidance on cooperative relationships with Indigenous peoples based on the principles of equality, partnership, good faith, and mutual respect. This was fully endorsed by Canada in 2016.

The Final Report by Canada's Truth and Reconciliation Commission identified the UN Declaration as the "framework for reconciliation" and is considered a roadmap for the journey towards reconciliation. The Final Report called upon all levels of government to adopt and implement this framework.

The UN Declaration consists of the following broadly grouped themes:

- Self-Determination, Self-Government and Recognition of Treaties
- Lands, Territories and Resources
- Environment
- Civil and Political Rights
- Participation in decision making and Indigenous Institutions
- Economic and Social Rights
- Cultural, Social and Linguistic Rights
- Education, Information and Media

Federally, on June 21, 2021, [*the United Nations Declaration on the Rights of Indigenous Peoples Act*](#) received Royal Assent and came into force. This Act provides a roadmap for the Government of Canada and Indigenous peoples to work together to implement the Declaration based on lasting reconciliation, healing, and cooperative relations.

On June 22, 2015, City Council passed a resolution declaring July 1, 2015, to June 30, 2016, as the ‘Year of Reconciliation’ in Saskatoon. At that same meeting, the preamble to the motion acknowledged the UN Declaration as follows:

“WHEREAS the United Nation’s Declaration on the Rights of Indigenous Peoples adoption supports the Aboriginal rights to culture, employment, health, education, and other issues and promotes a full participation in all matters that concern them;”

In addition, in the preamble of the Sharing Prosperity Through Reconciliation Partnership Agreement the City has entered into with the Saskatoon Tribal Council (STC), the parties identified supporting the principles set out in the UN Declaration.

The UN Declaration is referred to in the 2018-2022 Culture Plan Implementation Refresh as guiding the work to build a resilient culture sector in the City.

CURRENT STATUS

Although the City has not yet formally adopted the UN Declaration, many aspects of the Declaration have been supported throughout the reconciliation work being undertaken by the City. This is largely due to the strong alignment of the Truth and Reconciliation Commission's Final Report with the UN Declaration.

The City’s work to advance reconciliation has occurred through the creation of partnerships with Indigenous organizations, community and other organizations. A cross-divisional Steering Committee for Reconciliation, Equity, Diversity & Inclusion has been leading the City’s actions and has reported extensively to Council over the past 18 months on various actions.

Update reports, on the City’s path towards honouring the Truth and Reconciliation Commission of Canada Calls to Action Update are provided regularly to City Council as follows:

November 2016

- City of Saskatoon Plan for the Truth and Reconciliation Commission of Canada Call to Action No. 57 (link to [Environment, Utilities and Corporate Services resolution and report](#))

January 2017

- Truth and Reconciliation Commission of Canada Calls to Action Update – January 2017 Update (link to [City Council resolution and reports](#))

December 2017

- Truth and Reconciliation Commission of Canada Calls to Action Update – December 5, 2017 (link to [Environment, Utilities and Corporate Services resolution and report](#))

December 2018

- Truth and Reconciliation Commission of Canada Calls to Action Update – December 18 (link to [Environment, Utilities and Corporate Services resolution and report](#))

January 2020

- Truth and Reconciliation Commission of Canada Calls to Action Update – January 2020 report (link to [City Council resolution and reports](#))

April 2021

- The Standing Policy Committee on Environment, Utilities and Corporate Services Committee received the Truth and Reconciliation Commission of Canada Calls to Action Update – April 2021 report. (link to [Environment, Utilities and Corporate Services resolution and report](#))

June 2022

- The Standing Policy Committee on Environment, Utilities and Corporate Services Committee received the Indigenous Initiatives – 2021 Annual Report. (link to [Environment, Utilities and Corporate Services resolution and report](#))

An environmental scan of other municipalities is being undertaken. This includes a combination of one-on-one interviews with some municipalities and a review of websites and news articles for others.

The municipalities that have adopted UN Declaration include:

- Vancouver, British Columbia (2013)
- Toronto, Ontario (2013-14)
- Yellowknife, Northwest Territories (2015)
- Montreal, Quebec (2017)
- Surrey, British Columbia (2017)
- St. John's, Newfoundland (2020)
- Gibson, British Columbia (2021)

Some of the resolutions passed by these municipalities are contained in Appendix 1.

The Federation of Canadian Municipalities (FCM) is starting work on the UN Declaration and is developing a plan on how best to support municipalities across the country. There is a desire for municipalities to have more opportunities to hear from each other on how to best implement and honour the UN Declaration, and to understand any challenges and opportunities for municipalities with respect to implementation.

At the date of this report, the Government of Canada, in consultation with Indigenous Peoples, has been working on an Action Plan to achieve the objectives of the UN Declaration, scheduled to be completed by June 2023. At the provincial level, only the British Columbia legislature has formally passed legislation to adopt the UN Declaration. The BC government recently released its own action plan to implement the declaration.

DISCUSSION/ANALYSIS

The UN Declaration speaks to an ongoing process of commitment and collaboration with a focus on relationship building, making space for Indigenous people, and reinforcing the importance of education. It is a document that encourages reflection, reconsideration and change as required and is based on rights that are guaranteed to all people and individuals respectively. The UN Declaration recognizes the distinct circumstances of Indigenous peoples that resulted from colonial harms, marginalization and inequities and the need for redress. As the framework for reconciliation, the UN Declaration is tied to all strategies that are undertaken on the path to reconciliation.

Municipalities do not have the jurisdiction or ability to address all the Articles contained in the UN Declaration. The challenge for municipalities is in determining how to best adopt the UN Declaration and implement the framework in both a meaningful and effective way. Many questions remain about what implementation means and looks like for government institutions, including municipalities. Those questions will only be answered by continuing the City's journey towards reconciliation, and working with Indigenous leaders and the community in true partnership.

In our interviews with municipalities across Canada, adequate funding to build relationships and implement the UN Declaration has been identified as a common challenge.

The City of Vancouver put in place a Task Force in 2021 to develop recommendations on how Vancouver can implement the UN Declaration. A preliminary report was released on June 7, 2022, consisting of early actions identified as high priority with the Task Force's final report and recommendations scheduled to be presented to Council in October 2022. Appendix 2 outlines Vancouver's early actions and compares Saskatoon's efforts on reconciliation to Vancouver's. Some of this work has been completed and other work is in progress.

The Administration's view is that adoption of the UN Declaration would reinforce that the City is committed to all aspects of reconciliation, and is aligned with the direction of Canada and the United Nations. It would provide Council and the Administration with an additional, formally approved lens with which to view all aspects of our journey towards reconciliation. The Administration does not view the UN Declaration as an alternate direction to the many initiatives that have been completed or are underway. The City's current activities are largely aligned with the Declaration, and as such adoption would provide a broader framework under which all City reconciliation work can continue to evolve.

If adopted, the Administration would begin to include reference to the UN Declaration in future reporting. In order to achieve true success, City leaders including both elected and Administrative representatives, will need to work closely with Indigenous leaders. Working together with Indigenous leaders to understand pressures, successes, and what is working and not working, will enable the City to prioritize and effectively resource the work required to achieve our goals.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with adoption of the UN Declaration. However, adoption would signal the City's intentions and provide clarity to the Administration and to the community.

There will, however, be financial implications associated with the ongoing work towards reconciliation. In order to continue to advance the work of reconciliation, including implementation of the UN Declaration, adequate resourcing will be required. Following the collaborative approach outlined throughout this report, the Administration will continue to bring strategy reports through the appropriate Council committees, which will in some cases include financial implications. Council will ultimately consider all such financial impacts during its regular business planning and budget cycle process.

OTHER IMPLICATIONS

There are no privacy, policy, legal, environmental, or CPTED implications or considerations.

NEXT STEPS

Administration will continue to be in contact with FCM to explore ways in which we can work together and continue to advance current reconciliation initiatives.

APPENDICES

1. Municipal Motions on the UN Declaration
2. Vancouver Early Action Items, June 7, 2022

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