



CLC Discussion Document:

Framework for a Labour Plan of Action on Reconciliation with Justice

This discussion document comprises excerpts from the research document being prepared on behalf of the CLC by Fiona Meyer Cook. It is being distributed to continue the discussion with Aboriginal communities and unions on ways to work together to implement the Truth and Reconciliation Commission (TRC) of Canada's 94 recommendations.

This conversation has already included members of the CLC Aboriginal Workers Working Group and is still ongoing.

The final research paper will document the challenging journey faced by both survivors and the TRC Commissioners in accessing the archives and having their schools and cases recognized. It will also highlight the ongoing class action suits of students whose schools were not included in the Indian Residential Schools Settlement Agreement (IRSSA), hereafter referred to as the Settlement Agreement, and that there are still others waiting to have their day in court.

This document gives an overview and summary of select calls to action, and sets forth a recommendation for a four-themed framework of action to advance Labour's support for their implementation.

Labour's Framework for Action

The Truth and Reconciliation Commission of Canada: Calls to Action makes 94 recommendations; however, this document breaks these recommendations into four areas as the basis of the framework for labour action:

1. Honouring Survivors: Truth, Memory, and the Healing Journey
 - History of Indian Residential Schools and summary of the class action suit that led to the Settlement Agreement and TRC

- Survivors today: key issues
- Action plan: support for a National Council for Reconciliation

Under this heading, we are highlighting the TRC calls to action #54 and #55 (*see Appendix for full text of all the TRC calls to action referenced in this document*).

2. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is the framework of reconciliation. It is significant that the TRC used UNDRIP as the basis for the report.

- The historic basis for the distinct recognition of Indigenous Peoples under Canadian law and international declarations and treaties, and self-determination in Canada
- Revitalizing and affirming Indigenous languages and cultural practices in Canada

Under this heading, we are highlighting the TRC calls to action #43 and #44.

3. Business and Human Rights

- TRC action plan: implementing ILO Convention 169, Indigenous and Tribal Peoples Convention, 1989
- Related frameworks: United Nations frameworks and guiding principles on business and human rights

Under this heading, we are highlighting the TRC calls to action #21, #22, and #23

4. Monitoring

- There is a need for unions and other organizations to ensure the TRC recommendations are implemented.

Closing the Gaps – Union Actions

As part of the framework, this part deals with what unions need to do to challenge the structural foundations of inequality and discrimination against Indigenous Peoples in Canada. This includes looking at key policies that act as barriers to achieving equal rights for Indigenous Peoples. Attention must also be paid to key challenges put forth by national Aboriginal organizations and commissions over the years to close the gaps in employment, education, housing, child welfare, justice, etc..

The CLC has a number of Convention resolutions on the issues raised in the TRC report, so we need work on ways of implementing them.

In respect to the TRC calls for action, we will look at the following in respect to closing the gaps:

1. Business and Reconciliation (Call to action #92):

- Employment equity (Calls to action #7, #23)
- Underrepresentation of Indigenous workers across sectors
- Family poverty and the Indigenous wage gap in Canada
- The need for systemic change, Labour's role in creating momentum, key partnerships, and critical mass
- Creating alliances and keeping the pressure on key decision makers and leaders across multiple sectors
- Creating common evaluation frameworks (advancing and reporting on employment equity measures at the federal, provincial, territorial, and municipal levels)
- Sharing approaches that work among affiliates and Aboriginal communities

2. Safe drinking water in First Nations communities

- Implementation of CLC Convention Resolutions and work with Aboriginal organizations and community partners

3. Tackling the structural foundations of mental health challenges

- Improving basic living conditions and access to decent work and standards of care for Indigenous people.
- Case study: Treaty 9 area, Attawapiskat, Chief Spence hunger strike, and suicide crisis in Northern Ontario
- *Recommendation: TRC Call to Action #20 on Aboriginal Healing Centres*
- Implementation of CLC Convention Resolutions
- Restore National Aboriginal Health Organization (NAHO). Support harm reduction centres across country. Provide funding for prevention, de-carceration, and transformative and culturally relevant justice alternatives.

4. Violence against Indigenous Women

- hold discussions with families of Murdered and Missing Aboriginal Women and Native Women's Association of Canada (NWAC)

Labour, Education, and Reconciliation

It is important to deal with systemic change within internal union structures to promote Labour's framework for action. Internal education would be for union officers, leaders, and members on treaties, residential schools, UNDRIP, contemporary justice concerns of First Nations, Inuit, and Metis Peoples, and Labour's engagement in the TRCs calls to action (*call to action #92. iii*).

- End denial and challenging deep racism against First Nations, Metis, and Inuit Peoples in Canada.
- Decolonize this! Key elements of decolonial activism in practice.
- Raise awareness on power of Indigenous knowledge systems.

There is a need to reflect on alliances, and to look at what makes them work. It is critical to move forward in solidarity with national Aboriginal organizations by campaigning, and reporting on and monitoring progress.

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Appendix

Honouring Survivors: Truth, Memory, and the Healing Journey

"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 nonAboriginal 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 nonAboriginal 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."

The UNDRIP as the basis for Reconciliation:

"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.”

Business and Human Rights

“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 healthcare professionals.”*

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.”

“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.”

“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 healthcare professionals.”

“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.”

Labour, Education, and Reconciliation

“92. 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.”

Truth and Reconciliation Commission of Canada. “Truth and Reconciliation Commission of Canada: Calls to Action.” 2015. Accessed online: http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf