



May 28, 2018

Open Letter to All Members of Parliament

Bill C-262 provides principled framework for implementing the *UN Declaration on the Rights of Indigenous Peoples*

Our nations and organizations are urging all Members of Parliament to support Bill C-262 in a non-partisan manner when it comes to a vote at third reading.

The government of Stephen Harper endorsed the *UN Declaration* in 2010 and expressed “confidence” that the *Declaration* is consistent with Canada’s Constitution and legal framework. The government of Justin Trudeau has repeatedly pledged to fully implement the *Declaration*. The Truth and Reconciliation Commission, whose Calls to Action have been widely endorsed by a wide range of political parties at the federal, provincial and territorial levels, urged all governments to implement the *United Nations Declaration on the Rights of Indigenous Peoples* as ‘the framework for reconciliation’ in Canada.

Bill C-262 provides a legislative framework for the federal government to now move forward with the important and urgent work of implementing the *Declaration*.

Bill C-262 would require the federal government to collaborate with Indigenous peoples in developing a national action plan to implement the *UN Declaration*. C-262 also calls for a collaborative process to ensure that Canada’s laws live up to the human rights affirmed in the *UN Declaration*.

In Canadian legal tradition, international human rights instruments are considered as relevant and persuasive sources of interpreting human rights domestically. Canadian courts and tribunals are already using the *Declaration* in this way.

As a legislative framework that includes regular reporting to Parliament, Bill C-262 also provides the means to hold this and future governments accountable to the commitments that have been made to honour and respect the rights of Indigenous peoples.

The Truth and Reconciliation Commission clearly told us that reconciliation requires hard work by all sectors of society. Adoption of Bill C-262 is a vital part of this journey. Our governments and organizations strongly believe that the collaborative, non-adversarial approach set out in Bill C-262 is in the best interest of all Canadians. We strongly encourage all Members of Parliament to actively support Bill C-262 from this principled perspective.

Background

The *UN Declaration* was the subject of one of the most extensive standard setting processes ever undertaken in the international human rights system. The collaboration between Canadian government representatives and Indigenous peoples during the final years of negotiation was a

key factor in developing a text that could attain broad, global support. Today, the *Declaration* stands as a global human rights instrument, reaffirmed 8 times by the UN General Assembly by consensus.

Bill C-262 has five key elements:

- Bill C-262 sets out the principles that must guide implementation of the *Declaration*, including repudiation of colonialism.
- Bill C-262 provides clear public affirmation that the standards set out in the *UN Declaration* have “application in Canadian law.”
- Bill C-262 requires a collaborative process for the review of federal legislation to ensure consistency with the minimum standards set out in the *UN Declaration*.
- Bill C-262 requires the federal government to work with Indigenous peoples to develop a national action plan to implement the *UN Declaration*.
- Bill C-262 provides transparency and accountability by requiring annual reporting to Parliament on progress made toward implementation of the *Declaration*.

The Coalition for the Human Rights of Indigenous Peoples

This open letter endorsed by:

Amnesty International Canada / Amnistie Internationale Canada

Assembly of First Nations

BC Assembly of First Nations

Canadian Friends Service Committee (Quakers)

First Nations Summit

First Peoples Justice Center of Montreal

Grand Council of the Crees (Eeyou Istchee)

Brenda Gunn, Associate Professor, Robson Hall Faculty of Law, University of Manitoba

International Chief of Treaty 6, 7, 8, Wilton Littlechild, former Truth & Reconciliation Commissioner

Indigenous World Association

KAIROS: Canadian Ecumenical Justice Initiatives

Sheryl Lightfoot, Canada Research Chair in Global Indigenous Rights and Politics

Métis Nation

Union of British Columbia Indian Chiefs