

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 28, 2022**

Item 4, Report No. 36, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 28, 2022.

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#### **4. MEMORANDUM OF UNDERSTANDING WITH MISSISSAUGA OF CREDIT FIRST NATION**

**The Committee of the Whole recommends approval of the recommendation contained in the report of the Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer, dated September 20, 2022:**

##### **Recommendation**

1. That staff be directed to formally engage in discussions with the Mississauga of Credit First Nation with the intent to develop a Memorandum of Understanding and Relationship Guide.

## Committee of the Whole (2) Report

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**DATE:** Tuesday, September 20, 2022

**WARD(S):** ALL

**TITLE:** MEMORANDUM OF UNDERSTANDING WITH MISSISSAUGA OF CREDIT FIRST NATION

**FROM:**

Michael Coroneos, Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer

**ACTION:** DECISION

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**Purpose**

A Memorandum of Understand with the Mississauga of Credit First Nation and Relationship Guide will deepen meaningful engagement and reconciliation with other First Nation, Métis, Inuit communities, organizations within the GTA serving First Nations, Métis, Inuit communities residing in Vaughan.

**Report Highlights**

- The City of Vaughan's Commitment to Diversity, Equity and Inclusion recognizes the unique status and diversity of First Nations, Métis and Inuit communities and their right to self-determination.
- The City is committed to meaningful engagement and reconciliation with First Nations communities, in particular, Mississauga of Credit First Nation, with whom the City holds Treaty 13.
- The City seeks to develop and Memorandum of Understanding with the Mississauga of Credit First Nation that honours and affirms diverse Indigenous ways of knowing and being, supporting economic development and prosperity, increasing civic engagement, learning and education about diverse Indigenous community groups, and reinforcing rights to self-determination and self-governance.

## **Recommendation**

1. That staff be directed to formally engage in discussions with the Mississauga of Credit First Nation with the intent to develop a Memorandum of Understanding and Relationship Guide.

## **Background**

First Nations, Inuit and Métis peoples of Turtle Island hold a unique position in Canada. The City of Vaughan recognizes its special relationship with the Mississaugas of the Credit First Nation. Anti-Indigenous racism is a particular type of racism experienced by First Nations, Inuit and Métis people of Canada. Ongoing race-based discrimination, negative stereotyping and injustice are experienced by Indigenous people. This includes ideas and practices that establish, maintain and perpetuate power imbalances, systemic barriers and inequitable outcomes that stem from the legacy of colonial policies and practices in Canada.

Anti-Indigenous racism is perpetual, pervasive and systemic in Canada. It is entrenched into societal practices that reflect and reinforce oppression, marginalization, prejudice, discrimination and/or exclusion directed at First Nations, Métis, Inuit, and other Indigenous communities across all institutions and structures and is rooted in their unique experiences of colonization in Canada.

The City recognizes the legacies of injustice and colonialism against the First Nations, Inuit and Métis people of Canada. The City recognizes Canada's Truth and Reconciliation Commission's Report and Calls to Action and is committed to meaningfully advancing reconciliation. The City also recognizes the National Inquiry into Missing and Murdered Indigenous Women and Girls Report and Calls for Justice and acknowledges that anti-Indigenous racism has contributed to violence against Indigenous women, girls and 2SLGBTQIA people.

The City and the Mississauga of Credit First Nation (MCFN) applied jointly for a grant from the Municipal Community Economic Development Initiative. Hon. Mayor Maurizio Bevilacqua and Councillor Erma Ferrell of the Mississauga of Credit First Nation Band Council jointly participated in the grant to support a memorandum of understanding (MOU). While the grant application was unsuccessful, the City and MCFN have continued favourable discussions on the MOU.

Early discussions regarding the MOU, to be developed in collaboration with the Mississaugas of the Credit First Nations, will engage in work that focuses on honouring and reinforcing diverse Indigenous ways of knowing and being, supporting economic development and prosperity, increasing civic engagement, learning and education about

diverse Indigenous community groups, and reinforcing rights to self-determination and self-governance. The objective aligns with the City's Diversity, Equity and Inclusion Action Plan and with the spirit of the Truth and Reconciliation – Calls to Action. Attachment 1 contains a copy of the Calls to Action. Calls to Action 40 – 45, 48, 57, 75, 76, and 92 specifically relate to municipalities.

### **Previous Reports/Authority**

[Item 10, Report No. 21, of the Committee of the Whole](#), which was adopted without amendment by the Council of the City of Vaughan on June 5, 2017.

[June 1, 2021 Committee of the Whole \(1\) Report: Indigenous Land Acknowledgement](#).

### **Analysis and Options**

The MOU and relationship building process will serve as a framework to engage First Nations, Metis and Inuit communities with whom the City has obligations regarding Duty to Consult and meaningful reconciliation. The relationship building process will center the voices of Indigenous community members in collaboratively addressing anti-Indigenous racism and meaningfully commit to a path of reconciliation. Members of diverse Indigenous communities can meaningfully share their ideas on addressing anti-Indigenous racism in partnership with Indigenous residents and community groups.

City intends engage the procurement process to hire a member of the Mississauga Nation or an external consultant endorsed by the Mississauga Nation as a consultant or consulting firm to guide the process to develop the MOU, develop the MOU in collaboration with City staff, and develop a Relationship Guide to replicate the process with other First Nation, Métis, Inuit communities, organizations within the GTA serving First Nations, Métis, Inuit communities residing in Vaughan. The process will inform the development of a report, recommendations and multi-year action plan for meaningful reconciliation with the First Peoples of Canada and address anti-Indigenous racism.

### **Financial Impact**

It is expected that consultation will cost approximately \$100, 000 hire a member of the Mississauga Nation or an external consultant endorsed by the Mississauga Nation as a consultant or consulting firm to guide the process to develop the MOU, develop the MOU in collaboration with City staff, and develop a Relationship Guide to replicate the process with other First Nation, Métis, Inuit communities, organizations within the GTA serving First Nations, Métis, Inuit communities residing in Vaughan.

## **Broader Regional Impacts/Considerations**

The federal government is leading the efforts to advance reconciliation and renew the relationship with Indigenous peoples, based on recognition of rights, respect, cooperation and partnership. Crown-Indigenous Relations and Northern Affairs Canada is detailing the Crown's progress in responding to the Truth and Reconciliation Commission 94 Calls to Action. The Crown aims to work in partnership with Indigenous Peoples to address past harms, support strong and healthy communities, and advance self-determination and prosperity.

At the provincial level, Ontario's Ministry of Indigenous Affairs is working with Indigenous partners to address the dark legacy of residential schools and the social and economic challenges that face Indigenous communities after centuries of colonization and discrimination.

The Association of Municipalities in Ontario (AMO) has stated that strengthening relations with Indigenous people is important to Ontario's municipal governments and have voiced support for reconciliation. AMO's '[Municipal Governments and the Crown's 'Duty to Consult'](#)' advocates for a clear, all-of-provincial government approach around the Duty to Consult that reflects municipal capacity limits while also respecting the rights of First Nations and Indigenous communities.

AMO continues to advocate for greater municipal inclusion in land claim negotiations and treaty implementation scenarios when there is a municipal impact. To support this effort, the AMO Board has endorsed three resource documents for municipalities since August 2021:

1. [An overview of the Truth and Reconciliation Commission's \(TRC's\) Calls to Action that municipal governments can address.](#)
2. [Ideas and options for what municipal leaders/councils can do to better support and engage their Indigenous residents and neighbours at this time.](#)
3. [A guidance document is to support AMO members in creating Indigenous-Municipal Relationship Agreements.](#)

## **Conclusion**

The City is committed to establishing and building meaningful relationships with Indigenous communities, addressing anti-Indigenous racism and collaborating with Indigenous communities to reflect Indigenous priorities into City programs and services.

**For more information**, please contact:

Michael Coroneos, CPA, CMA, Deputy City Manager, Chief Financial Officer & Treasurer.

Mark Bond, CHRL, Acting Chief Human Resources Officer.  
Zincia Francis, Diversity & Inclusion Officer.

### **Attachments**

1. [Truth and Reconciliation Commission of Canada: Calls to Action.](#)
2. [Indigenous-Municipal Relationship Agreements A Guide for Municipal Leaders](#), Association of Municipalities Ontario.
3. [What Municipal Leaders Can Do to Better Support Indigenous Residents and Neighbours At This Time](#), Association of Municipalities Ontario.

### **Prepared by**

Zincia Francis, Diversity & Inclusion Officer, ext. 8159.

### **Approved by**



Michael Coroneos  
Deputy City Manager, Corporate  
Services and Chief Financial Officer

### **Reviewed by**



Nick Spensieri, City Manager



# **Truth and Reconciliation Commission of Canada: Calls to Action**









Truth and  
Reconciliation  
Commission of Canada

# **Truth and Reconciliation Commission of Canada: Calls to Action**



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**2015**

Truth and Reconciliation Commission of Canada, 2012

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# Calls to Action

In order to redress the legacy of residential schools and advance the process of Canadian reconciliation, the Truth and Reconciliation Commission makes the following calls to action.

## Legacy

### CHILD WELFARE

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care by:
  - i. Monitoring and assessing neglect investigations.
  - ii. Providing adequate resources to enable Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside.
  - iii. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the history and impacts of residential schools.
  - iv. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.
  - v. Requiring that all child-welfare decision makers consider the impact of the residential school experience on children and their caregivers.
2. We call upon the federal government, in collaboration with the provinces and territories, to prepare and

publish annual reports on the number of Aboriginal children (First Nations, Inuit, and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child-welfare agencies, and the effectiveness of various interventions.

3. We call upon all levels of government to fully implement Jordan's Principle.
4. We call upon the federal government to enact Aboriginal child-welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:
  - i. Affirm the right of Aboriginal governments to establish and maintain their own child-welfare agencies.
  - ii. Require all child-welfare agencies and courts to take the residential school legacy into account in their decision making.
  - iii. Establish, as an important priority, a requirement that placements of Aboriginal children into temporary and permanent care be culturally appropriate.
5. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate parenting programs for Aboriginal families.

### EDUCATION

6. We call upon the Government of Canada to repeal Section 43 of the *Criminal Code of Canada*.
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.

8. We call upon the federal government to eliminate the discrepancy in federal education funding for First Nations children being educated on reserves and those First Nations children being educated off reserves.
9. We call upon the federal government to prepare and publish annual reports comparing funding for the education of First Nations children on and off reserves, as well as educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.
10. We call on the federal government to draft new Aboriginal education legislation with the full participation and informed consent of Aboriginal peoples. The new legislation would include a commitment to sufficient funding and would incorporate the following principles:
  - i. Providing sufficient funding to close identified educational achievement gaps within one generation.
  - ii. Improving education attainment levels and success rates.
  - iii. Developing culturally appropriate curricula.
  - iv. Protecting the right to Aboriginal languages, including the teaching of Aboriginal languages as credit courses.
  - v. Enabling parental and community responsibility, control, and accountability, similar to what parents enjoy in public school systems.
  - vi. Enabling parents to fully participate in the education of their children.
  - vii. Respecting and honouring Treaty relationships.
11. We call upon the federal government to provide adequate funding to end the backlog of First Nations students seeking a post-secondary education.
12. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate early childhood education programs for Aboriginal families.

#### **LANGUAGE AND CULTURE**

13. We call upon the federal government to acknowledge that Aboriginal rights include Aboriginal language rights.

14. We call upon the federal government to enact an Aboriginal Languages Act that incorporates the following principles:
  - i. Aboriginal languages are a fundamental and valued element of Canadian culture and society, and there is an urgency to preserve them.
  - ii. Aboriginal language rights are reinforced by the Treaties.
  - iii. The federal government has a responsibility to provide sufficient funds for Aboriginal-language revitalization and preservation.
  - iv. The preservation, revitalization, and strengthening of Aboriginal languages and cultures are best managed by Aboriginal people and communities.
  - v. Funding for Aboriginal language initiatives must reflect the diversity of Aboriginal languages.
15. We call upon the federal government to appoint, in consultation with Aboriginal groups, an Aboriginal Languages Commissioner. The commissioner should help promote Aboriginal languages and report on the adequacy of federal funding of Aboriginal-languages initiatives.
16. We call upon post-secondary institutions to create university and college degree and diploma programs in Aboriginal languages.
17. We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.

#### **HEALTH**

18. We call upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.
19. We call upon the federal government, in consultation with Aboriginal peoples, to establish measurable goals to identify and close the gaps in health outcomes

between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess long-term trends. Such efforts would focus on 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.

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.
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 health-care professionals.
24. We call upon medical and nursing schools in Canada to require all students to take a course dealing with Aboriginal health issues, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, and Indigenous teachings and practices. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

## JUSTICE

25. We call upon the federal government to establish a written policy that reaffirms the independence of the

Royal Canadian Mounted Police to investigate crimes in which the government has its own interest as a potential or real party in civil litigation.

26. We call upon the federal, provincial, and territorial governments to review and amend their respective statutes of limitations to ensure that they conform to the principle that governments and other entities cannot rely on limitation defences to defend legal actions of historical abuse brought by Aboriginal people.
27. We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes 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.
28. We call upon law schools in Canada to require all law students to take a course in Aboriginal people and the law, which includes 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.
29. We call upon the parties and, in particular, the federal government, to work collaboratively with plaintiffs not included in the Indian Residential Schools Settlement Agreement to have disputed legal issues determined expeditiously on an agreed set of facts.
30. We call upon federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so.
31. We call upon the federal, provincial, and territorial governments to provide sufficient and stable funding to implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.
32. We call upon the federal government to amend the Criminal Code to allow trial judges, upon giving reasons, to depart from mandatory minimum sentences and restrictions on the use of conditional sentences.

33. We call upon the federal, provincial, and territorial governments to recognize as a high priority the need to address and prevent Fetal Alcohol Spectrum Disorder (FASD), and to develop, in collaboration with Aboriginal people, FASD preventive programs that can be delivered in a culturally appropriate manner.
34. We call upon the governments of Canada, the provinces, and territories to undertake reforms to the criminal justice system to better address the needs of offenders with Fetal Alcohol Spectrum Disorder (FASD), including:
  - i. Providing increased community resources and powers for courts to ensure that FASD is properly diagnosed, and that appropriate community supports are in place for those with FASD.
  - ii. Enacting statutory exemptions from mandatory minimum sentences of imprisonment for offenders affected by FASD.
  - iii. Providing community, correctional, and parole resources to maximize the ability of people with FASD to live in the community.
  - iv. Adopting appropriate evaluation mechanisms to measure the effectiveness of such programs and ensure community safety.
35. We call upon the federal government to eliminate barriers to the creation of additional Aboriginal healing lodges within the federal correctional system.
36. We call upon the federal, provincial, and territorial governments to work with Aboriginal communities to provide culturally relevant services to inmates on issues such as substance abuse, family and domestic violence, and overcoming the experience of having been sexually abused.
37. We call upon the federal government to provide more supports for Aboriginal programming in halfway houses and parole services.
38. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to eliminating the overrepresentation of Aboriginal youth in custody over the next decade.
39. We call upon the federal government to develop a national plan to collect and publish data on the criminal victimization of Aboriginal people, including data related to homicide and family violence victimization.
40. We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.
41. We call upon the federal government, in consultation with Aboriginal organizations, to appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls. The inquiry's mandate would include:
  - i. Investigation into missing and murdered Aboriginal women and girls.
  - ii. Links to the intergenerational legacy of residential schools.
42. We call upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the *Constitution Act, 1982*, and the *United Nations Declaration on the Rights of Indigenous Peoples*, endorsed by Canada in November 2012.

## Reconciliation

### CANADIAN GOVERNMENTS AND THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLE

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*.

### ROYAL PROCLAMATION AND COVENANT OF RECONCILIATION

45. We call upon the Government of Canada, on behalf of all Canadians, to jointly develop with Aboriginal peoples a Royal Proclamation of Reconciliation to be issued by the Crown. The proclamation would build on the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, and reaffirm the nation-to-nation relationship between Aboriginal peoples and the Crown. The proclamation would include, but not be limited to, the following commitments:

- i. Repudiate concepts used to justify European sovereignty over Indigenous lands and peoples such as the Doctrine of Discovery and *terra nullius*.
  - ii. Adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
  - iii. Renew or establish Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.
  - iv. Reconcile Aboriginal and Crown constitutional and legal orders to ensure that Aboriginal peoples are full partners in Confederation, including the recognition and integration of Indigenous laws and legal traditions in negotiation and implementation processes involving Treaties, land claims, and other constructive agreements.
46. We call upon the parties to the Indian Residential Schools Settlement Agreement to develop and sign a Covenant of Reconciliation that would identify principles for working collaboratively to advance reconciliation in Canadian society, and that would include, but not be limited to:
- i. Reaffirmation of the parties' commitment to reconciliation.
  - ii. Repudiation of concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*, and the reformation of laws, governance structures, and policies within their respective institutions that continue to rely on such concepts.
  - iii. Full adoption and implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
  - iv. Support for the renewal or establishment of Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.
  - v. Enabling those excluded from the Settlement Agreement to sign onto the Covenant of Reconciliation.
  - vi. Enabling additional parties to sign onto the Covenant of Reconciliation.

47. We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and *terra nullius*, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.

#### **SETTLEMENT AGREEMENT PARTIES AND THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**

48. We call upon the church parties to the Settlement Agreement, and all other faith groups and interfaith social justice groups in Canada who have not already done so, to formally adopt and comply with the principles, norms, and standards of the *United Nations Declaration on the Rights of Indigenous Peoples* as a framework for reconciliation. This would include, but not be limited to, the following commitments:
- i. Ensuring that their institutions, policies, programs, and practices comply with the *United Nations Declaration on the Rights of Indigenous Peoples*.
  - ii. Respecting Indigenous peoples' right to self-determination in spiritual matters, including the right to practise, develop, and teach their own spiritual and religious traditions, customs, and ceremonies, consistent with Article 12:1 of the *United Nations Declaration on the Rights of Indigenous Peoples*.
  - iii. Engaging in ongoing public dialogue and actions to support the *United Nations Declaration on the Rights of Indigenous Peoples*.
  - iv. Issuing a statement no later than March 31, 2016, from all religious denominations and faith groups, as to how they will implement the *United Nations Declaration on the Rights of Indigenous Peoples*.
49. We call upon all religious denominations and faith groups who have not already done so to repudiate concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*.

#### **EQUITY FOR ABORIGINAL PEOPLE IN THE LEGAL SYSTEM**

50. In keeping with the *United Nations Declaration on the Rights of Indigenous Peoples*, we call upon the federal government, in collaboration with Aboriginal organizations, to fund the establishment of Indigenous law institutes for the development, use, and

understanding of Indigenous laws and access to justice in accordance with the unique cultures of Aboriginal peoples in Canada.

51. We call upon the Government of Canada, as an obligation of its fiduciary responsibility, to develop a policy of transparency by publishing legal opinions it develops and upon which it acts or intends to act, in regard to the scope and extent of Aboriginal and Treaty rights.
52. We call upon the Government of Canada, provincial and territorial governments, and the courts to adopt the following legal principles:
  - i. Aboriginal title claims are accepted once the Aboriginal claimant has established occupation over a particular territory at a particular point in time.
  - ii. Once Aboriginal title has been established, the burden of proving any limitation on any rights arising from the existence of that title shifts to the party asserting such a limitation.

#### **NATIONAL COUNCIL FOR RECONCILIATION**

53. We call upon the Parliament of Canada, in consultation and collaboration with Aboriginal peoples, to enact legislation to establish a National Council for Reconciliation. The legislation would establish the council as an independent, national, oversight body with membership jointly appointed by the Government of Canada and national Aboriginal organizations, and consisting of Aboriginal and non-Aboriginal members. Its mandate would include, but not be limited to, the following:
  - i. Monitor, evaluate, and report annually to Parliament and the people of Canada on the Government of Canada's post-apology progress on reconciliation to ensure that government accountability for reconciling the relationship between Aboriginal peoples and the Crown is maintained in the coming years.
  - ii. Monitor, evaluate, and report to Parliament and the people of Canada on reconciliation progress across all levels and sectors of Canadian society, including the implementation of the Truth and Reconciliation Commission of Canada's Calls to Action.
  - iii. Develop and implement a multi-year National Action Plan for Reconciliation, which includes research and policy development, public education programs, and resources.

- iv. Promote public dialogue, public/private partnerships, and public initiatives for reconciliation.

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 non-Aboriginal 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 non-Aboriginal 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.
56. We call upon the prime minister of Canada to formally respond to the report of the National Council for Reconciliation by issuing an annual "State of Aboriginal Peoples" report, which would outline the government's plans for advancing the cause of reconciliation.



## PROFESSIONAL DEVELOPMENT AND TRAINING FOR PUBLIC SERVANTS

57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants 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.

## CHURCH APOLOGIES AND RECONCILIATION

58. We call upon the Pope to issue an apology to Survivors, their families, and communities for the Roman Catholic Church's role in the spiritual, cultural, emotional, physical, and sexual abuse of First Nations, Inuit, and Métis children in Catholic-run residential schools. We call for that apology to be similar to the 2010 apology issued to Irish victims of abuse and to occur within one year of the issuing of this Report and to be delivered by the Pope in Canada.
59. We call upon church parties to the Settlement Agreement to develop ongoing education strategies to ensure that their respective congregations learn about their church's role in colonization, the history and legacy of residential schools, and why apologies to former residential school students, their families, and communities were necessary.
60. We call upon leaders of the church parties to the Settlement Agreement and all other faiths, in collaboration with Indigenous spiritual leaders, Survivors, schools of theology, seminaries, and other religious training centres, to develop and teach curriculum for all student clergy, and all clergy and staff who work in Aboriginal communities, on the need to respect Indigenous spirituality in its own right, the history and legacy of residential schools and the roles of the church parties in that system, the history and legacy of religious conflict in Aboriginal families and communities, and the responsibility that churches have to mitigate such conflicts and prevent spiritual violence.
61. We call upon church parties to the Settlement Agreement, in collaboration with Survivors and representatives of Aboriginal organizations, to establish permanent funding to Aboriginal people for:
- i. Community-controlled healing and reconciliation projects.

- ii. Community-controlled culture- and language-revitalization projects.
- iii. Community-controlled education and relationship-building projects.
- iv. Regional dialogues for Indigenous spiritual leaders and youth to discuss Indigenous spirituality, self-determination, and reconciliation.

## EDUCATION FOR RECONCILIATION

62. We call upon the federal, provincial, and territorial governments, in consultation and collaboration with Survivors, Aboriginal peoples, and educators, to:
- i. Make age-appropriate curriculum on residential schools, Treaties, and Aboriginal peoples' historical and contemporary contributions to Canada a mandatory education requirement for Kindergarten to Grade Twelve students.
  - ii. Provide the necessary funding to post-secondary institutions to educate teachers on how to integrate Indigenous knowledge and teaching methods into classrooms.
  - iii. Provide the necessary funding to Aboriginal schools to utilize Indigenous knowledge and teaching methods in classrooms.
  - iv. Establish senior-level positions in government at the assistant deputy minister level or higher dedicated to Aboriginal content in education.
63. We call upon the Council of Ministers of Education, Canada to maintain an annual commitment to Aboriginal education issues, including:
- i. Developing and implementing Kindergarten to Grade Twelve curriculum and learning resources on Aboriginal peoples in Canadian history, and the history and legacy of residential schools.
  - ii. Sharing information and best practices on teaching curriculum related to residential schools and Aboriginal history.
  - iii. Building student capacity for intercultural understanding, empathy, and mutual respect.
  - iv. Identifying teacher-training needs relating to the above.
64. We call upon all levels of government that provide public funds to denominational schools to require such schools to provide an education on comparative religious studies, which must include a segment on

Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders.

65. We call upon the federal government, through the Social Sciences and Humanities Research Council, and in collaboration with Aboriginal peoples, post-secondary institutions and educators, and the National Centre for Truth and Reconciliation and its partner institutions, to establish a national research program with multi-year funding to advance understanding of reconciliation.

#### **YOUTH PROGRAMS**

66. We call upon the federal government to establish multi-year funding for community-based youth organizations to deliver programs on reconciliation, and establish a national network to share information and best practices.

#### **MUSEUMS AND ARCHIVES**

67. We call upon the federal government to provide funding to the Canadian Museums Association to undertake, in collaboration with Aboriginal peoples, a national review of museum policies and best practices to determine the level of compliance with the *United Nations Declaration on the Rights of Indigenous Peoples* and to make recommendations.
68. We call upon the federal government, in collaboration with Aboriginal peoples, and the Canadian Museums Association to mark the 150th anniversary of Canadian Confederation in 2017 by establishing a dedicated national funding program for commemoration projects on the theme of reconciliation.
69. We call upon Library and Archives Canada to:
  - i. Fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Joint-Orontlicher Principles*, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
  - ii. Ensure that its record holdings related to residential schools are accessible to the public.
  - iii. Commit more resources to its public education materials and programming on residential schools.
70. We call upon the federal government to provide funding to the Canadian Association of Archivists to undertake, in collaboration with Aboriginal peoples, a national review of archival policies and best practices to:

- i. Determine the level of compliance with the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Joint-Orontlicher Principles*, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
- ii. Produce a report with recommendations for full implementation of these international mechanisms as a reconciliation framework for Canadian archives.

#### **MISSING CHILDREN AND BURIAL INFORMATION**

71. We call upon all chief coroners and provincial vital statistics agencies that have not provided to the Truth and Reconciliation Commission of Canada their records on the deaths of Aboriginal children in the care of residential school authorities to make these documents available to the National Centre for Truth and Reconciliation.
72. We call upon the federal government to allocate sufficient resources to the National Centre for Truth and Reconciliation to allow it to develop and maintain the National Residential School Student Death Register established by the Truth and Reconciliation Commission of Canada.
73. We call upon the federal government to work with churches, Aboriginal communities, and former residential school students to establish and maintain an online registry of residential school cemeteries, including, where possible, plot maps showing the location of deceased residential school children.
74. We call upon the federal government to work with the churches and Aboriginal community leaders to inform the families of children who died at residential schools of the child's burial location, and to respond to families' wishes for appropriate commemoration ceremonies and markers, and reburial in home communities where requested.
75. We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of

appropriate memorial ceremonies and commemorative markers to honour the deceased children.

76. We call upon the parties engaged in the work of documenting, maintaining, commemorating, and protecting residential school cemeteries to adopt strategies in accordance with the following principles:
- i. The Aboriginal community most affected shall lead the development of such strategies.
  - ii. Information shall be sought from residential school Survivors and other Knowledge Keepers in the development of such strategies.
  - iii. Aboriginal protocols shall be respected before any potentially invasive technical inspection and investigation of a cemetery site.

#### **NATIONAL CENTRE FOR TRUTH AND RECONCILIATION**

77. We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.
78. We call upon the Government of Canada to commit to making a funding contribution of \$10 million over seven years to the National Centre for Truth and Reconciliation, plus an additional amount to assist communities to research and produce histories of their own residential school experience and their involvement in truth, healing, and reconciliation.

#### **COMMEMORATION**

79. We call upon the federal government, in collaboration with Survivors, Aboriginal organizations, and the arts community, to develop a reconciliation framework for Canadian heritage and commemoration. This would include, but not be limited to:
- i. Amending the Historic Sites and Monuments Act to include First Nations, Inuit, and Métis representation on the Historic Sites and Monuments Board of Canada and its Secretariat.
  - ii. Revising the policies, criteria, and practices of the National Program of Historical Commemoration to integrate Indigenous history, heritage values, and memory practices into Canada's national heritage and history.

- iii. Developing and implementing a national heritage plan and strategy for commemorating residential school sites, the history and legacy of residential schools, and the contributions of Aboriginal peoples to Canada's history.

80. We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.
81. We call upon the federal government, in collaboration with Survivors and their organizations, and other parties to the Settlement Agreement, to commission and install a publicly accessible, highly visible, Residential Schools National Monument in the city of Ottawa to honour Survivors and all the children who were lost to their families and communities.
82. We call upon provincial and territorial governments, in collaboration with Survivors and their organizations, and other parties to the Settlement Agreement, to commission and install a publicly accessible, highly visible, Residential Schools Monument in each capital city to honour Survivors and all the children who were lost to their families and communities.
83. We call upon the Canada Council for the Arts to establish, as a funding priority, a strategy for Indigenous and non-Indigenous artists to undertake collaborative projects and produce works that contribute to the reconciliation process.

#### **MEDIA AND RECONCILIATION**

84. We call upon the federal government to restore and increase funding to the CBC/Radio-Canada, to enable Canada's national public broadcaster to support reconciliation, and be properly reflective of the diverse cultures, languages, and perspectives of Aboriginal peoples, including, but not limited to:
- i. Increasing Aboriginal programming, including Aboriginal-language speakers.
  - ii. Increasing equitable access for Aboriginal peoples to jobs, leadership positions, and professional development opportunities within the organization.
  - iii. Continuing to provide dedicated news coverage and online public information resources on issues of concern to Aboriginal peoples and all Canadians,

including the history and legacy of residential schools and the reconciliation process.

85. We call upon the Aboriginal Peoples Television Network, as an independent non-profit broadcaster with programming by, for, and about Aboriginal peoples, to support reconciliation, including but not limited to:
  - i. Continuing to provide leadership in programming and organizational culture that reflects the diverse cultures, languages, and perspectives of Aboriginal peoples.
  - ii. Continuing to develop media initiatives that inform and educate the Canadian public, and connect Aboriginal and non-Aboriginal Canadians.
86. We call upon Canadian journalism programs and media schools to require education for all students 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.

#### **SPORTS AND RECONCILIATION**

87. We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.
88. We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.
89. We call upon the federal government to amend the Physical Activity and Sport Act to support reconciliation by ensuring that policies to promote physical activity as a fundamental element of health and well-being, reduce barriers to sports participation, increase the pursuit of excellence in sport, and build capacity in the Canadian sport system, are inclusive of Aboriginal peoples.
90. We call upon the federal government to ensure that national sports policies, programs, and initiatives are inclusive of Aboriginal peoples, including, but not limited to, establishing:
  - i. In collaboration with provincial and territorial governments, stable funding for, and access to, community sports programs that reflect the diverse

cultures and traditional sporting activities of Aboriginal peoples.

- ii. An elite athlete development program for Aboriginal athletes.
  - iii. Programs for coaches, trainers, and sports officials that are culturally relevant for Aboriginal peoples.
  - iv. Anti-racism awareness and training programs.
91. We call upon the officials and host countries of international sporting events such as the Olympics, Pan Am, and Commonwealth games to ensure that Indigenous peoples' territorial protocols are respected, and local Indigenous communities are engaged in all aspects of planning and participating in such events.

#### **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.

#### **NEWCOMERS TO CANADA**

93. We call upon the federal government, in collaboration with the national Aboriginal organizations, to revise the information kit for newcomers to Canada and its citizenship test to reflect a more inclusive history of the diverse Aboriginal peoples of Canada, including

information about the Treaties and the history of residential schools.

94. We call upon the Government of Canada to replace the Oath of Citizenship with the following:

I swear (or affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Queen of Canada, Her Heirs and Successors, and that I will faithfully observe the laws of Canada including Treaties with Indigenous Peoples, and fulfill my duties as a Canadian citizen.











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## **INDIGENOUS-MUNICIPAL RELATIONSHIP AGREEMENTS A GUIDE FOR MUNICIPAL LEADERS**

### **WHY NOW?**

Municipal leaders are being looked to set the tone and be part of the constructive societal change in Indigenous Relations that is needed and expected. A question we have been hearing from members is how municipal governments leaders and staff can support the healing, learning, and restoration needed to strengthen reconciliation with Indigenous friends, neighbours, and communities.

Relationship Agreements can be helpful in creating relationships and identifying areas of mutual concern and interest. By going through the process of creating an agreement, municipalities and Indigenous communities can continue (or begin) the process of developing mutual understanding and ongoing conversations. Completing this process will better equip all those involved to engage in meaningful, respectful conversations and solutions when issues do arise.

To set the context, municipal governments are not part of the Crown under the Canadian Constitution —the Federal and Provincial governments are. As such, municipal governments are not able to address outstanding rights and claim issues, but we are able to be better neighbours and partners with Indigenous friends and communities.

### **SEPARATE PROCESS FROM DUTY TO CONSULT**

It is important to note that Relationship Agreements are outside of and apart from the formal Duty to Consult process. While municipal governments may have a role to play in discharging procedural aspects of the Crown's Duty to Consult, they do not have an independent Duty to Consult. Municipalities are not the Crown.

They do not have the constitutional authority to address the range of issues arising from Aboriginal and Treaty rights. Municipal governments are subject to many provincial approval processes and do not have access to critically relevant information on Crown-Indigenous relations. Moreover, a lack of knowledge, capacity, and financial resources to fulfill the Duty also prevent municipal governments from independently assuming responsibility for discharging this Crown responsibility.

### **AMO RESOURCES**

At the August 14th Board Meeting, the AMO Board of Directors approved two resource papers to assist municipal councils' efforts to support Truth and Reconciliation. It may be helpful to review those resource papers prior to reviewing this document. The first resource paper provides an overview of the Truth and Reconciliation Commission's (TRC's) Calls to Action that municipal governments can address themselves. These calls to action can help municipal governments focus their reconciliation efforts on areas within their sphere of influence.

The second resource paper provides ideas and options for what municipal leaders and councils can do to better support and engage Indigenous residents and neighbours at this time. It recommended that municipal governments:

1. Start By Listening
2. Educate Yourself
3. Speak Up Thoughtfully
4. Call For Action
5. Create A Declaration of Mutual Commitment and Friendship
6. Create Urban Indigenous-municipal advisory committee
- 7. Create Or Renew Relationship Agreements**
8. Support Indigenous Colleagues and Staff
9. Attend Memorial Events or Ceremonies.

While the recommended actions above do not appear in a linear, “first this, then that,” sequence, it is recommended that municipalities begin by listening and educating themselves, and that this process of learning and conversation is ongoing and prioritized.

The purpose of this guide specifically is to support municipalities in recommendation #7, Create Or Renew Relationship Agreements.

## WHERE TO START?

It is important that municipal governments take the time to move thoughtfully through recommendations #1 to #4 prior to turning their focus to #5, #6 and #7. Listening, educating yourself, speaking up thoughtfully and calling for action will be ongoing practices that all municipal governments should embrace as a matter of the journey towards truth and reconciliation.

Substantive and functional relationship agreements will only be possible after municipal governments take the time to learn about local and national indigenous stories, histories, and perspectives on how best to move forward. While it is not possible to know everything about the other community, just as it may not be possible to know everything about one’s own community, initiating a dialogue between the two communities ensures that when a question comes up there is already a culture of positive and regular communication in place.

Recommendation #3, “Speak Up Thoughtfully,” suggests that municipal governments consider carefully what their informed contribution will be to the public discussion in support of Indigenous peoples. A sincere and heartfelt statement may take some time to develop and should be followed by an action plan or strategy.

Options for such an action plan include creating or renewing relationship agreements, attending memorial events or ceremonies, creating advisory committees, and more. The declaration of mutual commitment and friendship with the local Friendship Centre and the creation of an Indigenous-municipal advisory committee could be initiatives on their own. Such declarations could also be woven into a relationship agreement between a municipal government and Indigenous community.

## CREATING OR RENEWING A RELATIONSHIP AGREEMENT

The goal of a relationship agreement is to establish a long-term relationship of practical cooperation and commitment that respects the Indigenous community's jurisdiction. The agreement must also recognize the need for ongoing compatibility, coordination, and understanding between the parties.

Many municipal governments have formal or informal inter-government agreements with Indigenous communities that cover how they will work together on areas of mutual interest such as economic recovery, tourism, land use planning, and environmental issues. Many more do not or have outdated agreements that do not reflect the current reality of the municipal-Indigenous relationship. These informal agreements are different from service agreements on items such as fire protection services, animal services, solid waste, or water/sewer provision. These formal service agreements often have legal and financial implications. Frameworks for such agreements are available through the Federation of Canadian Municipalities (FCM).

It is important to remember that municipalities do not have the same legal relationship with Indigenous communities as the provincial and federal governments. However, the ways in which these voluntary government-to-government relationships are formed, differences are understood, and relationships can be established are meaningful pathways toward reconciliation in these agreements. Relationship agreements can create a platform for legitimate, meaningful collaboration without altering existing structures in Canada. They represent an opportunity to foster genuine collaboration and achieve shared logistical, cultural, social, and economic benefits.

A relationship agreement should be a living document that represents a constantly evolving relationship. As such, it should change and adapt as the connection matures, and as the municipality and Indigenous community identify needs and priorities.

### **Establishing a relationship agreement**

Establishing and maintaining respectful relationships is a basic principle of good municipal governance. By respecting each other's perspectives and developing relationships, municipalities and Indigenous communities can build trust, address challenging issues and new opportunities and act collaboratively to achieve social and economic well-being for all residents.

In addition to the recommendations outlined above and in the AMO paper, "What Municipal Leaders Can Do To Better Support Indigenous Residents And Neighbours At This Time" the following steps could be considered in the journey to creating a meaningful relationship agreement:

#### **1. Identify treaty and non-treaty Indigenous communities that live in, or adjacent to, the municipality**

Each of these communities is distinct and unique. If more than one Indigenous community is identified, there should be a separate relationship agreement with each. Through communication with the community, it will become clear who speaks on behalf of the community (elders, elected leaders, community leaders).

Discuss with community leaders what communication methods are appropriate, and ensure that all engagement is led by, or endorsed by, the Indigenous community.

This step may occur as part of the municipality's work towards recommendations #1 (Start By Listening) and #2 (Educate Yourself). It is important to take the time to understand the challenges, opportunities, and history of the Indigenous community.

## **2. Identify any needs for formal service agreements**

Any formal service agreements should be captured in separate service agreements. These agreements should not form part of the relationship agreement, although they may be referenced within the relationship agreement. These should form separate agreements.

## **3. Identify areas of mutual concern and interest, and discuss the desired level of involvement/consultation that both parties are seeking and willing to undertake.**

Areas of mutual interest could include:

- Childcare
- Community events
- Community Safety and Well-being
- Connectivity
- Economic Development
- Energy
- Housing
- Infrastructure Projects
- Planning and Development
- Public Health
- Sustainability
- Youth engagement

It is important to carefully consider each area of mutual interest and take the time to discuss each parties' role and priorities in the area. Will the relationship agreement provide broad goals, with specific details outlined in a separate document, or will the relationship agreement be more detailed in nature?

## **4. Commit to the process of creating a relationship agreement through a Resolution of Council**

Recommendation #3 (Speak Up Thoughtfully) suggests that municipalities take the time to draft a sincere and heartfelt statement about their role in Truth and Reconciliation and their approach for moving forward. This may take some time to develop, but this is an important step in signaling to the municipality and Indigenous community that the municipality is sincere in their actions. This could be followed by a municipal Truth and Reconciliation implementation strategy, a part of which could be a relationship agreement.

## **5. Community engagement**

Through direct, regular, and thoughtful communication, a steering committee could be established that includes members from both parties. The steering committee should engage the Indigenous community and all residents in the process of establishing a relationship agreement. It is important to acknowledge that the process must be collaborative and led by both parties. The relationship agreement is only meaningful if the process to create it embraces the Indigenous community as an equal partner.

It is important to integrate cultural knowledge into the processes of local government collaboration. Not doing so could be a significant barrier to substantive implementation. The need for increased cultural awareness is a reminder of preliminary work that should be done in Indigenous-municipal relationships to better foster meaningful interactions throughout the implementation of initiatives such as the relationship agreement.

## **6. Identify actions to be taken**

Actions could include:

- Establishing working groups that will regularly meet to explore and initiate activities designed to facilitate economic diversification, protect cultural and heritage resources, and promote community growth and well-being.
- Creating a plan to identify and implement ways to make municipal spaces and buildings welcoming and safe for Indigenous Peoples while ensuring that they can see themselves reflected in the municipal spaces and places.
- Designing a framework to support all municipal staff to build relationships that honour the agreement's key tenets and build relationships with Indigenous Peoples to increase staff's knowledge of Indigenous cultures, traditions, and worldviews through education and learning opportunities.

## **7. Formalize a relationship agreement**

The relationship agreement should be drafted by both parties, and should at a minimum:

- Identify the municipality and indigenous community covered by the agreement and identify who can speak on behalf of each party.
- Identify the general spirit of collaboration and communication, as agreed to through the consultation and engagement process.
- Identify how communication will occur between both parties:
  - Formal Communication (i.e., annual joint statements, regular formal meetings, community engagement opportunities, is a communication plan warranted?)
  - Advisory Committee (will an advisory committee be formed? If so, the terms of reference could be included as an appendix to the relationship agreement).
  - Informal Communication (will there be regular informal communication between the parties? What might this look like?)
- Identify the areas of mutual interest.

- Identify an action and implementation plan for any specific actions identified from the areas of mutual interest (this may look like an appendix that can be updated regularly; if there are financial implications, how will budgets be considered, approved?)
- Identify how decisions will be made (through consensus? Through a different decision-making lens?)
- Identify how often and under what circumstances the relationship agreement will be reviewed and amended if necessary (while this should be a possibility at any time, timelines for regular, formal review should be considered to ensure that the Relationship Agreement remains relevant. This could include within a year of new leadership for either party, and/or on an annual basis).

See *Appendix 1: Sample By-Law Preamble Inclusions* for suggestions on what to include in the relationship agreement preamble.

## **8. Solicit feedback on the draft agreement**

Feedback on the draft relationship agreement should occur through community and stakeholder engagement. A meaningful process should be prioritized over a quick process, and feedback should be considered and incorporated as agreed to by all parties. Feedback can and should be sought throughout the process as part of recommendations #1 (Start by Listening) and #2 (Educate Yourself).

## **9. Approve the relationship agreement**

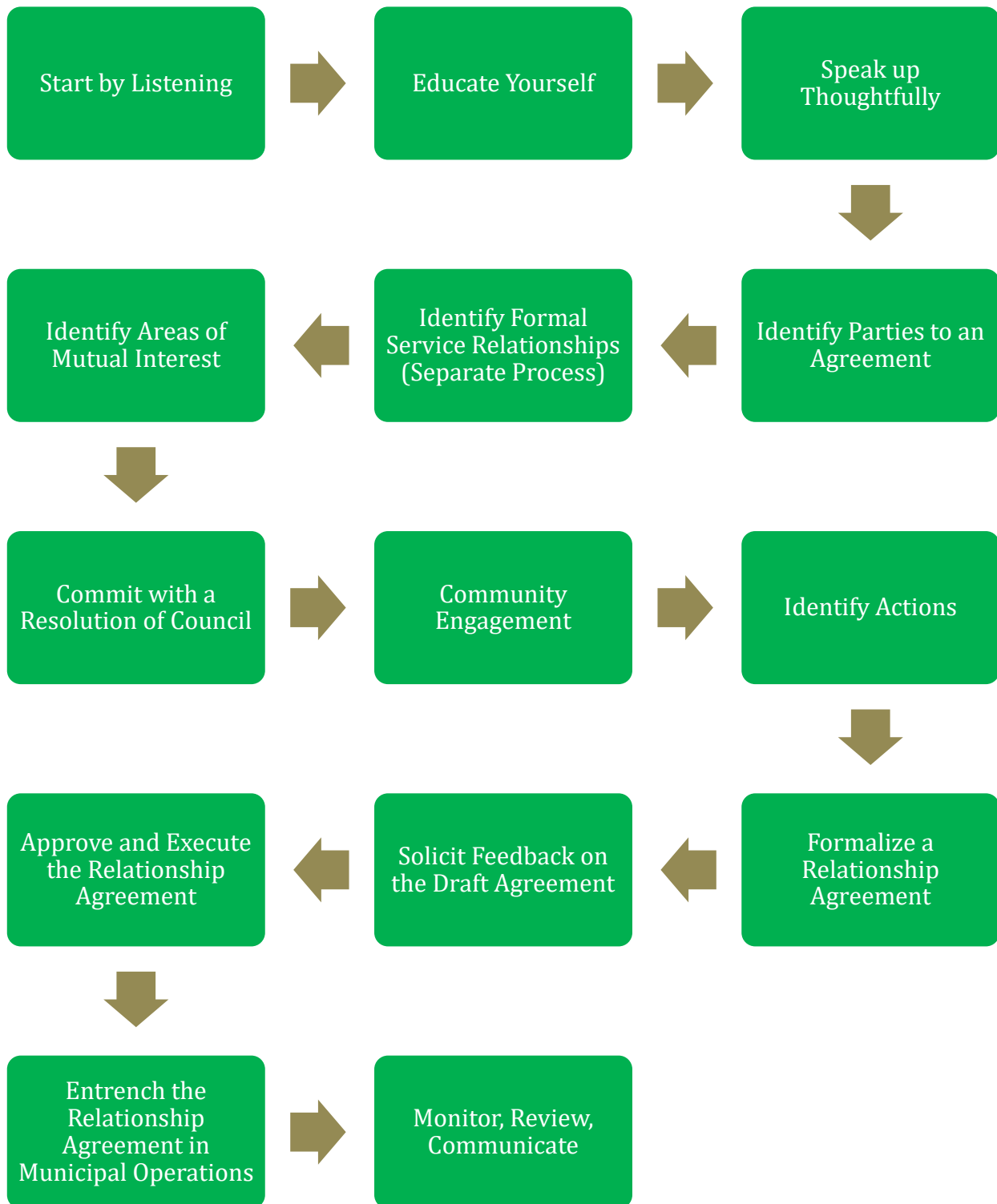
Both parties should indicate satisfaction with the draft relationship agreement before it is executed by the municipal council and Indigenous community (see *Appendix 2: Sample Resolution of Council to Enter into Relationship Agreement*).

## **10. Entrench the relationship agreement in municipal operations**

All municipal staff, elected officials, and volunteers should be aware of the relationship agreement and should understand their role in ensuring it is meaningful and followed. Regular training and reminders to municipal stakeholders about the relationship agreement, the Truth and Reconciliation journey and the history of Indigenous communities locally and nationally are important, so staff leaders and elected officials should ensure that they lead by example by ensuring the tenants of the relationship agreement are adhered to.



## Establishing a Relationship Agreement: A Visualization



## **Appendix 1: Sample Relationship Agreement Preamble Inclusions**

### **STATEMENT OF INTENT**

A brief statement on the intent of the relationship agreement should be drafted by both parties.

### **PARTIES INVOLVED**

Who is involved in building the relationship agreement and who are the signatories?

### **MANDATE OF PARTIES**

A brief overview of the individual mandates of the parties involved.

### **COLLABORATION**

A statement on collaboration could be included. Sample wording could be:

*The Parties hereto acknowledge and agree that they shall collaborate with each other to achieve the objectives of this Relationship Agreement. The Parties further agree that they shall act in good faith in performing their respective activities and shall act according to the principles of friendly consultation and discussion, equality, and mutual benefit, to ensure that their co-operation can be realized on a mutually agreeable basis.*

### **BINDING EFFECT**

The relationship agreement should not be expected to legally bind either party. Anything requiring legal authority should be captured in a formal service agreement. Sample wording could be:

*No Party has the power of authority to legally bind any other Party and nothing herein contained shall be construed as authorizing any Party to act as an agent or representative of any other Party.*

*Nothing in this Relationship Agreement shall be construed to create or constitute a legally binding obligation of the Parties.*

### **TERM OF THE AGREEMENT**

As part of the building the agreement, the parties should consider the term of the agreement and how it will be reviewed and amended. Sample wording could be:

*This agreement shall remain in full force and effect for a term of [insert term length] with automatic renewal for a subsequent term unless a request for amendment is received in writing from one party to the other. Annually, the parties will consider whether there is a need to amend any of the terms of this agreement.*

## **Appendix 2: Sample Resolution of Council to Enter Into Relationship Agreement**

WHEREAS the Municipal Act, S.O. 2001 c. 25 Section 9 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipal Act, S.O. 2001 c. 25 Section 11 (1) provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS all Canadians and all orders of government have a role to play in reconciliation;

AND WHEREAS the municipality of [insert name] recognizes that urban environments in Canada exist the way they do today because of First Nations' often forceful removal from their land;

AND WHEREAS the municipality of [insert name] is committed to supporting the journey of Reconciliation by applying the Truth and Reconciliation Calls to Action, the Missing and Murdered Indigenous Women and Girls Calls for Justice and the United Nations Declaration on the Rights of Indigenous Peoples as a foundation for an Indigenous Relationship Agreement;

AND WHEREAS the municipality of [insert name] recognizes that, as settlers to this land, we must do better;

AND WHEREAS it is the responsibility of every municipal employee, elected official, and [insert name] resident to forge stronger relationships with the descendants of the original inhabitants of this land, and to recognize we all have roles to play in our journey towards reconciliation;

AND WHEREAS the municipality of [insert name] and [insert name of Indigenous community] have expressed a desire and willingness to share in cross-cultural enrichment and the tenets of reconciliation between Canada and its Indigenous People;

AND WHEREAS the municipality of [insert name] is committed to relationship building based on the values of mutual respect, positive communication, and accountability to build and maintain strong relationships between the municipality and [insert name of Indigenous community here].

THEREFORE BE IT RESOLVED THAT the municipality of [insert name] and [insert name of Indigenous community] do therefore express the formalization of their intentions with this relationship agreement that will promote social, cultural, and economic collaboration and the journey towards reconciliation;

AND THEREFORE BE IT RESOLVED THAT the municipality of [insert name] and [insert name of Indigenous community] undertake to ensure public awareness of this relationship agreement and promote harmony and goodwill for the betterment of all residents;

AND THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE [insert name] HEREBY ENACTS AS FOLLOWS:

1. THAT the municipality of [insert name] does hereby enter into an Agreement with the [insert Indigenous community name], as stipulated in Schedule "A" of this by-law, a copy of which is attached hereto and forming an integral part of this by-law;

2. THAT the Mayor and Clerk are hereby authorized to sign the Agreement on behalf of the Corporation;
3. THAT the Mayor and Acting Clerk be and are hereby authorized to sign this by-law and affix the corporate seal thereto.
4. THAT this by-law is enacted upon the third and final reading thereof.

Read a first, second and third time, and be finally passed, signed, sealed, and numbered By-Law No. ##-202#, this ## day of [insert month], 202#.

### Appendix 3: Starting Resources

Alcantara, C., & Nelles, J. (2016). *A Quiet Evolution: The Emergence of Indigenous-Local Intergovernmental Partnerships in Canada*. Toronto, Ontario: University of Toronto Press.

City Of Edmonton Indigenous Framework.

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City Of Edmonton Indigenous Framework.

[https://www.edmonton.ca/city\\_government/initiatives\\_innovation/community-engagement-indigenous-framework](https://www.edmonton.ca/city_government/initiatives_innovation/community-engagement-indigenous-framework)

Federation of Canadian Municipalities, "Stronger Together: A Toolkit for First Nations-Municipal Community Economic Development." <https://fcm.ca/en/resources/cedi/stronger-together-toolkit>

Federation of Canadian Municipalities. (2005). "Municipal-Aboriginal Partnerships in Land Management."

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United Nations. (2004). "Report of The Special Rapporteur on The Situation of Human Rights and Fundamental Freedoms of Indigenous People, Mission to Canada." New York, United Nations.

United Nations. (2007). "United Nations Declaration on the Rights of Indigenous Peoples." *Human Rights Quarterly*, 33 (3), 909-92



# What Municipal Leaders Can Do To Better Support Indigenous Residents And Neighbours At This Time

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August 23, 2021

A question we have been hearing from members is how can municipal governments leaders and staff be more supportive and be part of the healing, learning, and restoration needed to support reconciliation with Indigenous friends, neighbours, and communities. Municipal leaders are being looked to in order to set the tone and be part of the constructive societal change that is needed and expected.

To set the context, municipal governments are not [part of] the Crown under the Canadian Constitution, the Federal and Provincial governments are. As such, municipal governments are not able to address outstanding rights and claim issues, but we are able to be better neighbours and partners with Indigenous friends and communities.

1. **Start by listening.** Actively listen to the many Indigenous leaders, elders, and speakers who are sharing their perspectives, advice, and wisdom at this time. Listen locally if you can to Indigenous neighbours and at Friendship Centres. Although there are common elements, each survivor and each community has a unique story to share. Learn from what is shared voluntarily but don't ask Indigenous colleagues or friends to educate you.
2. **Educate yourself** about residential schools through the many stories of survivors. May wish to virtually visit the [Woodland Cultural Centre](#) which was formerly the Mohawk Institute Indian Residential School, one of the few remaining residential schools in Canada. Be compassionate and self-reflective as survivors and their communities grieve with the recent discoveries of several unmarked children's' burials – with likely more discoveries to come.

Educate yourself on the broader area of Indigenous history and perspectives including Indigenous rights under the Canadian [Constitution Act, 1982](#) and [treaties](#) as a start. More informational links can be found at the end of this document.

3. **Speak up thoughtfully.** Consider what your and your council's informed contribution will be to the public discussion in support of Indigenous peoples. Although there is a growing frustration with both silence and platitudes, a sincere and heartfelt statement may take some time to develop which should be accompanied with a follow through implementation strategy. Be particularly careful about the use of social media as it is often not the best forum for thoughtful discussion.
4. **Call for action.** As stated above, municipal governments can't solve issues related to rights and claims. However, they can add their strong voices in support of a call for action to the federal government.

In particular, they can support the Truth and Reconciliation Commission's (TRC) calls to action on residential schools, including the need to fund this essential work. The TRC's recommendations 71-76 ask the federal government to accurately detail the number of children who died, establish a National Residential School Student Death Register, and to locate the bodies of children who died so that they can be respectfully memorialized.

As well, there needs to be a requirement that there is an immediate release all of documents and records related to residential schools in Canada including the names of all missing children – be they federal, provincial and/or church records.

5. **Create a Declaration of Mutual Commitment and Friendship** with the local Friendship Centre. During AMO's 2020 Virtual Conference, the [\*Declaration of Mutual Commitment and Friendship\*](#) was signed by the Ontario Federation of Indigenous Friendship Centres and AMO.

Developed and led by the Ontario Federation of Indigenous Friendship Centres (OFIFC) ([link https://ofifc.org/](https://ofifc.org/)) and AMO's memberships, the Declaration highlights the relationships and work being done to improve the quality of life of Indigenous people across Ontario's municipalities. The Declaration emphasizes the leadership of collaborating Friendship Centres and municipal governments and raises the bar for increased future dialogue and partnership. The agreement is designed to help municipal governments and Friendship Centres build relationships in order to improve supports and services for Indigenous people in their communities.

Throughout Ontario, 85 per cent of Indigenous people live in urban and rural municipalities. The OFIFC represents the collective interests of 29 Friendship Centres in cities and towns across the province – places for community members and Indigenous people living in urban spaces to gather, connect with one another, and receive culturally-based services. The centres support and encourage equal access to, and participation in, Canadian society while respecting Indigenous cultural distinctiveness, and have existed in Ontario communities for more than half a century ([\*Declaration of Mutual Commitment and Friendship\*](#)).

6. **Create urban Indigenous-municipal advisory committee** (if one doesn't already exist) where there is no Friendship Centre in the municipality. This advisory committee could work collaboratively with municipal service providers and staff with respect to municipal services and programs related to the social determinants of health (e.g., housing, child care, senior services, public health) to make sure that they are being planned, delivered, resourced, and evaluated in a way that serves the urban Indigenous community appropriately and in partnership.

This may also be, or evolve into, a forum for Indigenous and municipal service providers to work together in human and social services areas where program integration and cooperation would benefit all peoples receiving such services in the municipality.

7. **Create or renew Relationship Agreements** between a municipal government and neighbouring First Nation(s) and/or indigenous communities. Many municipal governments have formal or informal inter-government agreements with neighbouring First Nation(s) and/or Indigenous communities covering how they will work together on areas of mutual interest such as economic recovery, tourism, land use planning, and environmental issues. These are different from service agreements on items such as fire protection services, animal services, solid waste, or water/sewer provision. They are the agreements that provide a framework for how all parties will work together on local issues and how dispute resolution can occur if needed.

AMO staff is looking into developing a template framework that includes the key elements in relationship agreements later in 2021 so that it can be available to assist members, First Nations, and Indigenous communities in local discussions about their own Relationship Agreements.



8. **Support Indigenous colleagues and staff.** It is not a usual time. Know that Indigenous colleagues and staff may need time for themselves, their families, and their communities. If possible, employers should try to make sure that employees have access to culturally appropriate employee support programs or counselling.
9. **Attend memorial events or ceremonies** where non-Indigenous people are invited. Wear orange to demonstrate support for survivors and their families. The *National* Day for Truth and Reconciliation, also known as Orange Shirt Day, on September 30<sup>th</sup> is now a federal statutory *holiday*.

Municipal governments are encouraged to fly the “Every Child Matters” orange flag for the month of September leading up to the *National* Day for Truth and Reconciliation.

**Resources:** Too many to list, but a start of a web-based resources list.

The Truth and Reconciliation Commission of Canada

<http://www.trc.ca/>

The National Inquiry into Missing and Murdered Indigenous Women and Girls. June 2019

<https://www.mmiwg-ffada.ca/final-report/>

2020 Status Update on Reconciliation

<https://yellowheadinstitute.org/trc/>

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

<https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

POLIS Water Sustainability Project list of resources

<https://poliswaterproject.org/2021/06/03/reconciliation-resources/>

Indian Residential Schools Survivors Society (B.C. based organization)

<https://www.irsss.ca/home>

Indigenous Ally Toolkit

[https://reseaumtlnetwork.com/wp-content/uploads/2019/04/Ally\\_March.pdf](https://reseaumtlnetwork.com/wp-content/uploads/2019/04/Ally_March.pdf)

Legacy of Hope Foundation

<https://legacyofhope.ca/>

Orange Shirt Society

<https://www.orangeshirtday.org/orange-shirt-society.html>

Reconciliation Canada

<https://reconciliationcanada.ca/>

First Nations Child and Family Caring Society

<https://fncaringsociety.com/>

Yellowhead Institute – First Nation-led research centre based at Ryerson University in Toronto

<https://yellowheadinstitute.org/>

<https://www.cbc.ca/books/35-books-to-read-for-national-indigenous-history-month-1.5585489>