



Government of Canada
High Commission of Canada

Gouvernement du Canada
Haut-commissariat du Canada

4 October 2024

Senator Jana Stewart
Chair
Committee Secretary
Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs
PO Box 6021
Parliament House
Canberra ACT 2600


Dear Senator Stewart,

The High Commission of Canada has the honour to provide the attached submission to Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs' *Inquiry into the Truth and Reconciliation Bill 2024*, in response to the request received from the Committee on 31 July 2024.

The High Commission wishes to highlight that this submission provides input from Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), a key Government of Canada Department. CIRNAC was created in 2017 with a mandate to renew the nation-to-nation, Inuit-Crown, government-to-government relationship between Canada and First Nations, Inuit and Métis and modernize Government of Canada structures to enable Indigenous peoples to build capacity and support their vision of self-determination.

Should the Committee so request, the High Commission would be pleased to facilitate the provision of additional information as helpful.

Yours sincerely


Julie Sunday
High Commissioner

Australia's Inquiry of the Truth and Justice Commission Bill 2024:

A Submission by the Government of Canada to the
Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs

Prepared by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

September 10, 2024

Preamble

On July 4, 2024, the Australian Senate referred the Truth and Justice Commission Bill 2024 to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs for inquiry and a report due by February 11, 2025. This bill proposes the creation of a commission to examine both historic and ongoing injustices faced by the First Peoples of Australia.

In response to this inquiry, Canada draws upon its own experience with truth and reconciliation, particularly through the establishment of the Truth and Reconciliation Commission (TRC) and its final report from 2015, which included 94 Calls to Action aimed at addressing historical injustices. Through this perspective, Canada aims to contribute to the dialogue surrounding Australia's Inquiry of the Truth and Justice Commission's mission and support its pursuit of justice and reconciliation.

The Truth and Reconciliation Commission (TRC)

For a period of more than 150 years in Canada, approximately 150,000 Indigenous children were removed and separated from their families and communities to attend residential schools.

The TRC was established in 2008 through a legal settlement between Residential Schools Survivors, the Assembly of First Nations, Inuit representatives and the parties responsible for the creation and operation of the schools: the federal government and the church bodies. The TRC provided those directly or indirectly affected by the legacy of the Indian Residential Schools system with an opportunity to share their stories and experiences with the aim of addressing the profound impacts of residential schools on Indigenous Peoples and communities.

It should be noted that the TRC did not act as a public inquiry or have subpoena powers; participation in the interviews and national events was voluntary.

The goals of the TRC were to:

- **Acknowledge** the impacts of the residential school system.
- **Create** a safe and culturally appropriate space for individuals to share their experiences.
- **Facilitate** national and community reconciliation events.
- **Promote** awareness and understanding of the residential school legacy.

- **Create and preserve** a historical record of the residential schools.
- **Oversee** a commemoration fund to support related community events.
- **Prepare** a comprehensive final report with recommendations.

Between 2008 and 2015, the TRC, under the leadership of Commissioners Murray Sinclair, Wilton Littlechild, and Marie Wilson, conducted over 6,500 interviews and hosted 7 national events. The work culminated in the TRC's Final Report, released in June 2015, which included 94 Calls to Action aimed at redressing the legacy of residential schools and advancing reconciliation. The TRC's Final Report was a testament to the courage of each and every Survivor and family member who shared their experience and story.

On December 15, 2015, the Prime Minister of Canada reaffirmed the Government's commitment to working collaboratively with Indigenous Peoples, provinces, territories, and other stakeholders to implement the Calls to Action.

Canada's Approach to the Implementation of the Calls to Action:

The Government of Canada is currently engaged in the implementation of 76 out of the 94 Calls to Action issued by the TRC that fall under federal responsibility alone or are a shared responsibility with provincial and territorial governments or other key partners. The remaining 18 Calls to Action fall outside the direct jurisdiction of the federal government.

To effectively address the Calls to Action, the Government of Canada has adopted a distinctions-based, whole-of-Government approach to implementation for those Calls to Action that under the federal government's full or shared responsibility. This strategy involves extensive collaboration among various federal departments and agencies. By coordinating efforts across federal government departments and agencies, and assigning specific Calls to Action that align with their priorities and operational mandates, Canada aims to create a cohesive and effective response to the Calls to Action.

The Department of Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) plays a pivotal role in this process. CIRNAC is tasked with leading the whole-of-Government approach and is also responsible for overseeing the implementation of 15 specific Calls to Action. To provide transparency and track progress, CIRNAC maintains a dedicated webpage titled "[Delivering on Truth and Reconciliation Commission Calls to Action](#)." This platform serves as a crucial tool that is widely used for reporting on the progress made in addressing the Calls to

Action. The website offers quarterly updates with detailed information on the steps taken toward implementation.

Progress in Responding to the TRC

Significant progress has been achieved in addressing the 76 Calls to Action under federal or shared responsibility, with over 85% of these initiatives either completed or substantially underway.

This encompasses a range of activities, including the identification of budgetary investments, establishment of innovative programs, and enactment of new federal legislation. These efforts reflect a comprehensive approach to implementing the Calls to Action, demonstrating a strong commitment to advancing reconciliation and addressing the recommendations outlined by the TRC. It is important to note that the Calls to Action were not intended as a checklist, and many may have longer term implications.

To date, the Canadian government has enacted multiple pieces of federal legislation in response to the TRC Calls to Action. These legislative measures provide the legal frameworks necessary to support the implementation of various recommendations.

A recent example is Bill C-29, *an Act to provide for the establishment of a national council for reconciliation*, that came into force on July 2, 2024, fulfilling Call to Action 53 and positioning the federal government to respond to Calls to Action 54-56. The legislation ensures that the National Council for Reconciliation will be an independent, Indigenous-led, non-political organization that will help advance reconciliation in all sectors of Canadian society. The Council will play an important role in monitoring and reporting on progress toward reconciliation, including monitoring and reporting on the implementation of the Calls to Action.

Lessons Learned

Canada has closely aligned the implementation of the TRC's 94 Calls to Action with the rights and principles articulated in the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration).

In 2016, the Government of Canada endorsed the UN Declaration without qualification and committed to its full and effective implementation.

On June 21, 2021, the [*United Nations Declaration on the Rights of Indigenous Peoples Act*](#) (the Act) became law. The purpose of the Act is to affirm the UN Declaration as an international human rights instrument that can help interpret and apply Canadian law. It also provides a framework to advance implementation of the UN Declaration at the federal level. The Act requires the Government of Canada, in consultation and cooperation with Indigenous Peoples, to:

- Take all measures necessary to ensure the laws of Canada are consistent with the UN Declaration;
- Prepare and implement [an action plan](#) to achieve the objectives of the UN Declaration; and
- Develop [annual reports](#) on progress and submit them to Parliament.

The TRC's 94 Call to Action focus on addressing historical injustices, fostering Indigenous self-determination, and respecting Indigenous cultures and languages. For example, implementation of the Calls to Action related to education, health, and justice systems are aligned with the rights of Indigenous Peoples as outlined in the UN Declaration, to ensure that Indigenous Peoples have equitable access to services and opportunities. Overall, in implementing the TRC's Calls to Action, the Government of Canada seeks alignment with the UN Declaration, fostering a more equitable and respectful relationship between Indigenous and non-Indigenous Peoples.

Through the implementation of the TRC's Calls to Action, Canada also recognizes a shared responsibility for establishing and maintaining respectful relationships. Reconciliation involves people in Canada actively working to repair and strengthen relationships with Indigenous Peoples, grounded in mutual respect and understanding. This responsibility is rooted in acknowledging the injustices and systemic discrimination that Indigenous communities have and continue to face and by engaging in honest dialogue about these harms.

To establish and maintain these relationships, people in Canada have learned that this involves listening to and learning from Indigenous perspectives, including the insights of Elders and Knowledge Keepers, which are crucial for understanding Indigenous cultures, values, and experiences. It is also recognized that people in Canada need to support and advocate for policies and initiatives that uphold the rights of Indigenous Peoples outlined in the UN Declaration, and support implementation of the TRC's Calls to Action. This includes promoting Indigenous self-determination, respecting traditional knowledge, and ensuring equitable access to resources and opportunities.

Closing

The commitment to implement the TRC's Calls to Action has contributed to the Government of Canada's broader reconciliation agenda. The Government of Canada has taken significant steps to strengthen relationships with Indigenous Peoples. In 2017, the Prime Minister announced the creation of Crown-Indigenous Relations and Northern Affairs Canada with a mandate to renewing the nation-to-nation, Inuit-Crown, government-to-government relationship between Canada and First Nations, Inuit and Métis, and modernizing the Government of Canada structures to enable Indigenous Peoples to build capacity and support their vision of self-determination.

Also in 2017, the Government of Canada established permanent bilateral mechanism processes with First Nations, Inuit and Métis leaders to identify joint priorities, co-develop policy and monitor progress. The implementation of the Calls to Action must take into account the changing context as First Nations, Inuit and Métis work to advance their priorities.

Implementation of the Calls to Action requires long-term focus, sustained investments, engagement and co-development with key partners. While much progress has been made, not all Calls to Action can be implemented in the short-term and some will require long-term, ongoing and sustained commitments to be fully implemented.

The Government of Canada remains committed to reconciliation and continues to work towards implementation of the Calls to Action. We hope this information provides valuable insights and contributes to the understanding of reconciliation efforts in Canada. For additional details or updates, please contact Crown-Indigenous Relations and Northern Affairs Canada.

This submission provides an overview of the TRC's history, implementation progress, and ongoing commitment to reconciliation, aimed at informing Australia's Inquiry into the Truth and Justice Commission Bill.

Resources

[Truth and Reconciliation Commission of Canada](#)

[National Centre for Truth and Reconciliation](#)

[Truth and Reconciliation Commission of Canada](#)

- [Highlighted Reports](#)
- [Truth and Reconciliation Commission Reports](#)
- [National Centre for Truth and Reconciliation Reports](#)
- [Creating an engagement plan with Indigenous Communities](#)
- [Modern Reports](#)
- [Government Reports](#)
- [Legislation](#)
- [Aboriginal Healing Foundation Reports](#)

[Delivering on Truth and Reconciliation Commission Calls to Action \(rcaanc-cirnac.gc.ca\)](#)

[New permanent bilateral mechanisms \(rcaanc-cirnac.gc.ca\)](#)