

Vestry Motion for 2017

We, the vestry of _____ [name of parish] commit ourselves to continue to work to implement the Calls to Action of the Truth and Reconciliation Commission of Canada. As part of this effort, we call on the Government of Canada to address Call to Action #43: to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation. In particular, we call on the Government of Canada to immediately develop policies requiring free, prior and informed consent be obtained from Indigenous communities in Canada and abroad with respect to developments affecting their lands and resources, as outlined in Articles 10, 19, and 32 of the *Declaration*.

Additional Resources

- Truth and Reconciliation of Canada, “Executive Summary” and “Calls to Action” (<http://www.trc.ca/websites/trcinstitution/index.php?p=890>)
- *United Nations Declaration on the Rights of Indigenous Peoples* (http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)
- Primate Fred Hiltz, “Let Our ‘Yes’ be Yes” (<http://www.anglican.ca/news/let-yes-yes/30015309/>)
- Statement from National Chief Perry Bellegarde, Assembly of First Nations (<http://gcc.ca/newsarticle.php?id=437>)
- Host a KAIROS Blanket Exercise Workshop in your parish! (<http://kairosblanketexercise.org/>)



Social Justice Vestry Motion 2017: Continuing the Call for Reconciliation

For many years, Indigenous communities in Canada have engaged the government, the Anglican Church, and other Christian denominations in a process geared toward reconciliation. This process has included official apologies from many denominations for their participation in the Indian Residential School system, as well as participation in the work of the Truth and Reconciliation Commission of Canada (TRC). The final report of the TRC included 94 Calls to Action aimed at addressing the ongoing marginalization of Indigenous peoples in all aspects of Canadian life. Last year, parishes throughout the Diocese of Toronto passed vestry motions calling for governments to address two key Calls to Action, resulting in opportunities for ongoing engagement and education on the still-unfinished work of reconciliation in our communities and in our governments.

As part of our efforts to continue to respond to this call, the 2017 Social Justice Vestry Motion will once again focus on addressing the TRC Calls to Action by encouraging parishes to carry out reflection and study within their congregations, as well as calling on the government to implement one of the key elements of the TRC’s calls, adopting and implementing the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP). We hope that your parish will join us in this work by passing the motion below and committing to continue working towards reconciliation at every level of the church and in all parts of the country.

The Truth and Reconciliation Commission of Canada

In May 2006 the Government of Canada, the leaders of five national Aboriginal organizations, leaders of the Anglican Church of Canada, United Church of Canada, and Presbyterian Church of Canada, and representatives of the Roman Catholic Church approved the Indian Residential Schools Settlement Agreement, which acknowledged the harm of the residential school system (that operated from 1876 to 1996 in Canada), established a compensation fund, and set aside funding for the establishment of the Truth and Reconciliation Commission of Canada on Indian Residential Schools that was launched in June 2008.

After holding public hearings across the country, the TRC collected more than 6,200 statements from residential school survivors, documenting their experiences of abuse, neglect, and cultural genocide. In June 2015 the TRC released the final report of its findings, including 94 Calls to

Action directed to various levels of government, church denominations that operated schools, and other key stakeholders implicated in the residential school system and its legacy. This year’s Vestry Motion addresses one of the Calls to Action (#43) by advocating for the Canadian government to fully implement the UNDRIP, with specific emphasis on the need for free, prior, and informed consent (FPIC) of Indigenous communities with respect to the development of their lands and resources.

The United Nations Declaration on the Rights of Indigenous Peoples

The UNDRIP was adopted by the United Nations General Assembly in 2007, following 25 years of negotiation, consultation, and research. The declaration expresses the conviction that “the recognition of the rights of Indigenous peoples ... will enhance harmonious and cooperative relations between the State and Indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith” and that the UNDRIP should be seen “as a standard of achievement to be pursued in a spirit of partnership and mutual respect.”

“We call upon the federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework of reconciliation.”

- Call to Action #43, Truth and Reconciliation Commission of Canada

The 46 articles of the UNDRIP address the rights of Indigenous peoples to self-determination, to be free of forced assimilation, to preserve their languages, and to participate in decision-making that affects their rights, among other guarantees.

When the UNDRIP was presented for adoption in the General Assembly, Canada was one of four nations (along with Australia, New Zealand, and the United States) to vote against adoption. In 2010 the Government of Canada endorsed the declaration as an “aspirational” document, without any commitment to implementing the articles of the declaration in Canadian law. Only in May 2016 did Canada officially adopt the declaration and commit to fully implementing its provisions in Canadian law, though no clear timeline has yet been provided.

Free, Prior, and Informed Consent

The provisions of the UNDRIP which this year’s Social Justice Vestry Motion focuses on relate to the issue of free, prior, and informed consent (FPIC) of Indigenous communities with respect to the development of their lands and resources. Indigenous communities around the world have long experienced dispossession of their lands, forced relocation to allow for infrastructure development, and environmentally destructive resource extraction, without any meaningful negotiation. A commitment to FPIC recognizes that Indigenous communities in Canada and elsewhere have the ultimate authority to govern their lands and resources and must not be forced to accept development to which they are opposed. Their consent must be obtained and it must be free (uncoerced), prior (with sufficient time to inform the process), and informed (with access to all relevant information) in all cases.

Canada’s domestic economy continues to rely heavily on natural resources development, with significant sources of oil, diamonds, and precious metals located on the territories of Indigenous communities. Indigenous territories are also regularly proposed as sites for oil pipelines and other resource transportation infrastructure with significant potential for ecological disaster. In addition, Canada is the main global player in the worldwide extractives industry, with 60% of the world’s largest mining companies based in Canada. These industries have long histories of forced displacement of Indigenous communities, intimidation, and extraction processes with significant health and environmental impacts.

The issue of FPIC is addressed in several articles of the UNDRIP. Article 10, for example, states that “Indigenous peoples shall not be forcibly removed from their lands or territories” and that “no relocation shall take place without the free, prior, and informed consent of the Indigenous peoples concerned.” Article 19 requires that states “consult and cooperate in good faith with the Indigenous peoples concerned...in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them.” And Article 32 states that “Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands and territories.” Current Canadian laws do not address these provisions in any meaningful, enforceable way.

“My heart is humbled by the call to honour – in word and action – the UN Declaration on the Rights of Indigenous Peoples.

With many others, my heart yearns for that future in which – in the sight of the Creator – we are walking together in ways that are good and holy, right and just for all”

- Primate Fred Hiltz,
“Let Our ‘Yes’ be Yes”