Agenda – Council – February 24, 2016

Report – Executive Policy Committee – February 3, 2016

Item No. 2 Truth and Reconciliation Calls to Action

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 3, 2016, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That in support of the implementation of the five Truth and Reconciliation Commission's Calls to Action related to municipalities, the Winnipeg Public Service be directed to:

    A. Continue current activities of the City, which have no cost implications, that relate to the Truth and Reconciliation Commission's Calls to Action.

    B. Investigate the proposed actions outlined in this report in support of the Truth and Reconciliation Commission's Calls to Action and bring forward to Council for consideration, any initiatives or actions requiring incremental human resources or financial resources.

    C. Investigate additional measures that could be taken by the City to implement the Truth and Reconciliation Commission's Calls to Action.

    D. Report back to Council in December 2016 and as requested thereafter, with a status update on the activities and actions taken by the Public Service in support of these recommendations.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda – Council – February 24, 2016

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DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 3, 2016, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: **Truth and Reconciliation Calls to Action**

Critical Path: **Executive Policy Committee - Council**

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
R. Forgues	L. Burch	M. Ruta	D. McNeil COO

RECOMMENDATIONS

That, in support of the implementation of the five Truth and Reconciliation Commission's Calls to Action related to municipalities, Council direct the Public Service to:

(a) Continue current activities of the City, which have no cost implications, that relate to the Truth and Reconciliation Commission's Calls to Action.
(b) Investigate the proposed actions outlined in this report in support of the Truth and Reconciliation Commission's Calls to Action and bring forward to Council for consideration, any initiatives or actions requiring incremental human resources or financial resources; and
(c) Investigate additional measures that could be taken by the City to implement the Truth and Reconciliation Commission's Calls to Action.
(d) Report back to Council in December 2016 and as requested thereafter, with a status update on the activities and actions taken by the Public Service in support of these recommendations.

REASON FOR THE REPORT

To obtain direction on the implementation of the Truth and Reconciliation Commission's Calls to Action.

EXECUTIVE SUMMARY

In June 2015, the Big City Mayors' Caucus of the Federation of Canadian Municipalities recognized the significant work of the Truth and Reconciliation Commission (TRC). The Federation called upon municipalities to work toward implementation of five of the TRC's recommendations relating to municipal governments.

A Winnipeg Public Service working group was directed to review the recommendations in the context of activities already underway to support implementation of the recommendations, as

well as potential new activities to undertake as a City to accomplish the intent of the recommendations.

IMPLICATIONS OF THE RECOMMENDATIONS

The City of Winnipeg would begin the process towards possible implementation of the TRC's Calls to Action #43, #47, #57, #75, #77.

Implementation of any of the potential activities noted below could require additional financial and human resources.

HISTORY

The Truth and Reconciliation Commission (TRC) is a component of the Indian Residential Schools Settlement Agreement. Its mandate is to inform all Canadians about what happened in Indian Residential Schools (IRS). The Commission documented the truth of survivors, families, communities and anyone personally affected by the Indian Residential School experience. This includes First Nations, Inuit and Métis former Indian Residential School students, their families, communities, the Churches, former school employees, Government and other Canadians.

The Commission's six year mandate took place from 2009 to 2015 with the release of TRC's findings and 94 calls to action in June 2015. The Commission released its final comprehensive report in December 2015. Five of these recommendations are related to municipalities.

A Winnipeg Public Service working group was directed to review the recommendations in the context of activities already underway to support implementation of the recommendations, as well as potential new activities to undertake as a City to accomplish the intent of the recommendations.

This report summarizes those findings. The Commission's Calls to Action have been underlined below, with current and proposed actions to support these Calls to Action then identified:

Action #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.

- In July 2010, the Government of Canada, Manitoba and The City of Winnipeg signed a Memorandum of Collaboration (MOC), known as the Intergovernmental Strategic Aboriginal Alignment (ISAA), to work together on initiatives to improve the socio-economic outcomes of Aboriginal people in Winnipeg and the capacity of Aboriginal organizations. Through collaboration, parties sought to align activities, resources and efforts to achieve the best possible outcomes.
- To support these efforts, an ISAA tri-level working group was established to develop a five year strategic plan. Representatives include:
    - City of Winnipeg's Manager of Aboriginal Relations, Director of Policy and Strategic Initiatives - Aboriginal Affairs Secretariat, Manager of the Policy and Programs Branch – Municipal Government and the Director of Programs and Partnerships/Manitoba Region - Aboriginal Affairs and Northern Development Canada.

- The ISAA tri-level working group is fairly unique across Canadian municipalities as there are not many cities, if any, who have tri-level agreements to collaborate on Aboriginal initiatives. Therefore this could potentially be a good mechanism to support this recommendation, as the Working Group has been working together on joint initiatives since 2010.
- The City of Winnipeg could support the Federal Government in implementing Recommendation #44 which states "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"*; after which, Recommendation #43 can be addressed.

Action #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.

- Potential activities to support this Call to Action could include: Identifying whether any City of Winnipeg laws (by-laws), policies or litigation strategies that rely on concepts used to justify European sovereignty over Indigenous peoples and lands. This would require additional financial resources to support additional staff or outside legal opinions.
- Reviewing applicable federal and provincial legislation and the Common law to determine the jurisdiction of The City of Winnipeg to repudiate any of the aforementioned City of Winnipeg laws (by-laws). Laws, policies and legislation that would need to be reviewed for this action include but are not limited to: The City of Winnipeg Charter; the Constitution Act, 1982; the Indian Act, R.S.C. 1985, C.I-5; The Real Property Act RSM 1988, c. R30; The Registry Act RSM 1987, c. R50; and Supreme Court of Canada decisions. This review will need take place prior to making further actions with respect to Call to Action #47.

Action # 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.

- Current educational opportunities for Civic staff include:
    - Two Day Aboriginal Cultural and Awareness Course which includes topics on Historical Timelines, Residential Schools, the Traditional Role of Aboriginal Women and Ceremonies and Medicines;
    - Courses on Medicine Pouch Making, Moccasin Making and Metis Culture
    - An Aboriginal Employees peer networking and support group
    - Cultural activities such as feasts, Aboriginal Day events, sharing circles and Elder teachings
    - Annual Celebrations
    - A Smudging Policy
    - Culturally appropriate spaces and resources within our Libraries

- Potential activities include:
    - Supporting the Aboriginal Relations Division staff working group for cultural activities to explore ongoing learning opportunities for employees to continue to build their cultural proficiency through additional workshops on the remaining topics noted in the TRC Recommendation as well as other current issues and making training mandatory for all employees.
    - Library Services could pursue partnership status with the National Centre for Truth and Reconciliation (NCTR), as outlined on the NCTR website, with the goal of developing programs and services to effectively support public education about the Indian Residential Schools System (IRSS) and its legacies.

- There are financial implications to enhancing the current training opportunities for civic staff associated with making any training mandatory, including, but not limited to, additional salary costs to backfill staff while on training.

Action #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.

- Potential activities to support this Call to Action could include:
    - The City Cemeteries Branch prioritizing its current database project to focus on the children's section of the cemetery listings and
    - The installation of a memorial/monument at Brookside Cemetery to honour the children buried there from Winnipeg's residential school.

Action # 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.

- The City of Winnipeg Archives has identified existing archives related to residential schools and their legacies to make available to the National Centre for Truth and Reconciliation.
- Potential activities could include asking the Aboriginal Tri-level Working Group to make this TRC recommendation a shared priority area that will focus on identifying historical monuments and buildings significant to Aboriginal history in Winnipeg.

Implementation of any of the potential activities noted above could require additional financial and human resources.

The cities of Vancouver and Calgary have passed motions for their respective administrations to look in detail at implementation of all five Calls to Action.

FINANCIAL IMPACT

Financial Impact Statement **Date:** January 15, 2016

Project Name:

Truth and Reconciliation Calls to Action

Comments:
There are no financial implications associated with the recommendations in this report. However, implementation of any of the potential activities noted in the report could require additional financial and human resources that will be submitted for Council's consideration as they are developed.

Original signed by R. Hodges
Ramona Hodges
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

- Legal Services
- Community Services
- City of Winnipeg Archives

OURWINNIPEG POLICY ALIGNMENT

Direction 3 – Maintain Strong Intergovernmental Cooperation

SUBMITTED BY

Department: Corporate Support Services
Division: Aboriginal Relations
Prepared by: R. Forgues
Date: January 15, 2016