

Update Report of the UNDRIP Task Force to the City of Vancouver Mayor & Council

June 7, 2022



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Executive Summary

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the UN General Assembly on September 13, 2007. Today, UNDRIP is the most comprehensive international instrument on the rights of Indigenous Peoples. It establishes a universal framework of minimum standards for the survival, dignity and well-being of the Indigenous Peoples of the world and it elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous Peoples.

In March 2021, the Council of the City of Vancouver (“Council”) unanimously adopted a motion to create an UNDRIP Task Force. The Task Force was convened in partnership with the Musqueam Indian Band, Squamish Nation, and Tsleil-Waututh Nation. The Task Force was scheduled to meet regularly from July 2021 to October 2022 to develop recommendations to Mayor and Council on how the City of Vancouver can implement UNDRIP as an integral aspect of its work on Indigenous relations and reconciliation.

In this update report, the Task Force provides an update to Council on the work completed to date, and makes a recommendation to Council to support six early actions – actions which the Task Force members consider to be high priority and relatively straightforward to implement, since they build upon current reconciliation work. Implementation of these early actions will help to create a path forward for further work to implement UNDRIP at the City. This UNDRIP process is just the beginning of the relationship building and bringing the City of Vancouver into alignment with UNDRIP. It is an ongoing process open to feedback and change as the work evolves over time.

Recommendation for Council’s Consideration

WHEREAS the UNDRIP Task Force has prioritized commemoration, naming, and cultural heritage as early actions to support public education and reconciliation in Vancouver, and

WHEREAS several City initiatives related to commemoration, naming, and cultural heritage are in process with City staff who are in the early stages of engagement with the Musqueam Indian Band, Squamish Nation, and Tsleil-Waututh Nation,

WHEREAS engagement with diverse Urban Indigenous communities in Vancouver and recognition of their distinct rights is important to the UNDRIP process, and

WHEREAS the Task Force has invited Urban Indigenous community leadership participation through the technical committee, and

WHEREAS a fulsome Urban Indigenous engagement process is needed,

The UNDRIP Task Force recommends:

THAT Council endorse the recommended six early actions in this report and direct staff to report back on the implications for implementing and potential funding sources for the six early actions:

Early Action 1: Assert presence of the Musqueam Indian Band, Squamish Nation, and Tsleil-Waututh Nation via asset naming, re-naming and commemoration, including measures to share stories and histories on the land.

- a. Coordinated Approach: Explore options to co-develop a naming policy framework including appropriate cultural protocols, and/or intergovernmental table.
- b. Public Education on Naming: Develop standards for audio/visual/tactile signage and public education on (re)introduced names, including cultural programming.

Early Action 2: Support the development of a Host Nations historical atlas book created by the local Nations with educational resources.

Early Action 3: Build upon the City's social procurement framework and expand the procurement policy to prioritize Indigenous participation for all projects (including large and small infrastructure, art and culture, environmental resource management, etc.).

Early Action 4: Build on existing City of Vancouver work underway to refine procurement policies/regulations with regards to art, structures, planning/architecture, procurement etc. to ensure Musqueam, Squamish, and Tsleil-Waututh maintain a presence and the public realm is representative of MST artistic and cultural traditions.

Early Action 5: Develop process and requirements for (1) event organizers to engage and partner with MST in permitted events/festivals; (2) City staff to engage and partner with MST in City-organized events; and (3) City staff to support and facilitate MST hosting their own events/festivals (e.g., in parks and other areas of significance).

Early Action 6: Provide a spectrum of mandatory anti-racism and Indigenous cultural safety training for employees (including temporary and auxiliary) of the City of Vancouver to build foundational understanding of the rights of Indigenous Peoples, Indigenous history, Indigenous-specific racism, and the dynamics of proper respectful relations. Training should be adapted for, and relevant to, the nuances of different roles and their levels of responsibility. For senior leaders, curriculum should also include the UN Declaration, the Declaration Act, treaties,

and meaningful reconciliation. Training will be developed and/or led by knowledge holders approved by the Nations. For vendors/suppliers, relevant training opportunities will be recommended as appropriate.

THAT Council direct staff to begin planning for 2023 engagement with Urban Indigenous communities, as a Summit gathering (virtual/in-person/hybrid).

Introduction and Background

UN Declaration on the Rights of Indigenous Peoples

UNDRIP is recognized as the most comprehensive international human rights instrument regarding Indigenous Peoples. It establishes the minimum standards for the survival, dignity and well-being of Indigenous Peoples and elaborates on existing human rights standards and fundamental freedoms in their unique and specific application to Indigenous Peoples individually and collectively.¹ Appendix A lists the 46 Articles contained within UNDRIP.

On February 26, 2013, Council adopted a motion to endorse UNDRIP. While the federal and BC governments have taken steps to implement UNDRIP, Vancouver is taking the lead as the first municipality to explore how to implement UNDRIP at the municipal level. This work builds on the important government-to-government relationships which the City continues to strengthen with the local First Nations.

UNDRIP Task Force Formation and Mandate

In accordance with the call from the Truth and Reconciliation Commission of Canada for all levels of government to adopt UNDRIP², Council adopted a [Motion](#)³ in March 2021, entitled *Implementing the United Nations Declaration on the Rights of Indigenous Peoples*.

This motion directed the establishment of a Type D Advisory Committee (UNDRIP Task Force) with participation from elected officials from both Musqueam Indian Band, Squamish Nation and Tsleil-Waututh Nation (“MST”) and the Council.

The motion stated that the UNDRIP Task Force will “develop recommendations on how the City can implement the UN Declaration on the Rights of Indigenous People as an integral aspect of its work on Indigenous relations and reconciliation”. The Motion including the Task Force Terms of Reference are included as Appendix B.

UNDRIP Task Force Structure

The Task Force is comprised of a Steering Committee and a Technical Committee.

¹ United Nations. <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

² *United Nations Declaration on the Rights of Indigenous Peoples*. www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

³ *Implementing the UN Declaration on the Rights of Indigenous Peoples in the City of Vancouver*. City Council Minutes. www.council.vancouver.ca/20210309/documents/b2.pdf

- a. The **Steering Committee** is made up of elected officials from the City of Vancouver, the Musqueam Indian Band, the Squamish Nation and Tsleil-Waututh Nation, and has the mandate of delivering a set of recommendations to Council concerning the City’s implementation of UNDRIP.
- b. The **Technical Committee** is made up of staff from the Musqueam Indian Band, the Squamish Nation, the Tsleil-Waututh Nation, and the City of Vancouver, with the mandate of undertaking the technical work required to support the Steering Committee’s decision-making process. Urban Indigenous leadership have also been invited to be part of the Technical Committee.

The full Task Force membership is listed in Appendix C.

The Task Force’s recommendations are being developed in alignment with the four themes of the Provincial Declaration on the Rights on Indigenous Peoples Act (DRIPA) Action Plan:

1. Social, cultural and economic well-being
2. Ending Indigenous-specific racism and discrimination
3. Self-determination and inherent right of self-government
4. Title and rights of Indigenous Peoples

In developing recommendations, the Task Force has access to a summary of City initiatives related to reconciliation which may support one or more of the themes (Appendix D). The Task Force may consider these ongoing or planned initiatives when developing recommendations, and may also make recommendations regarding prioritization of City initiatives in an October 2022 report (“Pathways Report”).

Alignment with Concurrent Provincial and Federal Government Processes

Both the provincial and federal governments have enacted legislation to implement UNDRIP, in 2019 and 2021, respectively. The Task Force is taking into consideration provincial and federal commitments and jurisdiction when developing recommendations for Council.

Provincial:

On March 30, 2022, the Province released a final Declaration on the Rights of Indigenous Peoples Act (DRIPA) Action Plan, outlining 89 provincial actions to

implement UNDRIP and advance reconciliation⁴. The five-year Action Plan was developed alongside Indigenous communities, First Nations and organizations through intensive consultations in 2021.

As part of the draft DRIPA Action Plan consultation process, the Musqueam Indian Band, Squamish Nation and Tsleil-Waututh Nation made a joint submission in September 2021, and Mayor Stewart sent a letter on behalf of Council and the Co-Chairs of the UNDRIP Task Force expressing the City's strong support for this MST submission (see Appendix E). The City also worked with the Union of BC Municipalities to provide feedback concerning the Province's draft DRIPA Action Plan.

The final DRIPA Action Plan provides a province-wide, whole-of-government and distinctions-based approach to achieve the objectives of UNDRIP. The goals and outcomes are organized by the four main themes. In addition to taking steps to ensure that Indigenous Peoples exercise their inherent rights and title, right to self-determination and self-government, the Action Plan dedicates a significant section to addressing racism, and health and social inequities experienced by Indigenous Peoples as a result of historic and current systems of oppression.

A Declaration Secretariat is being set up to guide and assist government as it strives to ensure all of BC's legislation is consistent with UNDRIP and is developed in consultation and cooperation with Indigenous Peoples.

The Action Plan does not delineate local government responsibilities in relation to DRIPA. Progress under the Action Plan will be reviewed on an annual basis and publicly reported in an annual report that will be prepared by June 30 every year.

Federal: The federal government has begun consultations on the federal action plan for the United Nations Declaration on the Rights of Indigenous Peoples Act (Bill C-15, passed June, 2021). The government is working with First Nations, Inuit and the Métis Nation to help shape the initial draft of an action plan and has begun to identify potential measures for aligning federal laws with UNDRIP. This important dialogue will continue over the spring of 2022.

Missing Indigenous Women and Girl's Calls to Justice & Red Women Rising: In parallel with the work of the City's UNDRIP Task Force, the City is working on many other Indigenous-related initiatives, including actions to operationalise the recommendations of the National Inquiry into Missing and Murdered Indigenous Women and Girls' Calls to Justice and the related Red Women Rising Report.

⁴ https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/ministries/indigenous-relations-reconciliation/declaration_act_action_plan.pdf

Protocols with Host Nations and Engaging Urban Indigenous Communities

Vancouver is within the unceded territories of the Musqueam, Squamish, and Tsleil-Waututh First Nations. In recent years, the City has recognized the significant role that it has played in the ongoing colonial impacts upon Musqueam, Squamish, and Tsleil-Waututh people and their lands. In 2014, the City formally recognized that it is on the unceded, traditional territory of the Musqueam, Squamish, and Tsleil-Waututh First Nations, and committed to being a City of Reconciliation. The government-to-government relationship is at the heart of reconciliation and the work to undo and redress colonial impacts and dispossession on the rights and title holders of these lands. As Aboriginal title holders, Musqueam, Squamish, and Tsleil-Waututh have unique rights with respect to governance, self-determination and other rights of sovereign Indigenous Nations.

Vancouver has the second largest Urban Indigenous population in Canada. Urban Indigenous people also have important rights and experience ongoing impacts from colonialism. The work to implement UNDRIP within Vancouver, is being done with care to strengthen the government-to-government relationship, and respect the protocols of the Host Nations as Aboriginal title holders, while continuing to build relationships with diverse Urban Indigenous communities. An engagement approach based on supporting solidarity among local Nations and Urban Indigenous people will flow from this relationship, and is still taking shape. It will be important to work with Urban Indigenous leadership to identify and bring together Urban Indigenous communities to address the priorities of Urban Indigenous people, and make sure that their voices are included in this process. The Metro Vancouver Aboriginal Executive Council and the Urban Indigenous People's Advisory Committee have both been invited to the Technical Committee in recognition of their leadership roles, and further Urban Indigenous community engagement will continue to evolve.

As per the establishing Council motion, the mandate of the Task Force includes:

- Consulting and collaborating with the Musqueam, Squamish, and Tsleil-Waututh in the development of the Task Force report
- Considering urban Indigenous communities today living in Vancouver, recognizing the importance of both title and rights in UNDRIP implementation
- Seeking ways to engage women, youth, and elder voices

Recommendations

In the October 2022 Pathways report, the Task Force will make recommendations to Mayor and Council regarding the implementation of UNDRIP at the City in the four themes identified above.

In this update report, the Task Force provides an update to Council on the work completed to date, on Themes 1 and 2, and makes a recommendation to Council to support six early actions. The Task Force has developed many recommendations so far for Themes 1 and 2. At this mid-point stage the Task Force members are putting forward six early actions which they consider to be high priority and relatively straightforward to enact, and which will help to create a path forward for further work with implementing UNDRIP at the City. There will be further action items and additional recommendations for Themes 3 (Self-determination and inherent right of self-government) and 4 (Title and rights of Indigenous Peoples) in the October report.

UNDRIP Task Force conversations to date have emphasized the importance of advancing the Host Nations' visibility and voice on these lands, and sharing Musqueam, Squamish, and Tsleil-Waututh people's history, cultural continuity, and status as Aboriginal rights and title holders with the general public. For many years, the Nations have expressed the critical role truth-telling plays in illuminating the ways colonial displacements and erasures have contributed to the relative invisibility of the Nations on their lands. Public education is needed so that Vancouver reflects the Host Nations, and residents and visitors understand the history of these lands.

As such, the Task Force prioritized actions which address this. Fortunately, there are existing policy and projects already underway within the City which can support these early actions.

Other priority areas represented in these early actions include the importance of cultural protocols and procurement policies. To address the importance of engagement with Urban Indigenous communities, the Task Force has also included a recommendation to develop a summit gathering.

The UNDRIP Task Force Steering Committee identified these six early actions, with support from the Technical Committee. They have been reviewed and endorsed by MST Councils, and approved by consensus of all members of the Task Force Steering Committee.

Recommendations for Council's Consideration

WHEREAS the UNDRIP Task Force has prioritized commemoration, naming, and cultural heritage as early actions to support public education and reconciliation in Vancouver, and

WHEREAS several City initiatives related to commemoration, naming, and cultural heritage are in process with City staff who are in the early stages of engagement with the Musqueam Indian Band, Squamish Nation, and Tsleil-Waututh Nation,

WHEREAS engagement with diverse Urban Indigenous communities in Vancouver and recognition of their distinct rights is important to the UNDRIP process, and

WHEREAS the Task Force has invited Urban Indigenous community leadership participation through the technical committee, and

WHEREAS a fulsome Urban Indigenous engagement process is needed,

The UNDRIP Task Force recommends:

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Early Action 6: Provide a spectrum of mandatory anti-racism and Indigenous cultural safety training for employees (including temporary and auxiliary) of the City of Vancouver to build foundational understanding of the rights of Indigenous

Peoples, Indigenous history, Indigenous-specific racism, and the dynamics of proper respectful relations. Training should be adapted for, and relevant to, the nuances of different roles and their levels of responsibility. For senior leaders, curriculum should also include the UN Declaration, the Declaration Act, treaties, and meaningful reconciliation. Training will be developed and/or led by knowledge holders approved by the Nations. For vendors/suppliers, relevant training opportunities will be recommended as appropriate.

THAT Council direct staff to begin planning for 2023 engagement with Urban Indigenous communities, as a Summit gathering (virtual/in-person/hybrid).

Appendix A: UNDRIP Articles

The following is a list of all Articles in [UN Declaration on the Rights of Indigenous Peoples](#) (UNDRIP).

Articles have been quoted directly from UNDRIP. Capitalization has not been updated to reflect COV current practice.

Article 1

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights⁴ and international human rights law.

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - d) Any form of forced assimilation or integration;
 - e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past,

present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

Article 17

1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.
2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.
3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decisionmaking institutions.

Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.
2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 30

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.
2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 36

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.
2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 37

1. Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.
2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.

Article 38

States, in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 40

Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 41

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Article 43

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

Article 44

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.
2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.
3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

Appendix B: UNDRIP Task Force Terms of Reference

From March 9, 2021 Council Motion

This will be a Type D Committee, and will provide recommendations to Mayor and Council for priority actions that may be taken by the City to implement the UN Declaration on the Rights of Indigenous Peoples.

The scope of the committee's work will include:

- Consult and collaborate with the Musqueam, Squamish, and Tsleil-Waututh on the development of the Committee's Report;
- Provide recommendations on how the City can implement the UN Declaration on the Rights of Indigenous People in the City of Vancouver as an integral aspect of its work on Indigenous relations and reconciliation;
- Consult and engage Indigenous peoples and Indigenous groups in the City of Vancouver on recommendations for implementing the UN Declaration on the Rights of Indigenous People in the City of Vancouver;
- Consider the role of UNDRIP and the urban Indigenous communities today living in Vancouver, recognizing the importance of both title and rights in UNDRIP implementation;
- Build on past and current work in the City of Vancouver on reconciliation and the implementation of UNDRIP;
- Consider the BC Declaration on the Rights of Indigenous Peoples Act (DRIPA) as a model;
- Create a high-level work plan and a budget to carry out the recommended actions to implement the UN Declaration within the City of Vancouver, to be included for consideration in the 2022 city budget process as well as a review of current City projects involving Indigenous peoples and a work plan to bring them in line with the articles of the UNDRIP;
- Seek ways to engage women, youth, and elder voices in the development of the report's recommendations.

Composition

This committee is a Type D Committee that will provide a report to the Mayor and Council upon completion.

The committee will consist of up to two representatives from each of the Musqueam, Squamish, and Tsleil-Waututh Nations, along with Councillor Boyle and up to 3 other representatives from Mayor and Council. Two Steering Committee Co-Chairs will be appointed by the committee.

The Steering Committee will engage with and work to ensure representation of leadership that reflects the diversity of the urban Indigenous community. Members of Council will be invited to participate in working groups at the request of the Co-Chairs.

The committee will be supported by a technical team of experts and advisors. That technical team could include staff from the Musqueam, Squamish, and Tsleil-Waututh Nations as chosen by the Nations, and staff from the City of Vancouver at the direction of the City Manager, as well as additional advisors and external experts.

Budget and Staff Support

The City Manager will be responsible for allocating staff resources as appropriate, including any recommendations for reprioritizing current staff work on Reconciliation to align with the implementation of UNDRIP. The City Manager will also assess resources and report back to the Mayor and Council on any recommended capacity resources to support Musqueam, Squamish, and Tsleil-Waututh Nations participation, as well as opportunities to seek funding support from senior levels of government.

Timeline

An update report including a work plan and requested budget will be presented to Council by the end of Q3 2021 or earlier.

Appendix C: Task Force Membership at May 24, 2022

UNDRIP Task Force Steering Committee

Musqueam Indian Band

- Councillor Howard Grant
- Councillor Allyson Fraser
- Council Appointee Melissa Louie

Squamish Nation

- Council Chairperson Khelsilem (Co-Chair)
- Councillor Kristen Rivers

Tsleil-Waututh Nation

- Councillor Charlene Aleck
- Councillor Dennis Thomas

City of Vancouver

- Councillor Christine Boyle (Co-Chair)
- Councillor Adriane Carr
- Councillor Melissa De Genova
- Councillor Jean Swanson

UNDRIP Task Force Technical Committee

Musqueam Indian Band

- Desirae Fraser, Development Coordinator, Musqueam Capital Corp. (Co-Chair)

Squamish Nation

- Arthur Macapagal, Program Manager
- Lilian Shams-Amiri, Referral Analyst (alternate)

Tsleil-Waututh Nation

- Gabriel George, Director of Treaty, Lands and Resources
- Venancia George, Relationship Specialist (alternate)
- Amanda King, Relationship Manager (alternate)
- Erin Hanson, Policy Advisor (alternate)
- Chloe Hartley, Policy Advisor (alternate)

Metro Vancouver Aboriginal Executive Council (MVEAC)

- TBD

Urban Indigenous Peoples' Advisory Committee (UIPAC)

- TBD

City of Vancouver

- Armin Amrolia, Deputy City Manager
- Celeste Dempster, Senior Director Intergovernmental Relations
- Paige Thomson, Manager, Business Planning & Project Support
- Lindsay Grant, Indigenous Planner (on behalf of Vancouver Public Library from Jan 2022)
- Kamala Todd, Consultant, COV (Co-Chair) (Jan 2022 to Oct 2022)

Appendix D: History of City of Vancouver Reconciliation-Related Work

In Vancouver, until recently, the only formal relationship with the local Host Nations was service agreements between the City and Musqueam Indian Band, whose main reserve is within Vancouver. This slowly began to change in the early 2000s. One of the first City initiatives to recognize and work directly with Musqueam, Squamish, and Tsleil-Waututh came from Social Policy in 2003, through a project led by the then Aboriginal Social Planner, called Storyscapes, an Indigenous community arts project which supported people from Musqueam, Squamish, and Tsleil-Waututh Nations and Urban Indigenous communities to record and share their stories of Vancouver. This project aimed to increase awareness of the presence and continuity of the Host Nations, as well as the experiences of the Urban Indigenous people. From this project came the first monumental public art call exclusively for Musqueam, Squamish, and Tsleil-Waututh artists, to redress their exclusion from the totem pole site (“Brockton Point”) on their lands, which resulted in the Susan Point house posts carvings in Stanley Park, installed in 2008. Since then, there has been increasing recognition of the importance of addressing the erasure of the Host Nations from their lands, and the City’s responsibility to be part of reconciliation and redress for ongoing colonial harms.

Government-to-government relationships between Vancouver and Musqueam, Squamish, and Tsleil-Waututh grew significantly as part of the 2010 Winter Olympic Games, where they were recognized as the Host Nations within Vancouver. Soon after the Olympics, the Vancouver Dialogues Project was launched, aiming to increase understanding between the local First Nations, Urban Indigenous, and immigrant/settler communities. This project and the ensuing relationships with leadership from Musqueam, Squamish, and Tsleil-Waututh led to the first Council to Council dialogues between the City and each First Nation in 2013. In 2012, the Urban Aboriginal (now Indigenous) People’s Advisory Committee was formed.

Relationships and awareness were also growing with the Truth and Reconciliation Commission (TRC), established in 2008 (the same year as the federal apology for the residential school system), which was actively gathering testimonies from survivors of the residential school system across the country, and which came to Vancouver in 2013. There were many events held at this time, to support survivors and their families, and to raise awareness of the devastating and ongoing impacts of residential schools and settler colonialism in general.

The City of Vancouver declared June 2013 to June 2014 a Year of Reconciliation and many events were held to mark this important time. Reconciliation Canada, led by Chief Robert Joseph and Karen Joseph helped to organize the TRC the Walk for Reconciliation, in which over 70,000 people came together to show support and commitment to renewed relationship and healing. In 2014, the City formally acknowledged that it is on the unceded territories of Musqueam, Squamish, and Tsleil-Waututh Nations. Vancouver has also declared itself a City of Reconciliation, and created a Reconciliation Framework in 2014 to guide this work.

Since this time, formal relationships with the local Host Nations and the Urban Indigenous community have strengthened, with regular Council to Council meetings with each Nation, as well as staff to staff processes through intergovernmental tables and referrals packages for the City's many projects which the Nations may wish to be involved in. In 2019 the City passed a motion for staff to scope a colonial audit. This initiative builds on work happening at the Vancouver Board of Parks and Recreation ("Park Board"), where staff have been conducting a colonial audit since 2018, and where the Park Board announced in 2022 a commitment to exploring co-management of parks with the Host Nations. In 2015, the Host Nations and the Park Board formally began exploring a joint process for Stanley Park planning, with the Park Board recognizing the Nations as rights holders. Since that time, the Park Board has been taking on TRC Calls to Action and looking at ways to decolonize the Park Board.

Below is a sample of recent initiatives, which the City is either leading, funding, supporting, partnering or collaborating on. These initiatives support the City's reconciliation commitments and is not an exhaustive list.

- 41 East Hastings - Indigenous Healing and Wellness Centre in partnership with Atira and VCH Aboriginal Health
- 52-92 E Hastings - Aboriginal Land Trust
- Anti-Racism and Cultural Redress
- BC Housing, Lu'ma, Vancouver Native Health, and RainCity Housing
- Chinatown Transformation Engagement
- Civic Engagement and Communications - Indigenous public awareness and recognition
- Civic Facilities Engagement
- Colonial Audit(s) – both Park Board and City in process
- Commemoration and Renaming Policy
- Crab Park Indigenous Healing Centre
- Cultural Infrastructure Grants
- Cultural Liaison Positions - xʷməθkʷəy̓əm, Skwxwú7mesh, and səliłwətał
- Cultural Sharing and Indigenous Programs, Elder and Matriarch-in-residence, Indigenous Advisory Group, Carnegie Community Centre
- Decolonizing Data
- Elder in Residence Program
- Employee Benchmark Survey
- Equity Framework
- Formal Agreements between MST and COV
- Health Equity Collective
- Heritage management and Indigenous Partnerships
- Heritage management and POSSE Update
- Heritage Protection Public Awareness
- Homelessness Action
- Indigenous Arts and Culture Grants
- Indigenous Cultural Mapping

- Indigenous Engagement Strategy Renewal
- Indigenous Healing & Wellness Centre
- Indigenous Healing and Wellness Grants
- Indigenous Language Revitalization and Action Plan
- Indigenous Sex Worker Safety
- Indigenous Storyteller in Residence
- Kith and Kin Indigenous Genealogy Project
- Locarno Archaeological Management Plan
- MST Engagement on Major Planning Projects
- MMIWG family supports
- MMIWG Response
- MST Capacity funding agreements for City Referrals
- – this is overlapped with the above Culture Infrastructure GrantsMST Cultural Heritage
- MST/CoV Council-to-Council meetings
- MST/CoV Service Agreement development and fulfillment
- MVAEC Early Learning and Childcare Planning and Capacity Development Planning Position
- Occupancy (SRO) replacement, Indigenous family housing, and an Indigenous Healing & Wellness Centre
- One Water – drinking, waste, rain, surface, and groundwater projects
- Saa'ust Centre
- Social grants
- Staff training and capacity development
- Urban Health
- Vancouver Music Fund
- Vancouver Plan
- VPD Indigenous Liaison Officer; VPD Indigenous Community Policing Centre Officer; SisterWatch; Pulling Together

Appendix E: City of Vancouver Council Motion

On July 20, 2021, Vancouver City Council approved the following Motion

MOTION: City of Vancouver Support for Including Local Governments in the Province's DRIPA Action Plan

WHEREAS

1. The City of Vancouver has made significant long-term commitments as a City of Reconciliation, and has taken many steps to advance reconciliation. The City can continue to deepen its commitment to reconciliation with measurable actions and systemic change;
2. Earlier this year, Vancouver City Council unanimously passed a motion to implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
3. This work has been supported by Musqueam, Squamish, and Tsleil-Waututh Nations, including through participation in a shared Taskforce on Implementing UNDRIP in the City of Vancouver;
4. The BC government is seeking feedback from Indigenous peoples on their draft action plan required under the Declaration on the Rights of Indigenous Peoples Act until July 31, 2021.

THEREFORE BE IT RESOLVED THAT Council request the Mayor on behalf of Council, and Councillor Boyle, as Co-Chair of the UNDRIP Task Force, further to a motion from the UNDRIP Task Force, to write a letter expressing support for the anticipated request from Musqueam, Squamish, and Tsleil-Waututh Nations to the provincial government to provide appropriate resources and support to municipalities to implement the Provincial DRIPA Action Plan.

Appendix E: Relevant City Initiatives and Policy Related to Task Force Early Actions

This UNDRIP process is providing a pathway for the City of Vancouver to deepen and build upon the work it's already doing within its commitment to reconciliation, centred on strong government to government relations with the Host Nations, and supportive relations with the many Urban Indigenous people who call these lands home.

Early Action 1:

A) Commemoration Policy

In support of Culture|Shift and VanPlay actions related to the development of commemoration and naming policies, the City's Cultural Services department, and the Vancouver Board of Parks and Recreation's Decolonization, Equity, and Arts and Culture department, have begun preliminary work with respect to the Host Nations, their languages, and sites of cultural significance. The Vancouver Public Library has also been engaged in early discussions.

Work with Musqueam, Squamish, and Tsleil-Waututh on the Commemoration Policy is still in the earliest stage and will inform the development of a fulsome consultation phase in 2023. This work is being aligned with the Cultural Heritage Project as well as work to develop an Indigenous Languages Action Plan. The Civic Asset Naming Committee is undertaking work to identify street names that honour colonial figures. The Board of Parks and Recreation has recently worked with Musqueam, Squamish, and Tsleil-Waututh staff representatives on the naming of a new downtown park, and from this experience, will be working towards an interim naming policy as the full framework is developed.

Early Action 2:

A) Cultural Heritage Project

In 2021, a Culture|Shift action to co-develop cultural heritage projects with Musqueam, Squamish, and Tsleil-Waututh was integrated into the Vancouver Plan to foreground and express Musqueam, Squamish, and Tsleil-Waututh cultural heritage and relationship to their territories within planning processes going forward. Initial meetings with each Nation have been held, and guiding principles and values have been developed in collaboration with staff from the Nations. The format of the cultural heritage projects has not been determined and will be specific to each Nation. Dependent on Nations' staff decisions, 2021 funding could be used for preliminary research on each Nations' priorities for a historical atlas.

The following lists existing policy for naming, cultural heritage, and protocols with the Nations.

B) Culture|Shift: Blanketing the City in Arts and Culture

In 2019 Council approved the culture plan Culture|Shift, which prioritized Musqueam, Squamish, and Tsleil-Waututh visibility and voice on the land, and included many actions towards reconciliation and decolonization. In particular: “Incorporate hən̓q̓əmiñəm̓ & Skwxwú7mesh naming, signage, & visibility across the City”, “Support opportunities to identify, steward, & access places of cultural significance”, and “Work with Musqueam, Squamish, & Tsleil-Waututh Nations to institute planning protocols & permissions for large-scale music events & festivals; & institute best practices in booking artists from the local host Nations at such events.”

C) Making Space for Arts and Culture

Making Space for Arts and Culture, also approved in 2019, included this action: “Fund Musqueam, Squamish and Tsleil-Waututh representatives to provide cultural significance statements to inform City planning and projects including mapping and identifying places of cultural significance to further support stewardship of the land.”

D) Van Play Implementation Plan

In 2019 the Vancouver Board of Parks and Recreation approved the parks and recreation master plan, which focused reconciliation efforts on decolonizing the Board of Parks and Recreation and relationship-building with Musqueam, Squamish and Tsleil-Waututh First Nations. The plan includes the following relevant actions:

- “G.6.2 Commission and develop an inventory of culturally significant areas throughout the city, as identified by Musqueam, Squamish and Tsleil-Waututh First Nations”.
- “G.6.4 Develop a united vision for the future of Stanley Park, in collaboration with Musqueam, Squamish and Tsleil-Waututh First Nations to shape how we will collectively manage and steward the park into the future (Stanley Park Comprehensive Plan).”
- “G.8.2 Work with Arts, Culture and Community Services (CoV) to develop a joint Monuments and Memorials Framework to guide the criteria and process for donations, commissions, and the conservation and contextualization of the City’s historic collection.”
- “G.8.5 Provide clear decision-making guidance for cultural development, decolonisation, expression in parks, prioritisation of intangible cultural heritage and promotion of cultural redress (Cultural Framework).”
- “G.8.8 Increase cultural sensitivity and strengthen the Park Board’s place-based relationships through park naming (Park Naming Policy and Procedures).”