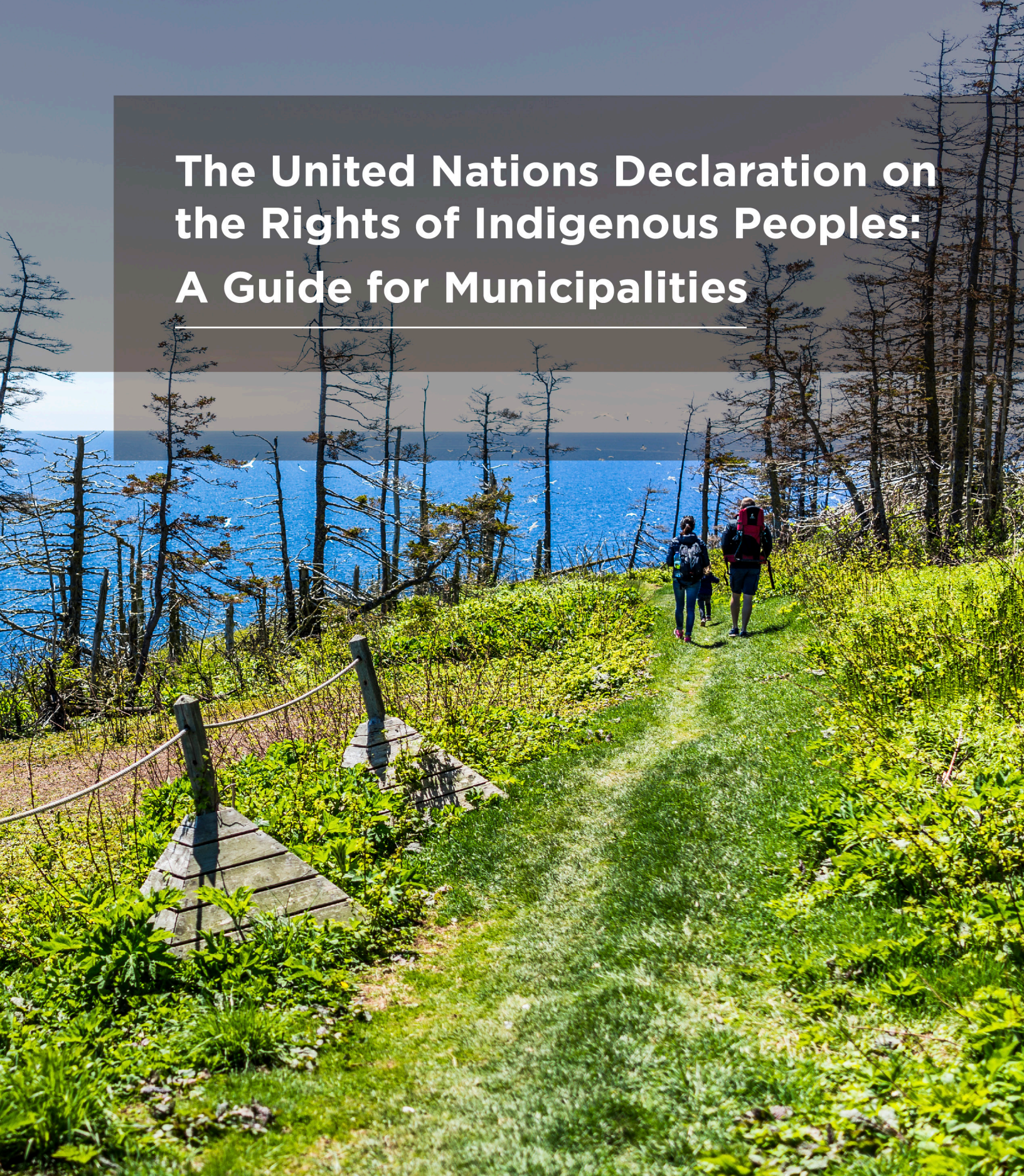


# The United Nations Declaration on the Rights of Indigenous Peoples: A Guide for Municipalities

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OF CANADIAN  
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## ACKNOWLEDGEMENTS

This report was prepared for the Federation of Canadian Municipalities by NVision Insight Group Incorporated, a majority Indigenous-owned consulting company supporting proud, self-determining, and empowered Indigenous communities.



## FEDERATION OF CANADIAN MUNICIPALITIES

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**Ce document est aussi disponible sous le titre  
« Déclaration des Nations Unies sur les droits  
des peuples autochtones : Guide à l'usage des  
municipalités »**

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# The United Nations Declaration on the Rights of Indigenous Peoples: A Guide for Municipalities

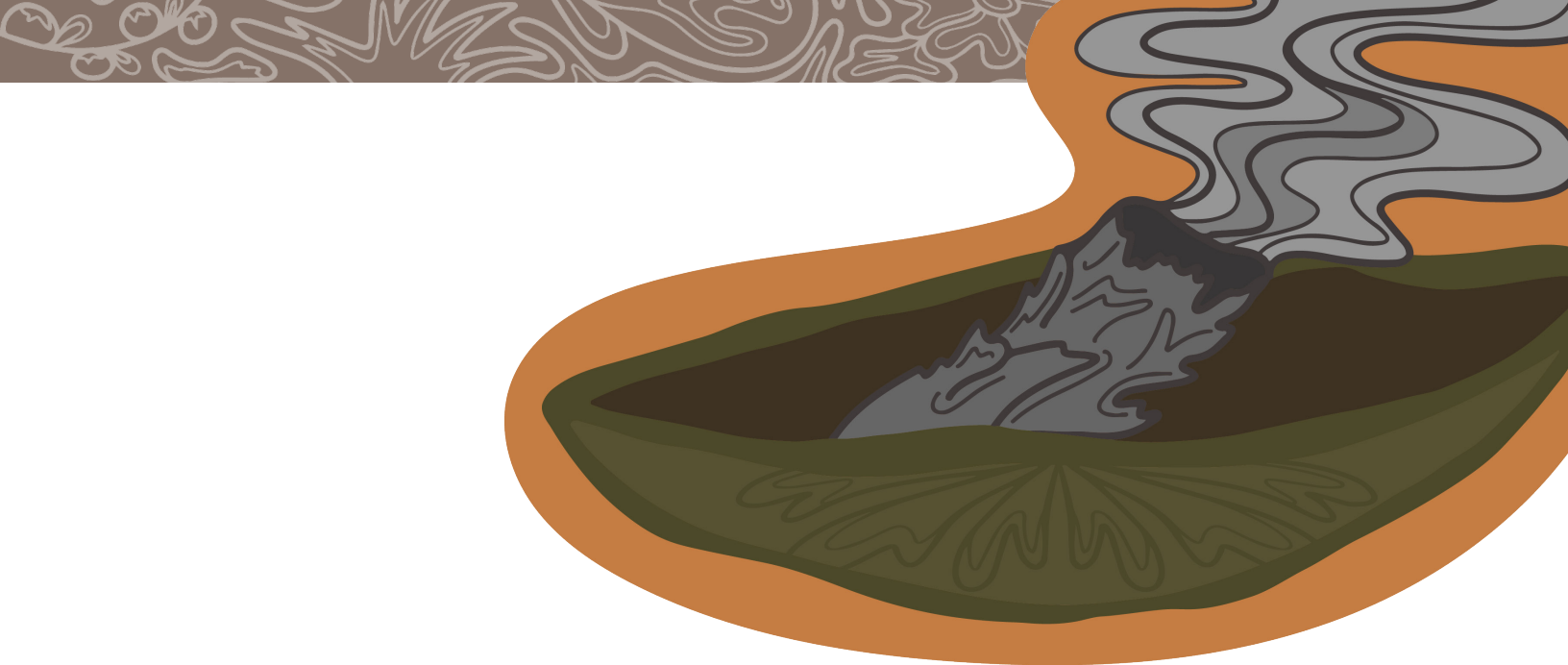
## Introduction and purpose

This guide was produced and published by the Federation of Canadian Municipalities (FCM) with the intention of assisting Canadian municipal leaders and elected officials in gaining a better understanding of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and its relevance to and potential implementation in municipal settings in Canada.

This guide will:

- 1.** Introduce and provide an overview of UNDRIP.
- 2.** Explore why municipalities should consider its adoption and implementation as a way to protect the Indigenous human rights enunciated in UNDRIP.
- 3.** Outline the many ways in which municipalities of various sizes and in different settings (urban/rural) can proactively start to bring UNDRIP to life through local resources and capacities.
- 4.** Begin to effectively align municipal actions with UNDRIP.
- 5.** How to take ambitious action within an established UNDRIP framework.
- 6.** Illustrate how municipalities can take on productive accountability to build renewed and respectful relationships with Indigenous Peoples that are supported by UNDRIP. (See **Appendix B** for an alignment tool).

Although UNDRIP is still in the initial stages of implementation in Canada, including at the municipal level, it nonetheless has significant potential. Properly applied, UNDRIP can help advance the goals of reconciliation, relationships with Indigenous Peoples based on mutual respect and reciprocity, and the meaningful exercise of inherent and constitutionally protected Aboriginal and Treaty rights by Indigenous Peoples in Canada.



## ► Understanding UNDRIP: Background and context

### **An international human rights instrument**

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is a legally non-binding resolution passed by the United Nations in 2007.


It acts as a comprehensive international instrument that addresses the inherent human rights of Indigenous Peoples.

UNDRIP supports the internationally defined goal of ensuring Indigenous Peoples across the globe can **“live in dignity, maintain and strengthen their own institutions, cultures and traditions and pursue their self-determined development, in keeping with their own needs and aspirations.”**<sup>1</sup>

<sup>1</sup> [https://www.un.org/esa/socdev/unpfii/documents/faq\\_drips\\_en.pdf](https://www.un.org/esa/socdev/unpfii/documents/faq_drips_en.pdf)

### **UNDRIP development and formal adoption in Canada**

UNDRIP was developed by Indigenous Peoples. It was approved by the United Nations General Assembly in 2007 with 144 states formally adopting, several abstaining and four (4) opposing, including Canada.



Crucially, UNDRIP provides a framework for reconciliation, healing and peace, as well as harmonious and cooperative relations between modern states and Indigenous Peoples within those states. It is based on the principles of justice, democracy, respect for human rights, non-discrimination and good faith.

UNDRIP establishes a universal framework of minimum standards for the survival, dignity and well-being of Indigenous Peoples and it elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous Peoples.<sup>2</sup>

UNDRIP is based on four key pillars of Indigenous rights:

- **The right to self-determination.**
- **The right to be recognized as distinct Peoples.**
- **The right to free, prior, and informed consent.**
- **The right to be free from discrimination.**

## **UNDRIP in Canada**

UNDRIP was adopted by the Government of Canada in 2010. Subsequently, it was adopted by the Government of British Columbia in 2019 and has been formally adopted by some Canadian municipalities, such as the City of Vancouver<sup>3</sup> and the City of Saskatoon.<sup>4</sup>

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<sup>2</sup> United Nations. Department of Economic and Social Affairs: Social Development Issues. <https://social.desa.un.org/issues/indigenous-peoples/united-nations-declaration-on-the-rights-of-indigenous-peoples>.

<sup>3</sup> See NVision Insight Group. City of Vancouver Case Study on UNDRIP Implementation. 2023, prepared as part of this series on UNDRIP for the Federation of Canadian Municipalities.

<sup>4</sup> <https://www.cbc.ca/news/canada/saskatoon/saskatoon-adopts-undrip-1.6597853>



## Government of Canada

On June 21, 2021, the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA) came into effect. In 2023, the Government of Canada released Ajuinnata: The United Nations Declaration on the Rights of Indigenous Peoples Act Action Plan (the UNDRIP Action Plan). The UNDRIP Action Plan focuses exclusively on action in the federal sphere, describing 181 priority actions to be taken by various departments and agencies of the Government of Canada.<sup>5</sup>

## Provincial and territorial governments

At the provincial level, only British Columbia has taken substantial steps towards enshrining UNDRIP adoption and implementation in law. In that province, the government passed the Declaration on the Rights of Indigenous Peoples Act in 2019. The Government of B.C. also developed its first Declaration Act Action Plan.<sup>6</sup>

## Municipal governments

Implementation of UNDRIP by municipalities in Canada is at an early stage. To date, only a few municipalities in Canada have taken concrete steps towards either adopting or endorsing UNDRIP formally, or addressing the issues UNDRIP covers in other ways, such as through municipal reconciliation strategies, plans and initiatives.

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<sup>5</sup> For more information on UNDRIP, UNDA and the Action Plan, see the companion document to this Policy Guide Implementing UNDRIP in Municipalities in Canada: An Environmental Scan (NVision Insight Group Inc. 2023).

<sup>6</sup> This includes 89 actions to be undertaken, primarily by government ministries, between 2022 and 2027.  
<https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/united-nations-declaration-on-the-rights-of-indigenous-peoples>

## Why UNDRIP implementation matters for municipalities?

Despite this slow initial adoption by municipalities, some of the ways UNDRIP is being implemented at a municipal level in Canada demonstrates how UNDRIP implementation practices are fundamentally intertwined with reconciliation.


The expression of reconciliation assumes many forms—ranging from formal reconciliation declarations, plans and strategies, apologies and public reconciliation acts, to less visible measures such as establishing processes aimed at strengthening relationships at a local level, forming advisory councils, coalitions and other structures for dialogue, mutual or self-reflection, as well as focused acts aimed at acknowledging Indigenous Peoples, Indigenous ways of knowing, culture and heritage or healing relationships.<sup>7</sup>

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<sup>7</sup> For an overview of Indigenous perspectives on UNDRIP in municipal settings see the companion document to this Policy Guide *Implementing UNDRIP in Municipalities in Canada: An Environmental Scan* (NVision Insight Group Inc. 2023). Some of the actions and experiences of municipalities that have been, in relative terms, more initiative-taking, formal, or committed in their approach to UNDRIP are profiled in the Environmental Scan. These provide important case examples that others can learn from, even though municipal response to UNDRIP is considered at preliminary stages in Canada. The experiences of the following municipalities were explored through both desktop research as well as interviews with municipal government representative in the following cities: Montreal, Saskatoon, Surrey, St. John's, Toronto, Inuvik, Yellowknife and Whitehorse. In addition, a more detailed case study of Vancouver was completed and represents a stand-alone complementary report to the Environmental Scan.







Taking action on UNDRIP in the municipal context is important for a variety of reasons.

Municipal governments are a full order of government in Canada, and the positive impact that municipal decisions, policies, and actions can have on Indigenous rights and interests underpins a strong rationale for municipal action on UNDRIP. It can be similarly understood that municipalities have certain responsibilities and obligations to make these efforts because of the benefits they have long derived from both the historical and present use of traditional Indigenous lands upon which municipal governments (and jurisdictions) are now overlaid, as well as their associated resources.

Several movements for societal change in Canada are converging that, in turn, are motivating a municipal response to UNDRIP. Municipal action on UNDRIP can demonstrate responsiveness and commitment to calls for action emanating from public commissions of inquiry such as the Truth and Reconciliation Commission and the National Inquiry into Missing and Murdered Indigenous Women and Girls. **Appendix A** of this guide identifies these crucial links between UNDRIP implementation in municipal contexts and various national calls for action, UNDRIP Action Plans, and Indigenous organizations' perspectives on UNDRIP.

Notably, the federal UNDRIP Act and the B.C. Declaration Act commit to align federal and provincial laws with the Declaration and may have implications for municipal governments in Canada.

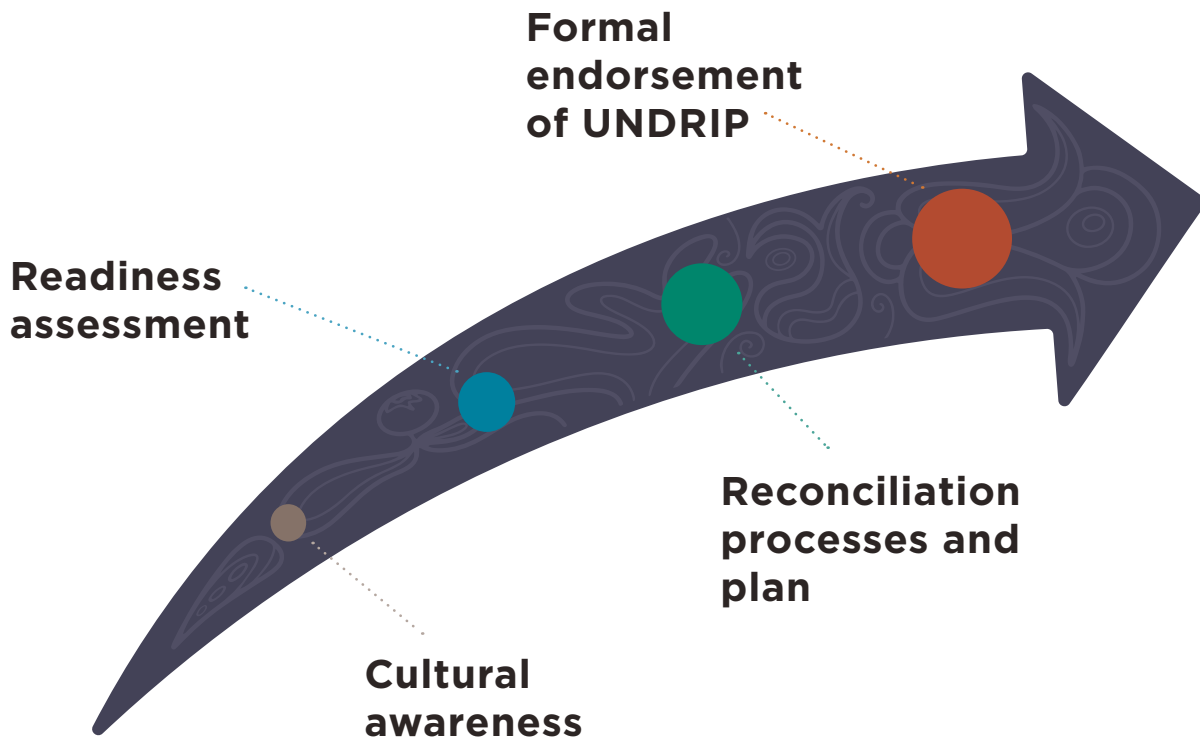
The decisions and actions of municipal governments, agencies and local community organizations can exert a major impact on UNDRIP-enunciated rights. In short, municipal decisions and actions have the real capacity to impact Indigenous Peoples, for better or worse.



## Establishing the foundations

While municipalities should set their own agenda and pathways with respect to UNDRIP adoption and implementation, there are processes that could be emulated when planning specific approaches and responses.

An important consideration for municipalities in UNDRIP adoption and implementation is to include this in a broader framework. The journey of Truth and Reconciliation does not begin with UNDRIP, but comes after other foundational elements are in place, as indicated in the graphic below.



## ● **Cultural awareness training and public education**

Implementation of UNDRIP demands an elevated level of cultural awareness and competency among those involved in planning and implementation activities. In this respect, it can be helpful to review Call to Action 57 from the Truth and Reconciliation Commission's Calls to Action:

*"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."*<sup>8</sup>

This is best done **prior to or in conjunction with the preliminary stages of planning for UNDRIP adoption**, implementation and developing specific strategies, actions and plans.

With increased cultural awareness among their leaders and staff, municipalities will be better prepared to authentically acknowledge historical injustices and take responsibility for past actions. This involves embracing humility and accountability to build mutual respect and trust with Indigenous communities. Recognizing the impact of local Indigenous Peoples' specific historical experiences of colonization and the impacts of that today, as well as committing to learn from past mistakes can demonstrate a dedication to reconciliation and UNDRIP implementation.

In addition to cultural awareness training conducted within the municipal organization, opportunities should be extended to municipal residents. Public education initiatives are an important part of Truth and Reconciliation actions. These should be extended to encompass goals related to learning more about UNDRIP and increasing understanding of Indigenous rights as human rights.

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<sup>8</sup> Truth and Reconciliation Commission of Canada: Calls to Action, p. 7

## Opportunities for public education

Reconciliation Saskatoon hosts a website - BeAConnectR.com which provides opportunities to learn more about Indigenous Peoples' past and present experiences. Visitors to the site are offered different paths to start their journey of learning. Activities include reading a particular book, learning about Indigenous protocols, visiting an Indigenous cultural site, or going to a local workshop.

### ● Assessing readiness

Municipalities should conduct an exercise to reflect on their own internal structures, processes, policies, and capacities to determine readiness to meaningfully commit to UNDRIP implementation. As a first step, this may involve readiness assessments and/or focussed discussions among municipal leaders and staff. Municipalities can also reflect on how their structures, bylaws, policies, and other authorities, as well as programs can be potentially aligned with UNDRIP rights, for example in areas such as housing and homelessness, health and wellness, culture and heritage as well as training and employment. **Appendix A** offers a tool that can be used by municipalities to begin to assess and align municipal policies and processes with UNDRIP.

In this respect, the “assessment” of existing structures, processes, policies, and programs may be an iterative process, and may involve either municipal leaders and staff working internally and in a self-reflective way, or through processes that involve more direct engagement with Indigenous partners.

## ● **Making exceptions to existing policies and rules**


UNDRIP implementation may require re-evaluating and challenging existing policies and practices that perpetuate historical injustices. It is important to prioritize reconciliation over adherence to rigid policies when necessary. As an example, Vancouver encountered situations where certain City policies, such as the Heritage Policy, conflicted with Indigenous interests and aspirations. To advance reconciliation, the City had to show flexibility and make decisions that disrupted established rules (such as preserving a Class A heritage building with a contentious history in the RCMP Barracks, more details found in the Vancouver Case Study supplemental material).

## ● **Linking UNDRIP implementation to reconciliation**

Municipalities must consider broader reconciliation processes, plans and goals, as UNDRIP adoption and implementation would be part of this. Reconciliation is about relationships, which includes understanding and respecting Indigenous rights. UNDRIP adoption and implementation is about aligning municipal laws and policies with an international Indigenous rights instrument.

UNDRIP-related implementation actions can be formally or informally integrated within Reconciliation action plans and aligned with processes to implement such plans. UNDRIP implementation should be tied to other overarching goals and objectives being pursued within the context of Truth and Reconciliation as well as key values and guiding principles, including those concerned with:

- Addressing anti-Indigenous racism, discrimination, and all forms of violence.
- Recognizing Indigenous rights (treaties, land, environment).
- Promoting social and economic participation.
- Supporting culture and heritage.
- Supporting self-determination and self-government.



UNDRIP implementation can also be aligned with other municipal strategies or priority areas such as climate change preparedness, economic development, land and water management plans, youth development and inclusion, and measures aimed at social innovation.

Municipalities should view UNDRIP and all these calls for action—including those of the Truth and Reconciliation Commission of Canada report (TRC) and the National Inquiry into Missing and Murdered Indigenous Women final report (MMIWG)—as complimentary and overlapping with, rather than discrete and distinct from UNDRIP. Based on evidence around UNDRIP implementation to date, actions associated with reconciliation are similar in scope and content to those associated with UNDRIP. A municipal response to UNDRIP within the context of municipal-Indigenous reconciliation is likely to be based on similar goals, actions and, if successful, would produce similar intended outcomes.

## **UNDRIP implementation and municipal reconciliation strategies and plans**

Where UNDRIP implementation is being pursued by municipalities in Canada it has been a key component within a broader commitment to proactively pursue reconciliation. In this respect, UNDRIP adoption and implementation can be seen as a key pillar upholding the realization of reconciliation goals, and a key part of reconciliation strategies and plans.

Canadian cities such as Toronto, St. John's, Surrey, and Yellowknife have noted that their reconciliation plan, strategy, or action plan was an outcome of the municipality's actions on UNDRIP. A key lesson from the City of Vancouver's experience with UNDRIP implementation is the value of adopting a reconciliation-centric approach.

Source: NVision Insight Group. 2023. Implementing UNDRIP in municipalities in Canada: An environmental scan and Vancouver case study.

## ● **Committing to action: Formal endorsement and adoption of UNDRIP**

UNDRIP is a declaration and its adoption by any government, at any level, represents a political and social commitment. Municipalities should formally respond to UNDRIP either by adopting or endorsing it alongside commitments to implement it through actions and accountability for such actions. This may involve:

- Formal statements, declarations, proclamations, or resolutions that endorse or confirm adoption of UNDRIP by a municipality and lay the basis for commitment to further action.
- Inclusion of commitments to “action” UNDRIP within reconciliation statements, frameworks and action plans.
- Commitments to implement UNDRIP through changes to other key municipal authorities and documents (e.g., charters, vision statements, strategic and official plans, bylaws and policies).



# ▶ Aligning municipal actions with UNDRIP

There are many strategies and actions available to municipalities that choose to implement UNDRIP. These begin with process-oriented considerations, then more concrete and measurable actions. See **Appendix B** for an alignment tool to support UNDRIP assessment and alignment.

## Engagement processes

Implementing UNDRIP in municipal settings requires extensive and ongoing engagement with Indigenous partners, and within municipal structures.

Relationship building is fundamental to UNDRIP implementation and should involve reconciliation and continuous and sustained engagement with Indigenous rights-holders on whose traditional and treaty lands the municipality is overlaid, as well as with Indigenous people resident within the municipal jurisdiction. This could involve:

- Increasing awareness of the Indigenous rights holders in the region within which your municipality exists.
- Education on the history of relationships between your municipality and the Indigenous rights holders, and Indigenous organizations in your region.
- Deepening and strengthening existing relationships with local and regional First Nations, Métis, Inuit and urban Indigenous Peoples, communities, and organizations.





- Considering existing relationships and commitments in a new light, and from the perspective of ensuring consistency with Indigenous human rights enumerated in UNDRIP.
- Forging new relationships.

## Vancouver's UNDRIP Task Force

In 2021 the City of Vancouver convened the UNDRIP Task Force in partnership with the Musqueam Indian Band, Squamish Nation and Tsleil-Waututh Nation (MST). The Task Force received a mandate to develop recommendations on how the City of Vancouver could implement the United Nations Declaration on the Right of Indigenous Peoples (UNDRIP) as an integral aspect of its work on Indigenous relations and reconciliation.

For municipalities, it is important that an UNDRIP response creates meaningful space for the voices of Indigenous Peoples who hold collective and individual rights enumerated in UNDRIP – either on a collective basis (i.e., as rights-holders and treaty partners) or on individual basis.<sup>9</sup>

At the municipal level, different forms of Indigenous-municipal partnerships can be established to leverage engagement around UNDRIP and related reconciliation processes. These may assume a variety of structural forms including:

- Partnerships with local First Nations, Inuit and Métis communities, leadership and organizations.
- Urban Indigenous coalitions and partnerships.

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<sup>9</sup> Others may also be involved in UNDRIP implementation including municipally based non-Indigenous service providers that have an elevated level of engagement with Indigenous Peoples as clients, such as public health and post-secondary institutions, school boards, libraries, and police services. This might also include other government departments and agencies that have local presence such as child welfare agencies, employment and training agencies, and service delivery organizations.

- Municipal-wide reconciliation committees, working groups or task forces, with broad representation from municipal leadership and officials and Indigenous and non-Indigenous partners.
- Indigenous community advisory boards or committees that are established with municipal support and involvement.
- More informal partnership tables involving Indigenous and non-Indigenous leaders, decision-makers, and community members in discussions and various degrees of cooperative action.

### **Municipal organization and capacity**

Within municipal governments, specific officials, departments, or agencies could be assigned to lead UNDRIP actions or indeed, one department or agency could be assigned a mandate to do so.

Municipalities should identify actions and measures they are already taking that may align with UNDRIP implementation goals or may need to be better aligned. These should be assessed and adjusted or “refreshed” as required to ensure they are consistent with UNDRIP and municipal goals, and that they are not inconsistent with any new directions being established because of UNDRIP implementation. This may require a focus on enhancing internal communication, knowledge sharing, and collaboration among involved entities within a municipality.

## **Montreal’s Commissioner for Indigenous Peoples**

The City of Montreal created the position of Commissioner for Relations with Indigenous Peoples. The Commissioner is responsible for developing relations with the city’s urban and Indigenous government partners. Through collaboration, the City aims to develop projects, adopt policies, and offer services that consider the needs and priorities of Indigenous communities living in Montreal. This office has enabled the city to make progress in recognizing the island’s thousand-year-old Aboriginal history and the place that Aboriginal communities still occupy in the cultural fabric of the city.



Engaging all municipal government departments and enabling their active participation in crafting both broad strategy for UNDRIP implementation as well as committing to specific measures can be a key success factor.

Municipalities should engage their departments from the outset, ensuring a clear understanding of their roles and potential contributions in the adoption and implementation of UNDRIP.

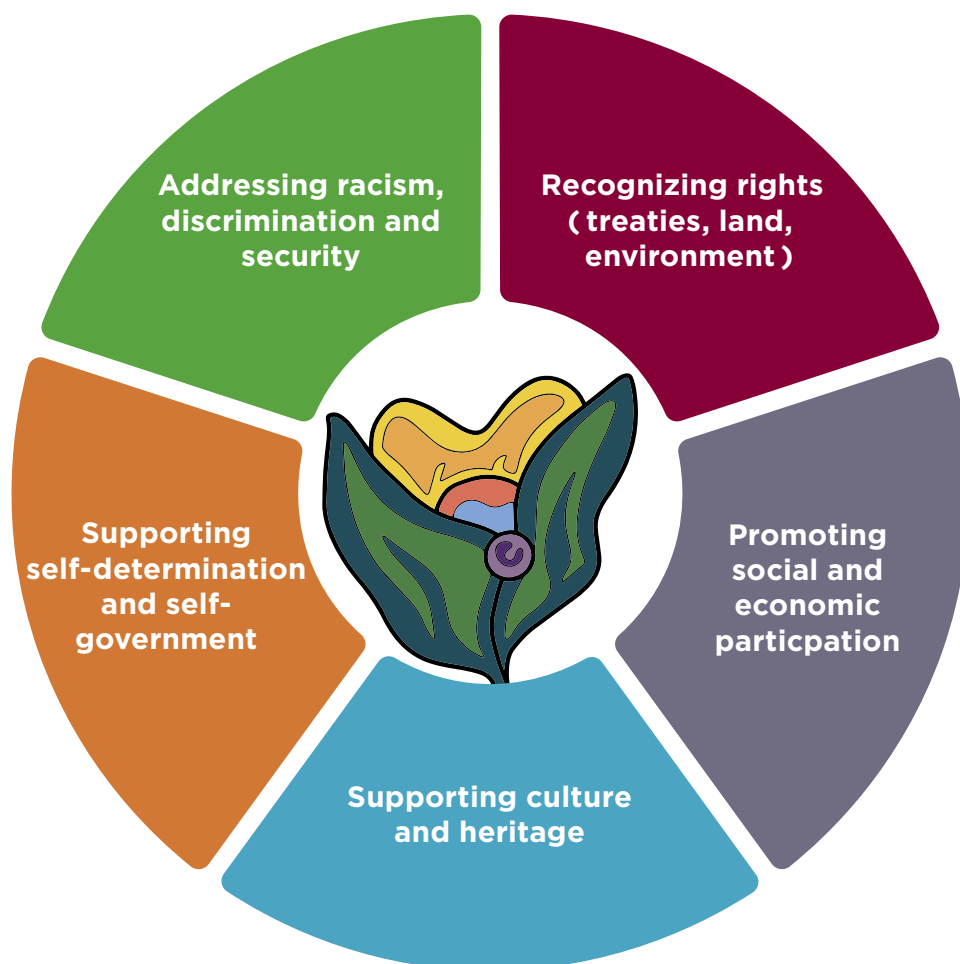
Municipal government departments that have responsibilities over lands and environment, planning and development, bylaw enforcement, security, and public safety (e.g., police services) and community services (health and wellness, employment and training, culture, parks, libraries, and museums) for example may receive more specific mandates. They may be called upon to align planning processes, policies, and program and service design and delivery with Indigenous rights and interests, or to undertake initiatives that are more specific and relevant to the department's areas of responsibility and/or linked with categories of Indigenous human rights recognized in UNDRIP.






## ► Strategies for taking action within an UNDRIP framework

Each municipal jurisdiction in Canada is unique with respect to relationships with Indigenous Peoples and communities in whose traditional and treaty territories they are situated. The substantive content of municipal UNDRIP implementation frameworks—the actions and measures that will bring these to life—realistically can only emerge from and be shaped by priorities that are established and agreed upon at the local municipal level. This policy guide provides some examples, and suggested strategies, interventions, policies, measures and potential actions in relation to the following categories:



## ● **Supporting Indigenous self-determination and self-government**

UNDRIP recognizes that Indigenous Peoples have the right to freely determine their political status and development, and their future within the territories in which they traditionally lived. They have autonomy or self-government in their internal and local affairs and the right to maintain and strengthen their distinct political, legal, social, economic and cultural institutions.



In taking action in relation to rights of self-determination and self-government, municipal governments can:

- Recognize Indigenous rights-holders who hold ancestral, treaty, traditional, Indigenous and other legal and constitutionally protected rights and titles to the lands and waters on which municipalities are located.
- Acknowledge and respect how Indigenous Peoples and communities choose to exercise the right to autonomously govern their internal affairs, choose their representatives, establish their own legal and political institutions and determine their own membership (consistent with fundamental human rights).
- Acknowledge Indigenous laws, customs, legal systems, protocols and practices as legitimate sources of Indigenous authority and governance.
- Find ways to respect and honour Indigenous legal systems and create space for their expression within the municipal sphere and in municipal decision-making processes.
- Engage with political organizations, institutions, and entities that Indigenous Peoples and communities themselves identify as legitimately representing their interests and memberships.
- Include Indigenous representation on municipal boards, commissions, committees, and other bodies through permanent seats or, more informally, by encouraging Indigenous participation, and integrating Indigenous voices within the existing structure of municipal entities.
- Establish mechanisms and protocols that are accessible to Indigenous Peoples and allow for concerns, grievances, and disputes to be brought to the attention of the municipal government and addressed.
- Respond to new or amended federal and provincial/territorial governments laws and policies as these become aligned with UNDRIP pursuant to UNDRIP implementing legislation and associated action plans.
- Support Indigenous-led economic initiatives through locally forged business partnerships with Indigenous communities and support Indigenous business development and Indigenous development corporations.



In Ottawa ON, First Nations, Inuit and Métis themed banners are added to the new Indigenous Peoples Space during a ceremony on National Indigenous Peoples Day, formerly known as National Aboriginal Day.

- Promote and support Indigenous-led initiatives taking place within municipal environments that are aimed at increasing Indigenous Peoples own understanding of the historical and legacy impacts of colonial policies and laws such as the Indian Act, including impacts upon Indigenous identity, community and connectedness and Indigenous political and social cohesion.
- Institute measures that allow for Indigenous Peoples to identify and pursue their priorities and strategies for use of lands, territories and resources within municipal boundaries.
- Respect Indigenous data governance and sovereignty including through application of principles for ownership, control, access, and possession of data (OCAP) principles, and collaborate with Indigenous Peoples and communities in municipally based data gathering, including at design and implementation stages.
- Explore options for revenue sharing with Indigenous governments, communities, and groups/organizations (e.g., share of property taxes, development charges, events surcharges, other charges, and levies).
- Re-develop, in collaboration with Indigenous leadership, municipal sites to highlight Indigenous history, heritage, and uses as well as Indigenous culture and knowledge.

## ● **Supporting Indigenous culture and heritage**

Indigenous Peoples have the right to practise and revitalize their cultural traditions, customs, and ceremonies. They have the right to be free from assimilation, and the right to protect and teach culture, traditions, customs, language, and histories. They have the right to repatriation of ceremonial and cultural objects. They have the right to access, use, develop and maintain the productive capacity of their traditional territories.

To take action in this area, municipal governments can:

- Identify culturally and ecologically significant sites within municipal boundaries and include Indigenous Peoples and organization in planning, management, and administration of such sites. This could include removing obstacles to Indigenous access to lands and areas that are valued by Indigenous people, are of cultural or spiritual significance or are used for ceremonies and cultural practices.
- Include Indigenous governments, Peoples and organizations in planning, management and administration/operation of municipal parks and heritage spaces.
- Acknowledge and include in public documents and registers (e.g., heritage and land registers) the history of Indigenous use, cultural presence as well as displacement and dispossession of lands and from the landscape.





- Provide opportunities for leaders, staff, and others involved in municipal government to self-identify as Indigenous people and share their personal histories, experiences and knowledge.
- Support locally based, Indigenous-led education institutions and encourage partnerships with local education systems and institutions.
- Support Indigenous cultural methods of learning and teaching in education environments.
- Provide meaningful opportunities for Indigenous Peoples and communities to maintain and strengthen their individual, collective, spiritual, and inter-generational relationships with lands, territories, waters, and resources encompassed by municipal boundaries, and to meaningfully exercise stewardship responsibilities over lands and waters traditionally owned, or otherwise occupied and used.
- Provide opportunities for Indigenous Peoples and communities to access traditional medicines to maintain their health and relationships.
- Expand availability of municipally-held lands for cultural practices and community programming, as well as permanent-use purposes such as Indigenous housing projects, expansion, or establishment of cultural, heritage, social, spiritual, and ceremonial spaces as well as economic and business development projects.
- Provide priority and restricted access to cultural sites and develop policies to ensure privacy is maintained and cultural practices can be conducted without interference or interruption.
- Develop, in collaboration with Indigenous communities, a municipal land acknowledgement to share widely, and determine where and how the land acknowledgement will be used.
- Support programs and spaces that offer healing as well as cultural learning opportunities, intergenerational knowledge transfer and sharing, language revitalisation, especially for Indigenous youth and children.



- Establish educational programs that allow non-Indigenous residents and visitors to learn about local Indigenous cultures, histories, traditions and aspirations for the future.
- Develop and implement policies that protect, respect, and accommodate Indigenous culture and heritage, and institute measures to protect local Indigenous cultural heritage, traditional knowledge and intellectual property (e.g., archaeology, repatriation and place-naming policies and procedures).
- Provide access to interpretation services at municipal public meetings, especially when an Indigenous language is used by a sizable portion of the resident population.
- Repatriate Indigenous objects, human remains, art and other items of cultural, spiritual, historical or other significance to local Indigenous Peoples and communities.
- Harness opportunities to honour and elevate Indigenous Peoples, histories and cultures at major events, conferences and gatherings hosted by the municipality or within its boundaries, including through agreements and arrangements with local Indigenous communities and organizations.

## ● **Fostering social and economic participation and development**

Indigenous Peoples have the right to participate in decision-making that affects their rights and interests and in the formulation of economic and social programs. The right of Indigenous Peoples to establish and act through Indigenous institutions, including institutions of a social and economic nature is recognized in UNDRIP.

To take action in this area, municipal governments can:

- Support and actively accommodate Indigenous priorities including through co-development of planning, design, and administration of social and economic programs, and with the direct involvement of Indigenous governments, institutions and agencies. This can include housing, health, family and social services, food security, education, and employment and training.
- Allow for adaptation of municipal programs and services to provide these in culturally appropriate and culturally safe ways, through both municipally and Indigenous-led institutions and agencies.
- Identify culturally informed options for housing projects and approaches that provide safe, affordable, and adequate housing for Indigenous Peoples. Find ways to address barriers including by providing reduced housing development charges.
- Support Indigenous-led early learning programs, as well as children's and youth programming in municipal spaces.
- Promote meaningful Indigenous involvement and representation in local arts and cultural events as well as in public art initiatives.
- Support locally based, Indigenous-led programs and initiatives that focus on language instruction, preservation and promotion.
- Value Indigenous traditional knowledge, and those who share such knowledge and teachings including by providing appropriate compensation and acknowledgement.
- Support Indigenous youth groups and organizations by funding Indigenous youth-led initiatives and events.

- Within the scope of municipal laws, policies, and procedures, provide accommodations to meet the needs of Indigenous Elders, children and youth and persons with disabilities.
- Increase understanding of Indigenous traditional economic activities and resources and identify measures that will restore and revitalize Indigenous access, harvesting and use of these resources including for personal and commercial purposes.
- Facilitate Indigenous participation or co-development in municipal-led economic and business development projects and opportunities, as well as development of economic strategies (e.g., tourism, heritage places strategies).
- Introduce Indigenous procurement policies that provide greater access to municipal contracts for goods and services by Indigenous-owned businesses.

## ● **Recognizing Indigenous rights related to treaties, land, and environment**

Indigenous Peoples have the right to maintain and strengthen their distinctive and sacred relationships with the land, waters, plants, and animals. They have the right to recognition, implementation and enforcement of treaties, agreements and arrangements concluded with state governments.

To take action in this area, municipal governments can:

- Consult with Indigenous leaders, governments, communities and Peoples on major municipal-led projects or decisions that have potential to impact Indigenous rights, titles and interests, and ways of life.
- Adhere to emerging standards with respect to the right to free, prior and informed consent of Indigenous Peoples.
- Engage Indigenous governments, Peoples and communities in a discussion about free, prior and informed consent - what it means locally, how it will be respected, reasonably obtained, and accommodated within the context of municipal-Indigenous relations, decision making, consultation and engagement processes.

- Restore traditional and Indigenous languages to the land through naming practices and conventions.
- Include Indigenous participation and consultation in processes and decisions surrounding the disposition of municipal lands, including review of lease applications, transfer, or sale of land parcels. This could include provision of first rights of refusal to Indigenous communities, governments and organizations during land dispositions.
- Identify land parcels for repatriation and return to Indigenous communities and traditional owners.
- Incorporate Indigenous ways of knowing and traditional knowledge into stewardship regimes pertaining to lands, waters, plants, animals, and other beings.
- Include Indigenous Peoples and communities within municipal-level environmental assessment processes, and ongoing monitoring and reporting systems.
- Respectfully include Indigenous Peoples' and communities' perspectives when representing the municipal government in provincially, territorially and federally mandated environmental assessment processes.
- Actively engage Indigenous Peoples and communities in municipal-led or co-developed environmental conservation, biodiversity, ecological restoration and protection initiatives as well as climate change planning, decision making and actions.

## ● **Addressing anti-Indigenous racism, discrimination, and all forms of violence**

Indigenous peoples have the right to freedom from discrimination, and the right to effective mechanisms that prevent, or redress discrimination directed against them. UNDRIP also upholds fundamental human rights as Indigenous rights including the right to security of person, and the collective right to live in peace and security, and not be subject to violence.



To take action in this area, municipal governments can:

- Develop, implement, and support anti-Indigenous racism and discrimination strategies, initiatives and education campaigns including those that are led by the municipal government or championed by Indigenous communities and governments, or other local organizations and groups.
- Ensure that any Indigenous staff members who work for the municipality are not placed in a position to be an expert on ‘all things Indigenous’.
- Ensure that more broadly based anti-racism, anti-discrimination and violence/gender-based violence prevention strategies and initiatives are inclusive of Indigenous experiences, circumstances, and needs.
- Actively support and promote measures designed to increase the security of Indigenous peoples in municipal environments and spaces and ensure that municipal spaces are free of all forms of violence and discrimination demonstrated towards Indigenous people, especially Indigenous women, girls and LGBTQ2S.
- Encourage UNDRIP principles and rights to be embedded within policing services and operations through for example mandates provided to policing commissions and oversight bodies (e.g., mandatory anti-Indigenous racism training, Indigenous community relations/liaison, mental health protocols involving Indigenous people) and include Indigenous representation on policing oversight bodies (boards, commissions).
- Increase municipal government and public awareness of treaties, land claim agreements and other arrangements to which local Indigenous peoples and communities are signatories and deepen a shared understanding of what those treaties mean for Indigenous-municipal relationships and ways of interacting.
- For those municipalities located on unceded Indigenous lands and territories, increase awareness and understanding of traditional landowners, and Indigenous rights, interests, claims as well as the status of any negotiations with Crown governments, legal proceedings, and interim arrangements with other governments that have implications for the municipality.



## Accountability for Action

This policy guide shows that a variety of measures can be taken to support UNDRIP at the municipal level. While all UNDRIP-related commitments of municipalities are important, without tangible actions, measurable outcomes and accountability frameworks, UNDRIP implementation at the municipal level runs the risk of becoming a ‘check the boxes’ activity – insufficient to realizing the type of systemic change Indigenous Peoples are calling for to address Canada’s colonial history and legacies.

### Accountability frameworks

Municipalities should develop formal processes for monitoring, evaluating, and reporting on implementation of UNDRIP. This can be done as a discrete measure or included in the reporting and accountability frameworks and measures established in association with reconciliation plans and strategies.

This could involve:

- Formal evaluation of UNDRIP implementation including monitoring, reporting and evaluation frameworks.
- Public reporting on UNDRIP implementation to municipal leaders, councils, and communities as well as Indigenous advisory councils, committees, working groups and other structures set up at the municipal level with Indigenous participation.
- Establishing and measuring goals in areas such as homelessness, number of Indigenous children in care, housing and housing investments, justice statistics (e.g., police incidents) and cultural centres/hubs.

# City of Toronto's approach to accountability on reconciliation actions

The City of Toronto's Indigenous Affairs Office collaborates with community partners as well as all City divisions to develop accountability and reporting measures on implementation of the City's Reconciliation Action Plan commitments. The Office is to report bi-annually to Council, the Aboriginal Affairs Advisory Committee, and Indigenous communities.

## Outcome Indicators

Within the framework of UNDRIP implementation monitoring, different outcomes could be assessed through monitoring of structural, process and outcome indicators.<sup>10</sup>

Other indicators that have potential for adaptation in the municipal context include:

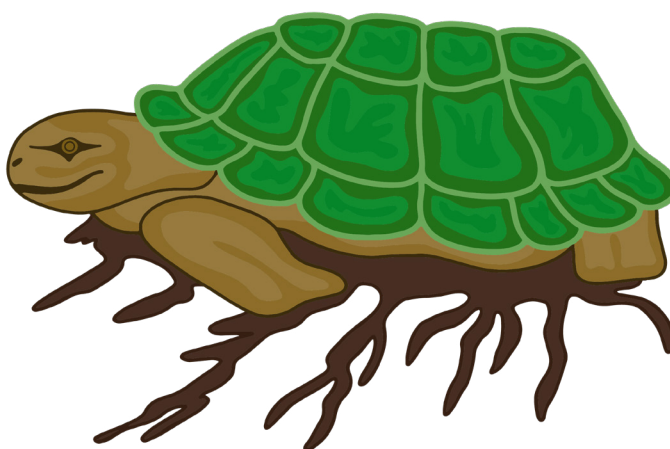
- Inclusion of Indigenous Peoples' municipal decision-making processes and participation in planning processes and co-development of programs and services as well as delivery approaches.
- Indicators of control over traditional lands and resources, and participation in environmental matters.
- Recognition and celebration of Indigenous history and culture in distinct aspects of municipal life.
- Restoration and incorporation of Indigenous placenames.
- Municipal funding of Indigenous-focussed initiatives.
- Anti-Indigenous racism initiatives, public education and awareness, and access to cultural awareness training for municipal government staff and leaders as well as citizens/residents.

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<sup>10</sup> These indicators are based on approaches suggested by the Office of the United Nations High Commissioner for Human Rights (OHCHR). See Danish Institute on Human Rights, Indigenous Navigator Tools Database <https://tool.indigenousnavigator.org>



- Events, celebrations, and cultural activities that are inclusive of Indigenous Peoples, culture and history and ceremony, or are Indigenous-focused.
- Inclusion of Indigenous approaches to management of climate change adaptation and mitigation, emergency management planning and recovery.
- Sharing of responsibility with Indigenous-led organizations including in social policy sectors such as housing, health, education, social and family services.
- Improvements in quality of life and community wellbeing indicators.



## Conclusion

UNDRIP can be a highly effective tool for addressing Canada's colonial history and the legacies this has imposed on Indigenous Peoples. It also provides a mechanism for setting Indigenous—municipal relationships on a new and right pathway, and for promoting municipal government adoption and implementation of international conventions and standards pertaining to Indigenous Peoples.

When municipal governments adopt and implement UNDRIP, and when they work towards alignment of their actions with UNDRIP, they are contributing to the vision and aspirations of Truth and Reconciliation that are collectively embraced in Canada by both Indigenous and non-Indigenous Peoples and communities.

## Appendix A

# Summary of UNDRIP articles

The following section provides a summary of the UNDRIP articles for reference, with further details on theme, enunciated rights and each theme's corresponding articles.

Theme	Sub-categories and enunciated rights	UNDRIP articles
Human rights and fundamental freedoms	General enjoyment of human rights and fundamental rights and freedoms. Freedom from discrimination.	Articles 1 and 2.
Self-determination, self-governance, and treaties	Self-determination, meaning freedom to determine political status and pursue economic, social, and cultural development. Self-government and autonomy in internal and local affairs. Treaties, agreements, and other arrangements honoured and respected	Articles 3, 4 and 37.
Lands, territories, the environment and natural resources	Right to own, use, develop and control traditional lands, territories, and resources. Free, prior, and informed consent for projects that affect lands, territories, and resources. Freedom from forcible removal and relocation. Maintain and strengthen spiritual relationships with lands, territories, waters, and resources. Environmental conservation and protection and productive capacity of lands, territories, and resources. Rights of redress for impacts on lands, resources, territories, and environment and to adjudicative processes.	Articles 10, 25, 26, 27, 28, 29, 30 and 32.



Theme	Sub-categories and enuciated rights	UNDRIP articles
Civil and political rights	Freedom, peace, and security as Indigenous Peoples.	
	Freedom from genocide and violence including forcible removal of children.	Articles 6, 7, 9, 17, 33, 34, 35 and 36.
	Right to determine identity and membership in accordance with customs and traditions.	
	Access to labour rights and freedom from economic exploitation.	
	Maintain and develop cross-border relations and contacts.	
Institutions and political participation	Right to maintain and strengthen distinct political, legal, economic, social, and cultural institutions.	
	Determine own institutional structures, procedures, and membership in accordance with customs, traditions, and international standards (including judicial systems).	
	Participate in decision-making in matters affecting rights.	Articles 5, 18, 19 and 34.
	Develop own decision-making institutions.	
	Free, prior, and informed consent prior to implementation of legislative or administrative measures affecting Indigenous Peoples and rights.	
	Access to justice and remedies.	

Theme	Sub-categories and enuciated rights	UNDRIP articles
Cultural, spiritual and language rights	<p>Freedom from assimilation and cultural destruction.</p> <p>Practice, revitalize and intergenerationally transmit culture, traditions and customs, languages, histories.</p> <p>Maintain, control, protect and develop cultural heritage, traditional knowledge, and knowledge systems.</p> <p>Be understood in political, legal, and administrative proceedings including through access to interpretation.</p> <p>Protection of cultural heritage, traditional knowledge, and intellectual property.</p>	Articles 8, 11, 12, 13 and 31.
Economic, health and social rights	<p>Access to the means of subsistence through traditional economic activity.</p> <p>Determine social and economic development and associated programs through own institutions (including in housing and health).</p> <p>Protect traditional knowledge and intellectual property based in sciences, cultures, and traditions (e.g., medicines).</p> <p>Recognition of rights and special needs of Indigenous elders, women, youth, children, and people with disabilities.</p>	Articles 20, 21, 22, 23 and 24.
Education, public information and media	<p>Establish own education systems based in own languages and cultural methods of teaching and learning.</p> <p>Appropriate reflection of cultures, traditions, histories and aspirations in public education and information.</p> <p>Freedom of expression and media.</p>	Articles 14, 15 and 16.

Theme	Sub-categories and enuciated rights	UNDRIP articles
Implementation, interpretation and application	Application of Declaration considering international law and human rights obligations.	
	Alignment with fundamental human rights principles (e.g., justice, equality).	Articles 38, 39, 40, 41, 42, 43,
	Equal application to men and women.	44, 45 and 46.
	Non-derogation and no extinguishment of Indigenous people's rights now or acquired in future.	
	Application to UN and independent States.	

## Appendix B

# Municipal policy alignment tool

This tool can be used by municipal leaders and departments to support internal assessment and alignment of municipal processes and policies with UNDRIP.

## PLAN FOR MUNICIPAL ACTION

### Indigenous cultural awareness

- Does your municipality currently offer Indigenous cultural awareness training/education? If yes, is it mandatory or optional? Who and how many people have taken cultural awareness training courses/workshops? Is it part of onboarding or required for some/all jobs within the municipality?
- Did your municipality offer Indigenous cultural awareness training in the past? Does it need to be updated, revisited or rolled out to all staff?
- Does your cultural awareness training cover First Nations, Inuit, and Métis? Does it cover local Indigenous history and perspectives?
- Does your municipality offer anti-racism training? If yes, does it include Indigenous perspectives and realities?

## Readiness assessment

- Has your municipality undertaken an Indigenous/reconciliation readiness assessment?
- If yes, what did it cover? (Structures, processes, policies, programs, etc.)
- If yes, is it still relevant? Is it being used/integrated into planning processes?

## Reconciliation processes and plan

- Has your municipality put an 'Indigenous lens' on your strategic plan, capital plan, economic development plan, land use plan etc.?
- Does your municipality have a Reconciliation Action Plan?
- If yes, does it include goals, strategies, activities, responsibilities, implementation timeframes or key performance indicators?
- If yes, does it include all departments?
- If yes, what are the accountability framework or reporting measures? Have you reviewed these?
- If yes, what is the timeframe for the plan? Has it been updated, or is it due to be updated?
- If yes, have you considered how your UNDRIP policy/plan will be integrated into your strategic/reconciliation plan?



## TAKE ACTION

Where can you/your department/your municipality take action in the area of:

- Supporting Indigenous self-determination and self-government.
- Supporting Indigenous culture and heritage.
- Fostering social and economic participation and development.
- Recognizing Indigenous rights related to treaties, land, and the environment.
- Addressing anti-Indigenous racism, discrimination and all forms of violence.

## REPORT ON YOUR ACTION

- Does your municipality have a formal reporting or accountability framework for your UNDRIP policy/plan implementation?
- Does your municipality have measurable goals related to UNDRIP?
- Does your municipality have indicators related to UNDRIP?
- Structural indicators?
- Process indicators?
- Outcome indicators?

## Appendix C

# References

The following list includes the main sources drawn upon to inform this guide, and provides municipalities with additional resources to learn more about UNDRIP implementation and reconciliation planning.

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