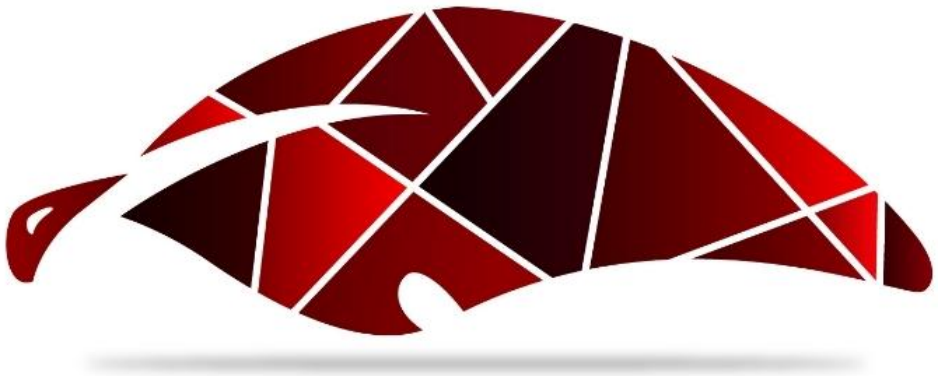


OFIFC

Ontario Federation of
Indigenous Friendship Centres

List of Issues for Canada's UN CESCR Review

February 2020

Ontario Federation of Indigenous Friendship Centres
List of Issues for Canada's CESCR Review

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Preamble

1. Founded in 1971, the Ontario Federation of Indigenous Friendship Centres (OFIFC) works to support, advocate for, and build the capacity of member Friendship Centres across Ontario.

2. Emerging from a nation-wide, grass-roots movement dating back to the 1950s, Friendship Centres are community hubs where Indigenous people living in towns, cities, and urban centres can access culturally-based and culturally-appropriate programs and services every day. Today, Friendship Centres are dynamic hubs of economic and social convergence that create space for Indigenous communities to thrive. Friendship Centres are idea incubators for young Indigenous people attaining their education and employment goals, they are sites of cultural resurgence for Indigenous families who want to raise their children to be proud of who they are, and they are safe havens for Indigenous community members requiring supports.

3. In Ontario more than 85 per cent of Indigenous people live off-reserve in urban and rural communities.[1] The OFIFC is the largest urban Indigenous service network in the province supporting this vibrant, diverse, and quickly-growing population through programs and initiatives that span justice, health, family support, long-term care, healing and wellness, employment and training, education, research, and more. Friendship Centres receive their mandate from their communities, and they are inclusive of all Indigenous people from Turtle Island.

4. The OFIFC is pleased to submit our list of issues for Canada's seventh review by the Committee on Economic, Social and Cultural Rights (CESCR). All rights per the ICESCR are indivisible and interdependent with the UNDRIP and must be interpreted through the lens of UNDRIP in order to be meaningful for urban Indigenous people. Canada must move swiftly to domesticate the UNDRIP so that Canada's implementation of ICESCR will uphold and not conflict with the right to self-determination, the principle of free, prior and informed consent, the right to land, territories and resources, and access to justice for urban Indigenous people.[2]

Article 1: Right to self-determination

5. Please ask Canada what steps it intends to take to remedy its failed approach to Indigenous relations which infringes upon the right of self-determination of urban Indigenous communities. Canada should be asked about its flawed "distinctions-based"[3] approach to developing national strategies, policies, programs, and relationships with regards to Indigenous people and how this approach fails to

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[1] Statistics Canada, *Census 2016 Results, Data Table: Aboriginal Identity (9), Dwelling Condition (4), Registered or Treaty Indian Status (3), Residence by Aboriginal Geography (10), Age (12) and Sex (3) for the Population in Private Households* (Catalogue number 98-400-X2016164).

[2] United Nations, General Assembly. *Adequate housing as a component of the right to an adequate standard of living, and the right to non-discrimination in this context: report of the Special Rapporteur on adequate housing,* A/74/183 (17 July 2019), available: https://www.undocs.org/A/74/183

[3] Office of the Prime Minister. (2019). 'Minister of Crown-Indigenous Relations Mandate Letter.' Retrieved from: https://pm.gc.ca/en/mandate-letters/minister-crown-indigenous-relations-mandate-letter

engage the organisations, governance structures, and service delivery networks that Indigenous people have developed for their communities over multiple generations.

6. Canada's "distinctions-based" approach to developing strategies, policies, and programs is based on colonial conceptions of Indigenous nationhood limited to the political categories of "First Nations, Métis and Inuit." This approach excludes the high number of Indigenous people who are not represented through a "nation-to-nation, Inuit-Crown and government-to-government relationship" approach taken by the federal government which is expressed as exclusive engagement with three national political Indigenous organisations that ignores the historic, culture-based Indigenous governance landscape in urban communities.[4]

7. The Canadian state has erroneously conflated its responsibilities to "Indigenous peoples" as set out in the UNDRIP, with its flawed distinctions-based approach that deals only with the three national political Indigenous organisations funded through the federal government. It is for this reason that the OFIFC refrains from the use of "peoples" in favour of Indigenous people, which encompasses all Indigenous people, regardless of residence or legal status.

8. Across Canada, 79.7 percent of Indigenous people live off-reserve, in cities, towns, and rural areas.[5] In Ontario, the proportion is 85.5 percent.[6] Urban Indigenous communities today are multi-generational in origin and may organise themselves in distinct ways that reflect culture-based approaches to governance and the inherent right to self-determination, affirmed and recognized in the UNDRIP.

9. Willful ignorance of the history of urbanized Indigenous communities flies in the face of the UNDRIP and fails to acknowledge the Friendship Centre Movement, which has taken up the responsibilities of caring for community members in a culture-based manner that is consistent with traditional roles and responsibilities.

10. The OFIFC specifically recommends that the federal government change its approach to Indigenous relationship to recognise self-determination as the focus of community governance and organisations, such as service provider organisations. These have a multi-generational record of Traditional Knowledge and expertise in serving the people.

11. One of the overarching findings of the *Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* confirmed that:

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[4] Office of the Prime Minister. (2019). 'Minister of Crown-Indigenous Relations Mandate Letter.' Retrieved from: https://pm.gc.ca/en/mandate-letters/minister-crown-indigenous-relations-mandate-letter

[5] Statistics Canada, *Census 2016 Results, Data Table: Aboriginal Identity (9), Dwelling Condition (4), Registered or Treaty Indian Status (3), Residence by Aboriginal Geography (10), Age (12) and Sex (3) for the Population in Private Households* (Catalogue number 98-400-X2016164).

[6] Statistics Canada, *Census 2016 Results, Data Table: Aboriginal Identity (9), Dwelling Condition (4), Registered or Treaty Indian Status (3), Residence by Aboriginal Geography (10), Age (12) and Sex (3) for the Population in Private Households* (Catalogue number 98-400-X2016164).

12. Indigenous governments or bands as established under the *Indian Act* or through local municipal governments do not have the full trust of Indigenous women, girls, and 2SLGBTQQIA people. Indigenous bands and councils and community leadership who have authority through colonial law are generally seen as not representing all of the interests of Indigenous women, girls, and 2SLGBTQQIA people.[7]

13. Continued failure to reach beyond government structure to build relationships with Indigenous communities betrays a willful disregard for the forms of community organisations Indigenous communities have chosen and created for themselves which have legitimacy for them.

14. As the government has stated its intent to move forward on UNDRIP legislation, urban Indigenous communities and organizations must be engaged as necessary co-development partners. The federal process of harmonizing laws with, and delineating responsibilities set out within the UNDRIP, will require a new approach to relationship-building with Indigenous people that includes urban Indigenous service delivery agencies that have decades of experience fulfilling the responsibilities declared within the UNDRIP.

Article 2: Realisation of economic, social and cultural rights

15. Please ask Canada what steps it intends to take to confront its failure to address the fundamental structural inequality that Indigenous people experience in Canada, with particular attention to Indigenous women, girls, and 2SLGBTQQIA+ individuals.

16. The *Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* found that poverty and other forms of social and economic marginalization compromise individuals' right to culture, health, and safety,[8] are used as justifications by child welfare agencies to apprehend children, and contribute to criminalization by police.[9] The Final Report notes that in developing anti-poverty strategies, the needs of Indigenous women, girls, and 2SLGBTQQIA people must be distinctly considered and addressed.[10] Canada should be asked how it intends to distinctly address the needs of Indigenous women, girls, and 2SLGBTQQIA people through the implementation of Canada's first Poverty Reduction Strategy.[11]

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[7] National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019). 'Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls: Volume 1b.' Canada. 175. Retrieved from: Retrieved from: https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf

[8] Ibid. 451.

[9] Ibid. 633.

[10] Ibid. 567.

[11] Government of Canada. (2018). 'Canada's first Poverty Reduction Strategy.' Retrieved from: https://www.canada.ca/en/employment-social-development/programs/poverty-reduction/reports/strategy.html

Article 3: Right to the enjoyment of human rights on the basis of equality

17. Please ask Canada to respond to progress made on supporting Indigenous people's right to self-determination through ensuring that Indigenous people have their economic, social, services, and infrastructure needs met on an equitable basis. The *Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* found that social and economic marginalisation create the conditions for violence against Indigenous women, girls and 2SLGBTQQIA people.[12] The Final Report's "Calls for Justice" outline that all levels of government must allocate resources for Indigenous-led, community-based solutions to improve social and economic security that uphold the human dignity, life, liberty and the security of Indigenous women, girls and 2SLGBTQQIA people.[13]

18. Canada should be asked to respond to its obligation to establish a National Action Plan, as called for in the *Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, to implement the "Calls for Justice" and devoted strategies to uphold Indigenous human rights.[14] Prioritisation, legislative amendments and appropriate resourcing of the measures required to safeguard Indigenous women, girls and 2SLGBTQQIA people from discrimination, sexism, homophobia, transphobia and racism is urgently required as a necessary step in reconciliation.[15]

Article 6 and Article 7: Right to work and right to just and favourable conditions of work

19. Canada should be asked to provide document on progress made on eliminating employment gaps between Indigenous and non-Indigenous people in Canada, as set out in the Truth and Reconciliation Commission's Call to Action #7.[16]

Article 9: Right to social security, including social insurance

20. Canada should be asked to establish a national adequacy threshold for provincial and territorial social assistance rates that is tied to the cost of living to ensure that individuals and families live with dignity in accordance with the right to social security.

21. In 1990 social assistance rates for an individual in Ontario were 70% of the minimum wage. Today, social assistance rates for an individual are 38% of the

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[12] National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019). 'Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls: Volume 1a.' Canada. 519. Retrieved from: Retrieved from: https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf

[13] Ibid. Volume 1b. 181-182. https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf

[14] Ibid. Volume 1b. 176. https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf

[15] Ibid. Volume 1b. 177. https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf

[16] Truth and Reconciliation Commission of Canada. (2015). 'Calls to Action.' Retrieved from: http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf

minimum wage.[17] The current social assistance system in Ontario was introduced in 1997, two years after the province cut benefit rates by 21.6% and narrowed qualification rules thereby affecting thousands of beneficiaries.[18] Inaction on social assistance reforms and a focus on administrative requirements and fraud monitoring has resulted in deep and cyclical levels of poverty. Social assistance recipients in Ontario currently live on incomes that are almost 50% below the poverty line and recipients of Ontario Disability Support Program benefits live on incomes that are 30% below.[19]

22. The prevalence of low incomes for Indigenous people in Ontario is 23.7 per cent, higher than the rate of 14.4 per cent for the non-Indigenous population.[20] While demographic statistics related to social assistance recipients have not been consistently tracked by the province, it is estimated that Indigenous people are disproportionately represented among those on social assistance.[21] Social assistance rates in Ontario are far below the poverty line and continue to decline,[22] resulting in deep and ingrained poverty affecting the basic livelihoods of individuals and a disproportionate number of children.

23. The *Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* found that the application of section 718.2(e) of the *Criminal Code* and the development of *Gladue* reports have not been consistent across jurisdictions, and have failed to ameliorate the rising number of incarcerated Indigenous women.[23] The Final Report's "Calls for Justice" delineate that the federal government must consider *Gladue* reports as a right, resource them appropriately and create national standards for the development of *Gladue* reports.[24] Please ask Canada how it intends to increase access to justice for Indigenous communities. Additionally, Canada should be asked to respond to the need for national *Gladue* standards and how it intends to ensure that the application and outcomes of *Gladue*

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[17] Government of Ontario. (2017). 'Income Security: A Roadmap for Change.' 125. Retrieved from: https://files.ontario.ca/income_security_-_a_roadmap_for_change-english-accessible_0.pdf

[18] Morrison, Ian. (1998). ' Ontario Works: A Preliminary Assessment.' *Journal of Law and Social Policy*. Vol. 13. 4. https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1075&context=jlsp

[19] Advocacy Centre for Tenants Ontario. (2018). 'Ontario's Social Assistance System.' Retrieved from: https://www.acto.ca/ontarios-social-assistance-system-100-days-to-fix-it-or-to-break-it/

[20] Statistics Canada, Cencus 2016 Results, *Data tables: 2016 Census; Aboriginal Identity (9), Individual Low-income Status (6), Low-income Indicators (4), Registered or Treaty Indian Status (3), Age (6) and Sex (3) for the Population in Private Households of Canada, Provinces and Territories, Census Metropolitan Areas and Census Agglomerations, 2016 Census - 25% Sample Data* (Catalogue no. 98-400-X2016173).

[21] Province of Ontario. (2018). 'From Social Assistance to Income Security.' Province of Ontario Website. Retrieved from: https://www.mcss.gov.on.ca/en/mcss/publications/social/sarac/social_security_sarac.aspx

[22] Health Canada. (2007). 'Canadian Community Health Survey, Cycle 2.2, Nutrition (2004): Income-Related Household Food Security in Canada.' Government of Canada. Retrieved from: https://www.canada.ca/en/health-canada/services/food-nutrition/food-nutrition-surveillance/health-nutrition-surveys/canadian-community-health-survey-cchs/canadian-community-health-survey-cycle-2-2-nutrition-2004-income-related-household-food-security-canada-health-canada-2007.html#fg33

[23] National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019). 'Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls: Volume 1a.' Canada. 719. Retrieved from: Retrieved from: https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf

[24] Ibid. Volume 1b. 185. https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf

principles meaningfully addresses the over-representation of incarcerated Indigenous people.

Article 10: Assistance to families and care for children

24. Canada should be asked how it plans to work with provinces and territories to eliminate systemic racism against Indigenous children and youth by investing in preventative, culture-based programs and services for children and families located in separate institutions from disruptive apprehension services. Systemic racism against urban Indigenous children, youth and families is a significant concern in the child welfare system in Ontario. The Ontario Human Rights Commission's report Interrupted Childhoods: Over-representation of Indigenous and Black children in Ontario child welfare confirms this. In 2011 there were 14,200 Indigenous children aged 14 and under who were foster children in Canada, accounting for 48 percent of all foster children in Canada.[25] The proportion of Indigenous children in foster care in Ontario under the age of 14 increased from 26 per cent to 30 per cent between 2011 and 2016.[26]

25. We believe efforts and resources are better placed much further upstream in order to make a real impact instead of taking remedial action later on in a child's life. It is important to disentangle child protection from other aspects of working with children, such as in preventative work, whether in the context of child welfare agencies or not. The experience of our member Friendship Centres is that community members will not seek assistance in agencies where there is a risk of child apprehension.

Article 11: Right to Food, clothing and housing

26. Please ask Canada to report on its actions and progress in addressing a growing food insecurity crisis, especially among Canada's urban Indigenous population.

27. According to the 2019 Hunger Reports by Food Banks Canada, there were over a million total food bank visits in March 2019.[27] In Canada, 12% or about 1 in 8 households experienced food insecurity in the previous 12 months.[28] The percentage of food bank clients receiving provincial social assistance as their main source of income support is 57.4%.[29] Canada's social safety net – the various income security programs and in-kind supports provided at federal, provincial and municipal levels – is failing at ensuring the provision of appropriate support, leaving many vulnerable to moderate to severe food insecurity.

[25] Statistics Canada, 2011 National Household Survey
[26] Statistics Canada, 2011 National Household Survey
[27] Food Banks Canada. (2019). Hunger Count 2019. Retrieved from: https://hungercount.foodbankscanada.ca/
[28] Tarasuk, V, Mitchell, A, Dachner, N. (2014). Household food insecurity in Canada, 2012.Toronto: Research to identify policy options to reduce food insecurity (PROOF). Retrieved from https://proof.utoronto.ca/
[29] Food Banks Canada. (2019). Hunger Count 2019. Retrieved from: https://hungercount.foodbankscanada.ca/

28. Indigenous people face exceptionally high rates of severe food insecurity nationwide[30], due to a legacy of state interventions to limit their socio-economic and cultural livelihoods. While food insecurity is a serious issue in Northern and remote Indigenous communities, Indigenous people living in urban areas are experience severe food security issues. In the 2018, 1 in 4 (26%) of Indigenous adults in Toronto reported that they and others in their household sometimes or often did not have enough to eat.[31] For Indigenous adults in Toronto living in a household with at least one child, 20% indicated they often did not have enough to eat.[32]

29. Canada should be asked how it intends to distinctly support and address the cultural rights to food of Indigenous people. Indigenous people's right to food has a cultural dimension which is relevant in terms of food choices, food preparation and acquisition.[33] Traditional foods and the activities to obtain them, such as hunting, fishing, gathering and agriculture, form an important part of the cultural identity of Indigenous people in Canada.

30. Results from the National Homelessness Point-in-Time counts indicate that Indigenous people are overrepresented in rates of homelessness across Canada. Indigenous people comprise, on average, 30% of the homeless population across 61 urban and rural communities,[34] while only accounting for 4.9% of the national population.[35] In many communities this figure is double or triple that amount.[36] Disproportionately high rates of Indigenous homelessness in major urban settings across the country are a result of the ongoing impacts of colonialism and chronic underinvestment in social and affordable housing for urban Indigenous people.

31. Indigenous youth, especially female Indigenous youth and 2SLGBTQ youth first enter homelessness at a younger age than non-Indigenous youth, well before "ageing out of care" (15.2 years and 15.12 years respectively).[37]

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[30] [30] Tarasuk, V, Mitchell, A, Dachner, N. (2014). Household food insecurity in Canada, 2012.Toronto: Research to identify policy options to reduce food insecurity (PROOF). Retrieved from https://proof.utoronto.ca/

[31] Xavier, C., O'Brien, K., Wolfe, S., Maddox, R., Laliberte, N., & Smylie, J. (2018). Nutrition & Food Security

[32] Xavier, C., O'Brien, K., Wolfe, S., Maddox, R., Laliberte, N., & Smylie, J. (2018). Nutrition & Food Security

[33] Food and Agriculture Organization of the United Nations. (2008). Brief: The Right to Food and Indigenous Peoples. Retrieved from: https://www.un.org/esa/socdev/unpfii/documents/Right_to_food.pdf

[34] Canada. (2018). Everyone Counts 2018: Highlights – Report. Ottawa, ON: Employment and Social Development Canada. Retrieved https://www.canada.ca/en/employment-social-development/programs/homelessness/reports/highlights-2018-point-in-time-count.html

[35] Statistics Canada. (2016). *Census 2016 Results, Data Table: Aboriginal Identity (9), Dwelling Condition (4), Registered or Treaty Indian Status (3), Residence by Aboriginal Geography (10), Age (12) and Sex (3) for the Population in Private Households* (Catalogue number 98-400-X2016164).

[36] 90% Kenora District (Kenora District Services Board, 2018); 66% Thunder Bay (Lakehead Social Planning Council, 2016); 68% Timmins (Kauppi, Carol, 2015); 65.9% Winnipeg (Social Planning Council of Winnipeg, 2018).

[37] Kidd SA, et al., A national study of Indigenous youth homelessness in Canada, Public Health (2018), https://doi.org/10.1016/j.puhe.2018.06.012

32. Indigenous people are more than twice as likely (18 per cent) to experience hidden homelessness than non-Indigenous people (8 per cent) in Canada.[38]

33. The National Inquiry into Missing and Murdered Indigenous Women and Girls found that economic marginalization and exclusion, including the lack of adequate housing, featured prominently as a root cause of violence.[39] As such, seven of the *Calls to Justice* from the National Inquiry into Missing and Murdered Indigenous Women and Girls called for improved access to housing and shelter services – with specific interventions required for youth and 2SLGBTQ persons.

34. Canada has failed to provide equitable funding and treatment to urban Indigenous people, communities, and organizations in a discriminatory manner with respect to housing and homelessness services, contrary to the principles of S. 15 of the Canadian Charter of Rights and Freedoms and the UNDRIP.[40]

35. Please ask Canada what steps it will take to prioritize urban Indigenous housing and homelessness in the federal government's implementation of the National Housing Strategy and Reaching Home as a matter of human rights and consistent with the UNDRIP.

36. Please ask Canada to respond to and take action on the following demands put forward by an ad-hoc coalition of Indigenous housing and service providers on December 11, 2019, of which the OFIFC was part:

    37. As the tenth largest economy in the world, recognise that urban, rural and northern Indigenous housing and homelessness conditions are egregious and unacceptable and that these must be addressed on an urgent and priority basis, consistent with international human rights law;

    38. Recognise the right to an adequately resourced National Urban and Rural Indigenous Housing Strategy developed and implemented by urban, rural and northern housing and service providers;

    39. Recognise urban, rural and northern housing and service providers as expressions of Indigenous self-determination, as recognised by the Federal Court of Appeal in *Ardoch Algonquin First Nation* (Misquadis) and as per articles 4, 21 and 23 of the United Nations Declaration on the Rights of Indigenous Peoples;

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[38] Statistics Canada. (November 16, 2016). *Hidden Homelessness in Canada.* Statistics Canada: Ottawa, ON. Accessed: https://www150.statcan.gc.ca/n1/pub/75-006-x/2016001/article/14678-eng.htm

[39] The Final Report for the National Inquiry into Missing and Murdered Indigenous Women. (2019). Volume 1a. (439-445) Accessed: https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a.pdf

[40] Ad-Hoc Coalition of Urban Indigenous Housing and Homelessness Service Providers. (2019). Statement on National Urban Indigenous Housing Strategy. Retrieved: https://www.ontarioaboriginalhousing.ca/news/statement-on-national-urban-indigenous-housing-strategy

40. Create new legislation, mirroring the rights and accountability framework articulated in the NHSA, which recognises culturally relevant housing as a human right for Indigenous people in urban, rural and northern areas; and,

41. Domesticate and implement the UNDRIP in Canadian law.

42. Please ask Canada to elevate Canadian federal policy to the level of international human rights standards by recognizing Indigenous people's right to housing as enshrined in, and indivisible from the UNDRIP and the ICESCR.

Article 12: Right to highest attainable standard of physical and mental health

43. Please ask Canada how it is directly responding to TRC Call to Action 20 which calls on the federal government "to recognize, respect, and address the distinct health needs of the Métis, Inuit, and off-reserve Aboriginal peoples."[41] In particular, distinct efforts to support the highest attainable standard of physical and mental health for urban Indigenous people and communities should be detailed by the state.

44. Canada and its provinces are failing to uphold and respect human rights to health through its inconsistent and unregulated manner of services delivered through a patchwork of program delivery, rather than the provision of essential services grounded in rights. The division of responsibility between a federal responsibility for First Nations and Inuit people and a provincial responsibility for the delivery of health care has resulted in massive inequality in urban Indigenous health outcomes and access to quality health care when compared to the non-Indigenous Canadian population. The Canadian federal approach to Indigenous health is both leaving urban Indigenous people out of national health policies and failing to deliver equitable care to on-reserve First Nations people and Inuit.

45. Please ask about Canada's progress and supportive policies on the application of Jordan's Principle to Inuit, Métis, non-Status people and urban Indigenous people.

46. Please ask Canada how it is addressing Indigenous women, girls and 2SLGBTQ people's health care needs when First Nations and Inuit Health Branch works through established leadership structures, such as the Assembly of First Nations, as well as elected chiefs in different communities, to determine priorities.[42] The Final Report by the National Inquiry into Missing and Murdered Indigenous women

[41] Truth and Reconciliation Commission of Canada. (2015). 'Calls to Action.' Retrieved from: http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf

[42] National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019). 'Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls: Volume 1a.' Canada. 420.

and Girls noted that for some women, testifying from a grassroots perspective, this approach is tantamount to complete exclusion.[43] The Final Report goes on to note that "Indigenous governments or bands as established under the *Indian Act* or through local municipal governments do not have the full trust of Indigenous women, girls, and 2SLGBTQQIA people. Indigenous bands and councils and community leaders who have authority through colonial law are generally not seen as representing all of the interests of Indigenous women, girls, and 2SLGBTQQIA people".[44]

Article 13: Right to education

47. Please ask Canada to commit that all urban Indigenous people have access to quality, culture-based child care and early learning programming and that all Indigenous child care and early learning planning, programming and policy development are led by urban Indigenous communities and organisations.

48. *Bill C-91, An Act respecting Indigenous languages* recognizes that the rights of Indigenous people protected by the *Constitution Act, 1982,* include Indigenous language rights. Please ask Canada to take all necessary actions to uphold Indigenous rights to Indigenous language(s).

49. Please ask Canada that all Indigenous people living in cities and towns have access to quality, community-based Indigenous language programming and to commit to working with urban Indigenous organisations, like Friendship Centres, to meet the language needs and rights of urban Indigenous communities.

50. Please ask Canada, through the Council of Ministers of Education, Canada (CMEC), how it will work with provincial members to commit that:

    51. All Indigenous people have access to Indigenous knowledge and learning systems;

    52. All Indigenous knowledge and learning systems be respected and funded alongside the public school system;

    53. Indigenous knowledge holders be respected and recognized, in a manner consistent with local protocols, as teachers alongside, and equal to, public school teachers;

    54. All CMEC members establish anti-colonial relationships with Indigenous nations, community organisations, and community members; and

[43] Ibid.

[44] National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019). 'Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls: Volume 1b.' Canada. 175

55. All CMEC members establish anti-colonial curricula led by Indigenous communities.

Article 15: Right to take part in cultural life

56. Canada should be asked how it plans to reinvest revenues from the federal carbon tax program into urban Indigenous communities and organisations like Friendship Centres, recognizing that the majority of Indigenous people in Canada live and practice their cultures in urban and rural areas.

57. In addition to federal inaction on urban Indigenous issues, climate change is having an indelible mark on urban Indigenous communities. Indigenous people face unique exposures and sensitivities to climate change, particularly due to their cultural and societal relationships with and dependence on land, water and natural resources.[45] Many climate-related health outcomes are shaped by access to traditional foods and climate change is expected to constrain food access with implications for nutrition and cultural wellbeing.[46] On the same level, access to traditional medicines and traditional health systems can expect to be effected by changing environment. Indigenous people also experience mental health issues and trauma as lands, waters, and natural resources that have shaped Indigenous societies are eroded or altered and people are displaced. These devastating effects are being felt in urban Indigenous communities and will have an impact on Indigenous people's ability to take part in cultural practices, traditions, and ceremonies.

Conclusion

58. The year 2020 marks the half-way point of the decade of progress set out by the Truth and Reconciliation Commission of Canada's (TRC) 92 Calls to Action that were designed to be measured over the course of ten years. Canada has not been transparent or accountable to Indigenous people on its progress on several key TRC priorities that correspond to the Articles of the ICESCR. The OFIFC requests that the Committee highlights the urgency of action required from Canada and asks the specific questions above of Canada to drive real progress on the state's international and domestic responsibilities to Indigenous communities.

[45] Ford, James D. "Indigenous health and climate change." *American journal of public health* vol. 102,7 (2012): 1260-6. doi:10.2105/AJPH.2012.300752

[46] Ford, James D. "Indigenous health and climate change." *American journal of public health* vol. 102,7 (2012): 1260-6. doi:10.2105/AJPH.2012.300752