



OFIFC

Ontario Federation of
Indigenous Friendship Centres

[Ontario Federation of Indigenous Friendship Centres - OFIFC](https://www.ofifc.org)

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Submission to United Nations Human Rights Council
Universal Periodic Review

Fourth Cycle Review of Canada

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Preamble:

1. Founded in 1971, the Ontario Federation of Indigenous Friendship Centres (OFIFC) was formed to represent the interests of member Indigenous Friendship Centres across Ontario. Emerging from a nation-wide, grassroots movement dating back to the 1950s, Indigenous Friendship Centres are the expression of Indigenous culture and leadership in cities and towns in Canada.
2. Indigenous Friendship Centres give urban Indigenous people the opportunity to exercise self-determination in choosing where and how to access services, regardless of government-assigned identification or status. In so doing, Friendship Centres play a critical role in concretising fundamental human and Indigenous rights for Indigenous people by creating the opportunity to exercise them, underlining the tie between the work and role of Friendship Centres and the international rights frameworks relevant to Indigenous peoples across the globe. Friendship Centres are community infrastructure purpose-built to meet the needs of Indigenous people living in cities and towns – where the majority of Indigenous people live today.
3. In Ontario, the province with the highest number of Indigenous people in Canada, 88 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 of Ontario 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.
4. The OFIFC is pleased to present our submission for the fourth cycle of Canada's Universal Periodic Review (UPR) by the United Nations' Human Rights Council. This submission will provide insight into the implementation status of recommendations received by Canada during the third cycle of review in 2018 as they pertain to and affect Friendship Centres in Ontario, as well as provide an update on Canada's implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP).

Context: Indigenous Rights Regardless of Residence:

¹ Statistics Canada. 2021 Census of Population. [Table 98-10-0264-01 Indigenous identity by Registered or Treaty Indian status and residence by Indigenous geography: Canada, provinces and territories](#)

5. In Canada an unrelenting barrier to making progress on Indigenous human rights advancements is the lack of federal leadership on urban Indigenous priorities. A key recommendation in this regard is for Canada to address the fundamental absence of an urban Indigenous strategy at the federal level. Given the multiple, intersecting crises experienced disproportionately by Indigenous people – including the housing, opioid, and mental health crises – there is a critical need for Canada to address this policy void.
6. The issue is systemic as Canada continues to craft Indigenous programs and policy frameworks through a politicized approach that excludes Indigenous-led organizations working in urban areas like Friendship Centres. The result has been stalled progress in realizing human rights for Indigenous people, where the majority of Indigenous people live and work across Canada: in cities and towns. Furthermore, a lack of federal leadership has led to significant fallout at provincial and municipal jurisdictional intersections, where commitments are inconsistent and the lack strategic direction limits the capacity of urban Indigenous communities to fully exercise their rights.
7. Across Ontario, the Friendship Centres are inadequately resourced, which hinders their potential. Under current funding models, Friendship Centres' capacity is severely limited and this impedes opportunities to improve conditions and take part in decision-making processes that Friendship Centres are invited to take on both at the community-level and regionally.

Status of Third Cycle Recommendations:

Economic, Social, and Cultural Rights:

8. Programs and services offered by Friendship Centres support urban Indigenous people to be connected to opportunities to pursue and achieve their life goals and exercise their economic, social, and cultural rights. A decolonial approach to addressing systemic barriers to these rights, including to education, training, and employment, by Canada, must envision Indigenous communities as key partners in actively delivering needed culture-based programs and services in communities to improve community members' quality of life.
9. In Ontario, the prevalence of low incomes for Indigenous people is 23.7 percent compared to 14.4 percent of the non-Indigenous population.² The persistent

² Statistics Canada, Census 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).

overrepresentation of Indigenous people in colonial institutions including child welfare, social assistance, and both the youth and adult justice systems is a by-product of intergenerational trauma and cyclical poverty that remains entrenched.

10. Canada has accepted recommendations to improve social assistance so that marginalized communities may have access to an equitable quality of services as their non-marginalized counterparts. In Ontario, social assistance rates have remained abysmally low and a broken system denies individuals the basic necessities to live lives with dignity.³
11. **Recommendation:** Canada fundamentally restructure the patchwork of failed social assistance schemes across the country. The introduction of a universal guaranteed basic income across Canada remains a critical Call for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG)⁴ that the OFIFC recommends as a federal priority to address deeply entrenched socio-economic barriers to safety, wellbeing, and community connection. Through living wage and decent work legislation, coupled with universal basic income, Indigenous families, seniors, and young people can be lifted out of poverty and supported to be connected to community.
12. The precarious nature of equitable social services for urban Indigenous communities is due, in large part, to the discontinuation of Canada's evergreen core funding agreement that ensured core and operational funding for Friendship Centres. The MMIWG National Inquiry's Final Report found that funding that is insufficient, short-term or time-limited, represents a violation of inherent rights to self-governance.³ The failure to provide funding equitably, substantively, and stably harms our communities. A December 2020 Parliamentary background paper on services for Indigenous people living in urban areas identified large service gaps, jurisdictional disputes, and chronic underfunding as persistent issues affecting Indigenous communities.⁵
13. Canada's 2021 MMIWG2SLGBTQAAI+ National Action Plan (NAP) identified that addressing systemic racism and injustices towards Indigenous people require recognition of the realities of urban Indigenous people. The NAP encourages "all governments and organizations to find ways to address local community-based

³ 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.' 125. Retrieved from: https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf

⁴ See Call For Justice 4.5. National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019). 'Calls for Justice.' 11. Retrieved from: <https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls-Web-Version-EN.docx>

⁵ Collier, Brittany. (December 2020). 'Services for Indigenous People Living in Urban Areas.' Library of Parliament, Ottawa. No. 2020-66-E. Retrieved from: <https://lop.parl.ca/staticfiles/PublicWebsite/Home/ResearchPublications/BackgroundPapers/PDF/2020-66-e.pdf>

solutions, and at the same time, work toward high-level, common outcomes”.⁶ For urban Indigenous communities, this means renewing the commitment to evergreen core funding for Friendship Centres.

14. **Recommendation:** Canada address what the MMIWG Urban Action Plan identified as an immediate priority to ensure the provision of “sustainable and long-term/evergreen core funding for urban Indigenous organizations and programs relevant to the safety of Indigenous women, girls, and 2SLGBTQQIA+ people”.⁴

Civil and Political Rights:

15. Canada accepted recommendations related to the administration of justice, specifically pertaining to the need to reduce overcrowding in detention centres. During pre-engagement sessions as part of the OFIFC’s participation in the development of the federal Indigenous Justice Strategy, we heard firsthand from Friendship Centre communities that this issue persists in provincial corrections.
16. Indigenous people are overrepresented at every stage of the criminal justice system⁷ and it is critical that Canada recognize causal factors that are complex, rooted in intergenerational trauma and persistent neo-colonial policies that work to sustain cycles of institutionalization. Pragmatic solutions must be committed to, legislated and led with Indigenous communities.
17. Correctional facilities in Ontario are experiencing overcrowding of up to 50% over the capacity of a given facility, which is resulting in deteriorating mental health for many, as those in custody do not have access to adequate mental health supports. We have also heard through these engagement sessions that mental health supports within institutions are low and do not adequately address Indigenous people’s cultural needs.
18. Though Canada is currently working to address overrepresentation of Indigenous people in the criminal justice system through the federal Indigenous Justice Strategy, little has been done since 2018 to enhance Indigenous-led, community based strategies to address overrepresentation. Funding strategies to develop Justice Centre pilots in Ontario, Manitoba, and British Columbia have done very little to help address overrepresentation and have rather focused funds on

⁶ Urban Sub-Working Group. *Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ National Action Plan: Urban Pathway to Reclaiming Power and Place, Regardless of Residency*. May 2021. Retrieved from: https://4c3tru4erdnui9g3ggftji1d-wpengine.netdna-ssl.com/wp-content/uploads/2021/06/NAP-Urban-Framework_EN.pdf

⁷ Office of the Correctional Investigator. *Annual Report 2021-2022*, pg. 96. June 2022. Retrieved from: <https://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20212022-eng.pdf>

government-driven approaches that duplicate Indigenous efforts in those same regions.

19. **Recommendation:** Canada must commit adequate and sustainable investments toward Indigenous-led community-based service providers who offer culturally-relevant mental health and wellness supports to Indigenous people who are incarcerated and to youth who are in custody in youth detention facilities.

Rights of Specific Persons or Groups:

20. In the third cycle of Canada's UPR review, the state also accepted several recommendations pertaining to the rights of Indigenous peoples. Many of these dealt with addressing the gaps in the promotion and protection of Indigenous rights, which includes the development of an action plan to implement the TRC Calls to Action in conjunction with Indigenous peoples.
21. Eight years since the TRC released its 94 Calls to Action, the federal government has only just begun to measure their progress on achieving the actions, many of which are to be measured within the decade. Bill C-29, *An Act to provide for the establishment of a national council for reconciliation*, which is at the time of this submission is before the Senate, seeks to advance reconciliation with Indigenous peoples by developing and implementing a national action plan and monitoring the progress being made.
22. Bill C-29 plans to appoint a board of nine to thirteen directors who will carry out this work. The Bill has identified national Indigenous organizations who will nominate directors to this council, but the OFIFC has great concern with the fact that the Bill focuses on an exclusively political approach to Indigenous representation, excluding organizations that serve the needs of urban Indigenous people as outlined by the TRC. Without urban and northern Indigenous representation, the vast service delivery and leadership expertise of Indigenous organizations working for decades in these spaces is ignored by Canada.

Implementation of the *United Nations Declaration on the Rights of Indigenous Peoples*:

23. Long before the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) recognized, affirmed, and articulated Indigenous rights in the international arena, Indigenous peoples have acted upon our responsibilities to care for all our relations. Friendship Centres are born of the action-oriented response to caring for all our relations and exercising our responsibilities. In other

words, Friendship Centres embody the spirit of the UNDRIP in action.⁸ Friendship Centres require greater reciprocal commitments from Canada in order to effect lasting change in communities.

24. The OFIFC is working to inform federal UNDRIP implementation and Friendship Centres have had serious concerns with the way Canada has approached the process. 'Phase I' of the federal engagement process has not met the OFIFC's expectations of meaningful engagement on Indigenous priorities.⁹ 'Phase II' of the engagement has been rushed, with a federal Draft Action Plan on the implementation of Canada's UNDRIP Act (UNDA) released before all input from Indigenous communities is received federally. The process thus far has not only been contrary to the spirit of the declaration, but it has actively denied Indigenous communities' rights to self-determination as articulated through the UNDRIP.

25. During Friendship Centre engagements on the federal UNDA Action Plan, Friendship Centres identified that access to Indigenous-led education, access to permanently affordable, culture-based housing and health services, and access to culture are key priorities. Additionally, it was recommended that there should be a focus on the portability of rights, meaning that Indigenous people ought to be able to exercise their rights regardless of where they are – on-reserve or in an urban centre. Friendship Centres also expressed that UNDRIP should be considered a minimum standard for rights, and that self-determination in Canada must go beyond the limits of legislation or declarations. Friendship Centres expressed that Canada's UNDA Action Plan must acknowledge the inadequacy of Canada's present-day health services, housing, and other social services in urban areas, the desire for Indigenous communities to develop their own Indigenous-led services, and address the devastating legacy of institutionalization on urban Indigenous families with a key focus on the ongoing negative impacts of the child welfare system.

26. Community members expressed that a federal UNDA Action Plan must be continuously monitored and that evaluation mechanisms must be developed by Indigenous communities. The federal government must also move away from a politicized, three-streams approach (ie. First Nations, Métis, Inuit) when implementing UNDRIP as it is exclusionary and creates barriers to exercising indigenous and human rights for Indigenous communities and people that fall outside of these narrow political distinctions, not to mention the disservice the paradigm prescribes to the diversity of intersectional voices in Indigenous

⁸ Ontario Federation of Indigenous Friendship Centres. *Position on the United Nations Declaration on the Rights of Indigenous Peoples*. February 2022. Available in Appendix I.

⁹ Ontario Federation of Indigenous Friendship Centres. *Preliminary Response to the Federal Government's development of a Draft Action Plan re: the Implementation of the United Nations Declaration on the Rights of Indigenous Peoples*. September 2022. Available in Appendix I.

communities across Canada. Canada's commitment to using a distinctions-based or three-streams approach to the implementation of the UNDA undermines the presence of urban Indigenous peoples across Canada and is contrary to the spirit of self-determination which UNDRIP itself seeks to uphold.

27. In the federal government's 'What we Learned to Date' report detailing the implementation of UNDRIP in Canada, there is a reflection of the needs articulated by urban Indigenous communities. It is noted, however, that not all priorities will be reflected in the final federal Action Plan.¹⁰ Attempts on the part of government to edit Indigenous peoples' input invalidate the entire process of working toward implementing UNDRIP and the principles of self-determination.
28. In order for the federal UNDA Action Plan to best represent the perspectives of urban Indigenous peoples, Friendship Centres identified that the Action Plan must outline progress toward eliminating racism, stereotyping, inequity, violence, and injustice against urban Indigenous peoples, and how UNDRIP will apply to all Indigenous peoples, regardless of residency.
29. In March 2023, the federal government released their Draft Action Plan on the implementation of the *United Nations Declaration on Indigenous Peoples Act* (UNDA). Under the section on "shared priorities", the government brings a commitment to "continue to support Friendship Centres and other Urban Indigenous organizations and coalitions in their work to identify and address local needs and priorities of urban/off reserve Indigenous peoples in a manner that is safe, secure, accessible, and culturally relevant."¹¹
30. While this is a welcome inclusion, the OFIFC believes it falls short of reflecting our recommendations. It neither accurately portrays the substantial role of Friendship Centres, nor the significant commitments required on the part of the federal government to uphold UNDRIP in cities and towns. We have made this position clear with the Department of Justice and continue to.
31. **Recommendation:** The OFIFC expects that urban Indigenous communities' call for a distinct federal urban Indigenous strategy and strengthened processes for relationship-building with urban Indigenous partners is included in Canada's final UNDRIP Action Plan.

¹⁰ Department of Justice. *What we learned to date report on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples Act*. "Chapter 1: Shared Priorities". Page 5. March 2023. Retrieved from: https://www.justice.gc.ca/eng/declaration/wwl-cna/ccp-pcc/pdf/UNDA_WWLR_ENG_FINAL.pdf

¹¹ Department of Justice. *Draft UNDA Action Plan*. "Chapter 1: Shared Priorities". Page 11, Section 59. March 2023. Retrieved from: https://www.justice.gc.ca/eng/declaration/ap-pa/ah/pdf/UNDA_Draft_Action_Plan.pdf

Appendix I:

OFIFC Labour Force and Training Strategic Framework (2020)

Urban Indigenous Partners Social Assistance Recovery and Renewal Engagement Report (2021)

OFIFC Indigenous Friendship Centre Program Proposal (2021)

OFIFC Position on the *United Nations Declaration on the Rights of Indigenous Peoples* (2022)

OFIFC Preliminary Response to the Federal Government's development of a Draft Action Plan re: the Implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* (2022)

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