

## TOOL

# Important Guidelines, Commissions and Reports



The history of relationships between the Canadian state and settler institutions with First Nations, Métis and Inuit in Canada has been fraught with tension, often disempowering and alienating for Indigenous peoples. Municipalities and organizations are encouraged learn and comply with established Indigenous protocols and guidelines in the development and execution of their programming, outreach and partnership building processes, particularly as they relate to Indigenous partners and content. It is vital for settler institutions to recognize the importance of their commitment to building reconciliation and righting relationships with Indigenous communities, and aim to align their policies, procedures and activities with the appropriate Indigenous guidelines and protocols across local, regional and national programs.

The following protocols are key to informing and guiding engagement with Indigenous communities and practitioners:

- [Truth and Reconciliation Commission \(TRC\) Calls to Action](#)

Established on June 1, 2008, the goals of the Truth and Reconciliation Commission included documenting and promoting the extent and impact of residential school experiences; providing a safe setting for former students to share their stories; and producing a report to the federal government on the legacy of the residential school system. The Commission defines reconciliation as, “an ongoing process of establishing and maintaining respectful relationships. A critical part of this process involves repairing damaged trust by making apologies, providing individual and collective reparations, and following through with concrete actions that demonstrate real societal change” (page 16). This work by Justice Murray Sinclair, from the Cree Nation led to 5 volumes of reports and 94 Calls to Action. The Calls to Action outline recommended systemic and relational changes for implementation by each sector of the public service: education, child welfare, health care, language, culture, governance, and land stewardship – vital facets of the lives of First Nations, Inuit and Métis peoples.

- [United Nations Declaration on the Rights of Indigenous Peoples \(UNDRIP\)](#)

When UNDRIP was first adopted by the UN General Assembly in 2007, Canada was one of only four nations to hold opposing votes (alongside United States, Australia and New Zealand).

In 2010, the Canadian government endorsed UNDRIP describing it as an “aspirational document,” but have never ratified or tangibly applied the principles. In 2016, the Canadian government then announced removal of its permanent objector status to UNDRIP, committing to “fully adopting this and working to implement it within the laws of Canada, which is our charter.” Bill-262 is an Act that is in process to ensure that the laws of Canada are in harmony with the UNDRIP.

- **Right of Indigenous communities to Own, Control, Access, and Possess (OCAP®) information about their peoples**

The First Nation principles of OCAP (Ownership, Control, Access and Possession) were initially coined as ‘OCA’ in 1998 as a framework for asserting self-governance over information related to research at a First Nations Regional Longitudinal Health Survey (RHS) Committee meeting in an attempt to translate the First Nations inherent ways of knowing about information into something that could be easily described and interpreted to the research community. Possession of data was later identified to be of vital importance as it has proved nearly impossible to exert ownership, control and access over data when it is in the possession of governments and academia. The current legislative and policy environments generally do not respect First Nations as self-governing jurisdictions with collective rights over community information.

The original research focus of OCAP was to provide a framework related to data ownership, collection, analysis and dissemination for the RHS, as well as to provide a political response to counteract the harm done to First Nations by research that failed to respect the importance of understanding the First Nations way of knowing while

treating First Nations as specimens rather than people with specific human rights. The First Nations principles of OCAP, with respect to research, provided a foundation for taking control over these activities.

- **Report of the Royal Commission on Aboriginal Peoples**

The Royal Commission on Aboriginal Peoples (RCAP) was established shortly after the Oka Crisis, a 78-day armed standoff between the Mohawk community of Kanesatake, the Sûreté du Québec, and the Canadian army. In light of state-sanctioned acts of genocide and historical and structural injustice embedded within historical and contemporary relations between settler governments and societies and Indigenous peoples, the commission was meant to “help restore justice to the relationship between aboriginal and non-aboriginal people in Canada, and to propose practical solutions to stubborn problems.”

RCAP released its final report in 1996, outlining a 20-year agenda for implementing systemic and substantive changes to improve all aspects of Indigenous peoples’ lives including self-governance, treaties, health, housing, northern priorities, economic development, and education. The report includes 440 recommendations, focusing on reconciling the structural and systemic barriers and gaps facing many Indigenous rural and urban communities, as well as calling for a major shift toward more respectful, equitable and intentional nation-to-nation relationships.

- **Cultural Safety (humility, awareness, sensitivity and competence)**

**Cultural safety** is an immense step in the reconciliation of and righting relationships with Indigenous communities. The goal of cultural safety is for Indigenous people to feel respected and safe when they interact with systems, institutions and projects that are free of anti-Indigenous racism and discrimination. Cultural safety considers how colonial, socioeconomic, political and regulatory contexts shape a person's experiences, and ask us to look reflexively at our own beliefs, practices, histories and biases – examining how these factors might affect Indigenous peoples and other racialized communities. It is an outcome based on respectful engagement with and recognition of Indigenous people's experiences, perspectives, priorities and wellbeing, and encompasses the following action-oriented values of cultural humility, sensitivity, awareness and competence:

**Cultural humility** is a lifelong journey of self-reflection and learning that involves listening without judgement and being open to learning from and about Indigenous peoples. It involves learning about one's own culture and biases. It is an overarching principle that is threaded through one's learning and acts as the process by which change can occur.

**Cultural sensitivity** grows when one starts to see the influences of their own culture and acknowledge that they have biases. This can be an eye-opening experience, and it may take courage and humility to walk this path. Cultural sensitivity is NOT about treating everyone the same. With cultural awareness and sensitivity comes a responsibility to act respectfully.

**Cultural awareness** is about recognizing that differences and similarities exist between cultures. Learning about the histories that impact Indigenous peoples in Canada is an important part of developing cultural awareness.

**Cultural competence** requires developing knowledge, skills and attitudes for working effectively and respectfully with diverse and different peoples. It's about reducing the number of assumptions we make about people based on our biases. Cultural competence does not require us to become experts in cultures different from our own.



*Credit: Tsilhqot'in Nation v. British Columbia. On 26 June 2014, the Supreme Court of Canada issued an unprecedented decision granting the first declaration of Aboriginal title in Canadian history. (courtesy Thompson Rivers University)*