



Centre for Indigenous Policy and Research

**The Implementation of UNDRIP in Canada:
An Indigenous Youth Perspective**
Starting With People Not Policy



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About Us

In the 2019 federal budget, the Government of Canada named CRE as a leading Indigenous Youth organization to take up TRC Call to Action 66¹ for reconciliation and committed federal funding of \$15.2 million over three years (2019/2020 - 2022/2023). CRE is a national Indigenous charity founded by university students, and over the past decade, we have convened tens of thousands of Indigenous and non-Indigenous youth for dialogue, understanding, and relationship building. Our mission is to empower young people to be changemakers in their community and work towards achieving truth, reconciliation and justice in their lifetime. Recognizing that a vision of a reconciled Canada is only possible through collective action and impact, CRE contributes to this goal through programming centered on capacity-building; thought leadership; self-determination and well-being.

Executive Summary

On October 1, 2020, Canadian Roots Exchange (CRE) was approached by the office of the Honourable David Lametti, Minister of Justice and Attorney General of Canada to participate in a virtual engagement session to discuss priorities for Indigenous youth as Canada introduces draft legislation to implement of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Held on November 5, 2020, the session was attended by over 70 youth from AFN, ITK, MNC, CRE and a number of law schools. This session was an important first step in involving Indigenous youth in the implementation of UNDRIP, a process that will impact many facets of their life.

Following this initial session, CRE wanted to ensure that the youth we brought to the conversation had an opportunity to further express their thoughts and perspectives. As a result, CRE hosted a second virtual engagement with Indigenous youth on Thursday, November 12th from 4:30 PM - 6:30 PM (EST). This smaller session was structured to allow for more time for discussion on UNDRIP implementation in Canada. Centering Indigenous knowledge and ways of doing, this session included an Elder, Grandma Isabelle Meawasige of Serpent River First Nation, as well as 13 youth, each of whom were either staff, graduates from CRE's Indigenous Youth Policy School, recipients of the CREation grant, and/or researchers who received small grants through our Indigenous Youth Research Grants program. Both Grandma Isabelle and each youth were provided ongoing opportunities to share their insights and perspectives through the chat, in person conversations, and a number of polls.

The youth at the engagement were clear: implementing UNDRIP as Canada's framework for reconciliation now and into the future will not reflect their or their communities' needs and values unless it is done in a good way. This means a substantive, accessible, meaningful, and

¹ CRE & Call to Action 66—Indigenous Youth and Reconciliation:

- Support the establishment of a distinctions-based national network of Indigenous youth;
- Help ensure that Government of Canada policies and programs are informed by the diverse voices of Indigenous youth; and
- Provide support to community events and gatherings for Indigenous youth and reconciliation-focused community-based Indigenous youth activities.



continuous engagement; for communities to be empowered to implement the Declaration in their own way; and clear milestones and progress updates that are identified by the communities directly impacted by UNDRIP. Indigenous people, including youth, take a risk when agreeing to engage with the Government of Canada; they risk having their words misrepresented, and they risk being ignored. Taking the time to engage in a substantive way will help Indigenous youth and their communities feel respected in the process.

Canada's commitment to *recognizing, respecting, protecting, and fulfilling the rights of Indigenous peoples* must be accompanied by measurable outcomes and milestones decided upon and led by those peoples. That the implementation of UNDRIP needs to be Indigenous-led is just one way in which this process must be decolonized. A decolonized approach means it is distinctions-based, accessible, intergenerational, and community-centered.

Cognizant of the history of the Government of Canada in meeting its obligations to Indigenous peoples, much of the discussion was focused on what steps the Government needs to take in order for Indigenous youth to believe in the idea of implementing UNDRIP and trust that the Government's intentions in this matter are honourable and attainable. From this discussion, three main themes arose:

1. **Meaningful Engagement:** Including taking the time to engage thoughtfully and carefully; communicating information in an accessible way that also reflects Indigenous ways of knowing; applying an intersectional and GBA+ lens throughout engagement; and not tokenizing youth.
2. **Decolonizing UNDRIP's Implementation:** Including distinctions based, community-led implementation; consideration of the specific implications of UNDRIP on an individual, community and legal level; and educating the non-Indigenous public about Indigenous rights and the importance of supporting this implementation process.
3. **Measuring Progress & Looking Beyond UNDRIP:** Including rigorous accountability measures and action plans with clear outcomes that are defined by Indigenous communities.



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Meaningful Engagement

In describing what meaningful engagement means to them, there was widespread consensus among the group that there is a long way to go to ensure that these opportunities provide ample time and space to share their diverse perspectives and in order for them to feel respected and reflected in the process. Working with Indigenous youth to determine how to approach meaningful and reciprocal engagement is the first step to ensure that they feel seen in these important sessions. Feedback provided by the group indicated that, at a minimum, meaningful engagement with Indigenous youth needs to:

- Allow adequate time for youth to prepare to answer in-depth questions about the nuances of the policy or legislation in question. In this context, legislating UNDRIP will impact not only this generation but the ones to come, and the engagement process needs to take that into account;
- Ensure that any materials presented for feedback are written in plain-language, allowing for youth of all backgrounds to feel confident in sharing their perspectives;
- Include specific discussion questions that are cognizant of Indigenous realities and worldviews;
- Ensure facilitators leading discussions about Indigenous youth are youths themselves;
- Ensure facilitators are prepared to have a complex dialogue with the youth and allow for time after engagement sessions to provide additional input in a structured manner.

Lastly, applying a GBA+ and intersectional lens that accounts for the distinct experiences from community to community, and between reserve and off-reserve, urban and rural, and remote and northern contexts is crucial at every stage of engagement and implementation.

Decolonizing UNDRIP's Implementation

The most direct, efficient, and effective way to decolonize the implementation of UNDRIP and ensure Indigenous communities are invested in its success as a reconciliation framework is to empower those communities to lead the process at every stage, including in interpreting the document itself.

While most of the group expressed feeling hopeful about the implementation of UNDRIP in general, nearly all participants expressed feeling skeptical or distrusting that it would be done in a meaningful way (as outlined above). Participants agreed that UNDRIP should be rolled out differently depending on the needs of communities, over time, and not in silos defined by the Government of Canada.

In addressing the specificities of how UNDRIP could impact their individual communities, youth agreed that the particular community impact will depend entirely on how the roll-out is done. Some youth had questions about how UNDRIP will impact existing resource-sharing agreements, and more generally how and whether the concept of free, prior, and informed consent will be respected and enforced by the Government and by resource extraction industries. One youth with roots in the North expressed hope that UNDRIP will further bolster



existing frameworks in and around their community, especially in regards to hunting, fishing, and education autonomy.

The Youth we spoke to agreed that discussing reconciliation necessitates a discussion of tangible actions related to decolonization and fighting white supremacy, in order to ensure the implementation works to solve issues; and not perpetuate them. Relatedly, land sovereignty/justice also needs to be a key component of this discussion. One participant suggested that Indigenous land control and sovereignty is its own matter that should not be grouped in with conversations about self-government and self-determination. This aims to ensure that the complexities of these conversations are not diluted, and ample time and space is provided to discuss each separately.

Finally, participants were unanimous that implementing UNDRIP needs to include a public education component that targeted non-Indigenous Canadians. The idea that non-Indigenous Canadians need to build their understanding of Indigenous peoples histories and realities as a central component to reconciliation is not a new one - the Royal Commission on Aboriginal Peoples (1996), Truth and Reconciliation Commission of Canada (2015), and the 2019 Reconciliation Barometer all identified this as crucial to real reconciliation and change in this country. With the wide reach of UNDRIP, perhaps this process can be an opportunity to build this capacity in hopes that we can move forward together towards a shared goal of respecting the inherent rights of Indigenous peoples in a meaningful way.

Measuring Progress & Looking Beyond UNDRIP

In discussing measuring the progress of UNDRIP's implementation and any national action plan that accompanies it, the Indigenous youth who shared their wisdom with us made it clear that milestones need to be 1) intergenerational and 2) defined and decided by communities.

Discussion also centered around trust-building as an inherent part of measuring UNDRIP's implementation progress, and youth expressed that they would be encouraged if and when they see Government working across party lines to implement UNDRIP in a robust and community-based way. In relation to building trust, participants also expressed hopefulness that non-Indigenous allies will be a key part of ensuring that UNDRIP is enforced across industries and institutions.

Conclusion and Recommendations

The Truth and Reconciliation Commission notes that the Declaration sets human rights-based standards, and those standards need to be implemented for reconciliation in Canada to thrive in this century and beyond. Indigenous youth in Canada understand the importance and implications of this vision, including the legal complexities and ramifications UNDRIP will have on the collective and individual rights of Indigenous peoples in every area of life. The youth were clear that those conversations need to include tangible, systemic reforms that address institutionalized racism and land reclamation/sovereignty. In pursuit of the goal of



implementing UNDRIP in a way that centers and supports the voices of Indigenous youth and their communities, CRE makes the following recommendations:

- 1. Engagement: Create space for Indigenous youth to lead conversations about Indigenous youth**
Allowing youth, ideally Indigenous youth, to facilitate conversations with Indigenous youth will yield a more fruitful and connective conversation, with clearer policy directions. This is important to all phases of UNDRIP engagement and implementation.
- 2. Implementation: Empower communities to engage and roll-out UNDRIP in their own way**
Beyond having youth co-develop the implementation plan, allocating dollars to communities (whether on or off reserve, urban, rural, remote, northern, etc.) to have sustained dialogue with time to prepare for engagements and implementation planning sessions of their own design, with their own invitation lists, is critical to building trust and ensuring an ongoing relationship founded on respect and reciprocity.
- 3. Education: Educate non-Indigenous people about UNDRIP and Indigenous rights**
For UNDRIP to have maximum impact as a framework for recognizing and upholding Indigenous rights, non-Indigenous people need to have an understanding of those rights and the structures they exist within and interact with. Beyond increasing an awareness and understanding of UNDRIP itself, this should also include treaty rights, the Truth and Reconciliation Calls to Action, and the National Inquiry on Missing and Murdered Indigenous Women and Girls Calls to Justice.
- 4. National Action Plan: Allow communities to identify key indicators for the success of UNDRIP's implementation**
Creating a brighter future for Canada through reconciliation requires clear, measurable indicators that can be assessed to determine whether UNDRIP is improving the socio-economic realities for Indigenous people in Canada. Allowing communities and nations to identify what those indicators and milestones are will better ensure the success of the framework and will create a structure for more robust and nuanced conversations about implementation, both short and long-term.
- 5. Accessibility: Ensure implementation, engagement, and education materials are plain-language**
Any documentation or education materials should be written in plain-language to ensure that everyone can be involved in the conversation and stay informed about the progress; regardless of personal, professional, and educational backgrounds.

We greatly appreciate the opportunity to be an ongoing part of this process. Creating space for Indigenous youth voices to be reflected in the implementation of UNDRIP is a key step towards ensuring it is done in a good way. Should you have any questions about what was included in the report, please reach out to us so we can keep the momentum going, and continue to support Indigenous youth.

Appendix A: Visual Graphic Recording

CRE LA RÉCONCILIATION DANS NOTRE GÉNÉRATION
RECONCILIATION IN OUR LIFETIME

UNDRIP FOLLOW-UP SESSION

ENCOURAGING MEANINGFUL ENGAGEMENT

- ASK RELEVANT & ACCESSIBLE QUESTIONS
- QUESTIONS & ARTICLES AHEAD OF TIME
- and context!
 - decolonization
 - White Supremacy
 - Diverse Experiences of Indigenous People
- WE AREN'T EXPERTS ON EVERY DETAIL... BUT OUR THOUGHTS & VOICES MATTER
- NOT AFTER ONE WEEK OF PREP... DON'T JUST "CHECK THE BOX"
- ALLOW ADEQUATE TIME & SPACE for youth to express their experiences
- Consider impacts on existing resource/revenue sharing agreements!
- SHARE IT ON SCREEN DURING SESSIONS

CENTRE THE LAND and TRADITIONS

- CONNECTIONS
- NATURAL LAW IS OUR HIGHEST LAW
- I DON'T SEE MYSELF IN A STACK OF DOCUMENTS
- COULD BE THE RIGHT FRAMEWORK IF PRESENTED FROM A...
- DECOLONIZED PERSPECTIVE
- NOT PATERNALISTIC "GRANTING RIGHTS"
- Can a Settler Government Meaningfully IMPLEMENT UNDRIP? Look at BC...

CHALLENGING QUESTIONS

- PREPARE FOR: CHALLENGING QUESTIONS
- implement active & continued engagement with indigenous youth

NATION TO NATION co-creation

- Implementation Needs to Be an UNBROKEN CIRCLE: interconnected

CENTRE INDIGENOUS YOUTH VOICES

- equality, justice everlasting love
- YOU'RE IN THE RIGHT PLACE TO MAKE THINGS HAPPEN!
- NO JUSTICE NO PEACE
- HARD-CORE WARRIORS!
- Good things are going to happen!
- I'M SO HAPPY TO BE HERE WITH THE YOUNG PEOPLE - Grandmother Isabelle
- Connect to our INHERENT RIGHTS through the LAND
- ALL WE ARE LOOKING FOR IS JUSTICE

LIVE GRAPHIC RECORDING | Drawing
Annalee Kornelsen | Change

CRE LA RÉCONCILIATION DANS NOTRE GÉNÉRATION
RECONCILIATION IN OUR LIFETIME

UNDRIP FOLLOW-UP SESSION

It's All about IMPLEMENTATION

- Admit you don't know how to GOVERN US... honesty humility
- CONNECTING YOUTH GROUPS & CROSS-COUNTRY GROUPS
- CREATING A FRAMEWORK FOR BETTER ENGAGEMENT
- UNDRIP CAN EMPOWER & MOBILIZE ALLIES
- Coalition Building... Coming Together at the GRASSROOTS
- Proportional Representation would make me feel more comfortable!
- Party lines get in the way.
- Some people see others gaining rights as themselves losing rights... THIS NEEDS TO BE ADDRESSED
- NOT JUST PRESENTING A COMPLETED DRAFT but... CO-AUTHORING NATION TO NATION
- WILL WE STILL BE CONSULTED ONCE THIS IS PASSED?
- Rebuilding Trust by being trustworthy
- Share leadership
- NOT ONE-SIZE FITS ALL
- Asset, not deficit Based.
- Intergenerational
- Communal
- Indigenous-led
- "How can Federal Legislation NOT be PAN-INDIGENOUS?"
- ACCOUNTABILITY
- Treaty Accountability
- How will Gov. Be held Accountable?
 - Plan
 - TRANSPARENCY
 - Procedure
- REPORT
- Make it deeply & open heartedly ceremonial
- Build CAPACITY for Communities to LEAD IMPLEMENTATION
- Understand what you participate in.

LIVE GRAPHIC RECORDING | Drawing
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