

MANAGEMENT REPORT

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Meeting Date: October 27, 2021

TO: VPL Board

FROM: Harlan Pruden, Chair, VPL Board Governance Committee

SUBJECT: VPL Implementation of UN Declaration on the Rights of Indigenous Peoples

SUMMARY

This report provides an initial review of the principles included in the UN Declaration on the Rights of Indigenous Peoples, for the Governance Committee to consider the role of the Library in implementing this declaration, which is directed at states/governments.

PURPOSE

This report is for information

RECOMMENDATION

That the Board receive this report for information.

COMMITTEE DISCUSSION

The Chief Librarian & CEO provided additional information that the Library has been invited to participate in processes for the Mayor's Task Force on Implementing UNDRIP in the City of Vancouver. Trustees agreed that VPL has a role in implementing UNDRIP and BC DRIPA, and supported VPL's engagement in processes for the Mayor's Task Force. Trustees considered the articles identified in the report, and reached consensus that these were the core principles, noting work that VPL has previously done to support these principles, such as the Indigenous Storyteller in Residence, and inquiries about governance. In addition, trustees identified articles 2, 12, 16, 19 and 31 as offering potential opportunities for VPL to support implementation. Trustees discussed the roles of settlers and Indigenous peoples in these types of processes, and

the work that will need to be done. Staff offered a framework for action items for the principles that would identify work VPL is already doing, work that is planned within the 2020-2023 Strategic Plan, and the option of adding new items. A report will be provided to the other two Board committees in future identifying these opportunities. Trustees Pruden, Sherwood and Hussein agreed to provide interim feedback for submissions related to the Mayor's Task Force if this was required between committee meetings.

POLICY

VPL's 2020-2023 Strategic Plan prioritizes Truth and Reconciliation. During the strategic plan engagement, conversations with the public and key stakeholders highlighted the need to bring Indigenous history, languages and cultures into library spaces and to continue sharing Indigenous voices through our collections and programming. VPL is committed to being a place to learn about the history and cultures of Indigenous Peoples, referring to First Nations, Métis and Inuit. This includes learning about the truths of the historic and ongoing impact of colonization and the importance of movement toward Reconciliation with Indigenous Peoples.

This work aligns with VPL's core values of respecting diversity and social inclusion as expressed in the Library's Values and the [Library's Diversity and Inclusion Statement](#), the latter last updated in 2010.

STRATEGIC IMPLICATIONS

The VPL 2020-2023 Strategic Plan includes two specific goals related to Truth & Reconciliation: Reflect and celebrate Indigenous cultures and history (Shared Spaces & Experiences priority) and Enhance understanding and appreciation of Indigenous ways of knowing, being and doing (Belonging & Connection priority), in addition to seeking opportunities to act on the Calls to Action of the Truth & Reconciliation Commission across all goals.

INDIGENOUS CONSIDERATIONS

This report provides an initial review of the principles of the UN Declaration on the Rights of Indigenous Peoples in order to consider the role of VPL in implementation.

BACKGROUND

The [United Nations Declaration on the Rights of Indigenous Peoples](#) (UNDRIP) was adopted by the UN General Assembly on Thursday, 13 September 2007, by a majority of 144 states in favour, 4 votes against (Australia, Canada, New Zealand and the United States) and 11 abstentions. Years later the four countries that voted against have reversed their position and now support the UN Declaration. Today the Declaration is the most comprehensive international instrument on the rights of Indigenous Peoples. It establishes a universal framework of minimum standards for the

survival, dignity and well-being of the Indigenous Peoples of the world and it elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous Peoples.

As noted above, the Government of Canada reversed its initial position and endorsed the Declaration without qualification and committed to its full and effective implementation. This change of position took place in 2016. In December 2020, the Government of Canada introduced legislation to implement the Declaration. On June 21, 2021, Bill C-15, the *United Nations Declaration on the Rights of Indigenous Peoples Act* received Royal Assent. The Government observes that the Declaration “provides us with a road map to advance lasting reconciliation with Indigenous peoples. It shows us that further steps must be taken to respect, recognize and protect the human rights of Indigenous peoples and to address the wrongs of the past.”

In November 2019, the Province of BC passed legislation to implement UNDRIP, the [Declaration on the Rights of Indigenous Peoples Act](#). The City of Vancouver Council unanimously passed a motion to implement the United Nations Declaration on the Rights of Indigenous Peoples at the local government level on March 11, 2021.

DISCUSSION

While VPL’s priorities as part of the Truth & Reconciliation Calls to Action have long sought to support government obligations in UNDRIP, the recent government decisions to implement the Declaration provide an opportunity to clarify and communicate how VPL can support these decisions. While VPL is not a government or state, and therefore does not have a direct role in implementing the Declaration, VPL has opportunities to support the provincial and municipal implementation primarily in the areas of education, information, and culture, as a provincially-legislated and publicly-funded institution.

The *Library Act* recognizes at a provincial level the provision of free basic public library service, and the role of the Library Board in delivering this service, including provision of a library building, providing free library materials, and providing reference and information services.

Staff have identified several principles where VPL has the opportunity to contribute, and the full [UN Declaration can be reviewed at this link](#). Following discussion by the Governance Committee, staff will identify specific actions that support the implementation of the principles, and bring these for discussion to the Services, Finance and Human Resources, and Community Relations, Planning and Development committees. These actions will form part of the Reconciliation Strategy for VPL as part of the 2020-2023 Strategic Plan.

Staff have identified the following articles as most aligned with VPL activities:

Article 5:

1. Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 11:

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 13:

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14:

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15:

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 21:

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

FINANCIAL IMPLICATIONS

Financial implications of the action plans will be considered as they are developed.

FINAL REMARKS

As noted in our previous reports, the Truth and Reconciliation Commission Calls to Action represent one of the most important documents in Canada today, and staff have been working to implement these Calls to Action since 2016. Supporting the implementation of the articles in the UN Declaration on the Rights of Indigenous Peoples builds on this work, and can further our efforts towards better relations with Indigenous peoples, greater understanding, and addressing historical wrongs.