

From: **"Mochrie, Paul"** <Paul.Mochrie@vancouver.ca>

To: **"Direct to Mayor and Council - DL"**

Date: 12/10/2021 7:53:34 AM

Subject: **Council Memo - Update on the City of Vancouver's UN Declaration on the Rights of Indigenous Peoples Task Force - RTS 14639**

Attachments: 2021-12-09 Council Memo - UNDRIP Task Force Update and Workplan.pdf

Dear Mayor and Council,

Attached is a memo from Karen Levitt, Deputy City Manager, providing a status update on the work of the City of Vancouver's UN Declaration on the Rights of Indigenous Peoples (UNDRIP) Task Force – RTS 14639. This memo:

- ☐ Provides details concerning the Task Force's Steering Committee and Technical Committee structure, membership and budget
- ☐ Outlines the work done to date by the Task Force
- ☐ Articulates the Task Force's workplan through to November 2022
- ☐ This memo has been shared with the representatives of the three Nations who are members of the Task Force.

Please direct any questions you may have on this memo to Karen Levitt (Karen.Levitt@vancouver.ca).

Best,
Paul

Paul Mochrie (he/him)
City Manager
City of Vancouver
paul.mochrie@vancouver.ca



The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and səliłwətał (Tsleil-Waututh) Nations.

MEMORANDUM

December 9, 2021

TO: Mayor and Council

CC: The "cc" distribution list for this memo is included in Appendix A

FROM: Karen Levitt, Deputy City Manager

SUBJECT: Update on the City of Vancouver's UN Declaration on the Rights of Indigenous Peoples Task Force

RTS #: 14639

A. Purpose

This memo provides Council with an update on the work of the City of Vancouver's United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP") Task Force, and lays out the Task Force's workplan through 2022. This Task Force is a City of Vancouver Type D Advisory Committee, convened in partnership with the Musqueam Indian Band, the Squamish Nation, and the Tsleil-Waututh Nation.

B. UN Declaration on the Rights of Indigenous Peoples

UNDRIP is recognized as the most comprehensive international human rights instrument concerning Indigenous Peoples. It establishes the minimum standards for the survival, dignity and well-being of Indigenous Peoples and elaborates on existing human rights standards and fundamental freedoms in their unique and specific application to Indigenous Peoples individually and collectively.¹

On February 26, 2013, Vancouver City Council ("Council") adopted a motion to endorse UNDRIP.

¹ United Nations. <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

C. UNDRIP Task Force Formation and Mandate

In accordance with the call from the Truth and Reconciliation Commission of Canada for all levels of government to adopt UNDRIP², Council adopted a [motion](#)³ on March 2021, *Implementing the United Nations Declaration on the Rights of Indigenous Peoples*.

This Motion directed the establishment of a Type D Advisory Committee (UNDRIP Task Force) with participation from both elected officials from Musqueam Indian Band, Squamish Nation and Tsleil-Waututh Nation (“MST”) and City Councillors.

The Motion stated the UNDRIP Task Force will “develop recommendations on how the City of Vancouver can implement the UN Declaration on the Rights of Indigenous People as an integral aspect of its work on Indigenous relations and reconciliation”.

D. UNDRIP Task Force Structure

The Task Force is comprised of a Steering Committee and a Technical Committee. Appendix C contains a full list of a Task Force Steering Committee and Technical Committee members.

- a. The **Steering Committee** is made up of elected officials from the City of Vancouver, the Musqueam Indian Band, the Squamish Nation and Tsleil-Waututh Nation, and has the mandate of delivering a set of recommendations to Council concerning the City’s implementation of UNDRIP.
- b. The **Technical Committee** is made up of staff from the City of Vancouver, the Musqueam Indian Band, the Squamish Nation, the Tsleil-Waututh Nation, and local urban Indigenous organisations, with the mandate of undertaking the technical work required to support the Steering Committee’s decision-making process.

To help inform the recommendations, the Task Force may seek external expertise, including legal, academic, Traditional Knowledge and lived experience. In 2022 the Task Force will be exploring the potential for broader Indigenous community engagement.

E. UNDRIP Task Force Key Achievements to Date

The Task Force has accomplished the following since its first meeting in July, 2021:

1. *Convened the Task Force Steering Committee.* While the establishing Council motion stated that up to two representatives from each of the Nations would be appointed to the Task Force Steering Committee, the Task Force Steering Committee decided on October 1, 2021 that an additional (third) appointment from Musqueam with particular legal and UNDRIP-related experience would be made to supplement the Task Force.

² *United Nations Declaration on the Rights of Indigenous Peoples.*

www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

³ *Implementing the UN Declaration on the Rights of Indigenous Peoples in the City of Vancouver.* City Council Minutes. www.council.vancouver.ca/20210309/documents/b2.pdf

2. *Appointed Steering Committee Co-Chairs:* Councillor Boyle (City of Vancouver) and Council Chairperson Khelsilem (Squamish Nation). Co-Chairs will alternate chairing meetings, and openings will be provided by the Musqueam Indian Band, Squamish Nation and Tsleil-Waututh Nation on a rotating basis.
3. *Staffed the Technical Committee.* The Technical Committee will convene in late fall and will meet regularly thereafter, to provide technical support to the Steering Committee as required.
4. *Developed Task Force Protocols.* The Task Force Steering Committee has approved a Protocols document which outlines principles for how the Task Force will operate, such as communications, decision-making and technical assistance. The Task Force has agreed to strive to make decisions by consensus.
5. *Approved an approach for external expertise.* The Task Force Steering Committee has agreed to a process and criteria for selecting external experts and advisors.
6. *Initiated discussions on engaging diverse Indigenous communities.* The Task Force will be further discussing this item in 2022.
7. *Agreed to recommendations and report approach.* The Task Force has approved an approach for developing recommendations, including an outline and desired outcomes for each meeting in the workplan, as well as the timing and approach for Council updates and reports.
8. *Approved a 2021/22 workplan and budget.* Details of which are provided below.

F. UNDRIP Task Force Workplan Details

The Task Force's recommendations will be developed in alignment with the four themes of the Provincial Declaration on the Rights on Indigenous Peoples Act (DRIPA) Draft Action Plan⁴:

- Social, cultural and economic well-being
- Ending Indigenous-specific racism and discrimination
- Self-determination and inherent right of self-government
- Title and rights of Indigenous Peoples

In developing recommendations, the Task Force will have access to a summary of City of Vancouver initiatives related to reconciliation which may support one or more of the themes. The Task Force will take these ongoing or planned initiatives into account when developing recommendations, and may also make recommendations regarding prioritization of City initiatives. The Task Force may identify early actions at the conclusion of each theme.

⁴ *DRIPA Draft Action Plan - Draft for Consultation*

https://engage.gov.bc.ca/app/uploads/sites/667/2021/06/Declaration_Act_-_Draft_Action_Plan_for_consultation.pdf

Table 1 below shows the Task Force Steering Committee's meeting-by-meeting workplan through to October 2022, colour-coded to according to the following three meeting categories.

1. <i>Information Meetings</i> : Experts and advisors invited to present to the Task Force on particular themes and topics.
2. <i>Review Task Force Deliverables</i> : The Task Force reviews deliverables and/or finalizes public report(s).
3. <i>Task Force Recommendations, Development and Prioritization</i> : The Task Force develops and prioritizes recommendations on how to implement UNDRIP at the City.

TABLE 1. CITY OF VANCOUVER'S UNDRIP TASK FORCE WORKPLAN

	DATE	TOPICS	CHAIR	OPENING
1	22-Jul-21	Kick-off Appoint Co-Chairs	Karen Levitt	Chief Janice George
2	1-Oct-21	Workplan and budget Task Force protocols	Khelsilem	Musqueam
3	27-Oct-21	Indigenous community engagement Approach to recommendation development	Christine Boyle	Squamish
4	12-Nov-21	Theme 1. Social, cultural, economic well-being (1/2)	Khelsilem	Tsleil-Waututh
	Early Dec 2021	Update memo update to Vancouver City Council		
5	21-Jan-22	Theme 1. Social, cultural, economic well-being (2/2)	Christine Boyle	Musqueam
6	4-Feb-22	Flex: Theme 1 wrap-up, identify early actions Invited speaker, TBD	Khelsilem	Squamish
7	4-Mar-22	Theme 2. Ending Indigenous-specific racism and discrimination (1/2)	Christine Boyle	Tsleil-Waututh
8	25-Mar-22	Theme 2. Ending Indigenous-specific racism and discrimination (2/2)	Khelsilem	Musqueam
9	22-Apr-22	Flex: Theme 2 wrap-up, identify early actions Invited speaker, TBD	Christine Boyle	Squamish

	DATE	TOPICS	CHAIR	OPENING
10	13-May-22	Theme 3. Self-determination and inherent right of self-government (1/2)	Khelsilem	Tsleil-Waututh
	18-May-22	Mid-point report to Vancouver City Council		
11	3-Jun-22	Theme 3. Self-determination and inherent right of self-government (2/2)	Christine Boyle	Musqueam
12	24-Jun-22	Flex: Theme 3 wrap-up, identify early actions Invited speaker, TBD	Khelsilem	Squamish
13	15-Jul-22	Theme 4. Title and rights of Indigenous Peoples (1/2)	Christine Boyle	Tsleil-Waututh
14	9-Sept-22	Theme 4. Title and rights of Indigenous Peoples (2/2)	Khelsilem	Musqueam
15	23-Sep-22	Flex: Theme 4 wrap-up, identify early actions Invited speaker, TBD	Christine Boyle	Squamish
	26-Oct-22	Final report to City of Vancouver Council		

G. Budget

As part of the 2022 budget process, Council allocated \$0.2 million in ongoing funding to the UNDRIP Task Force and related Indigenous work. These funds will be used to (a) hire a new regular full-time Indigenous Relations position into the Intergovernmental Relations department, and (b) engage external Indigenous legal expertise as required, for the UNDRIP Task Force as well as other Indigenous-related matters as they arise over time.

To complete the current workplan, a further \$0.3 million of one-time costs are anticipated for 2021/22. These costs will be funded out of the existing operating budget and/or potential external funding.

H. Collaboration with Concurrent Provincial and Federal Government Processes

Both the provincial and federal governments have enacted legislation to implement UNDRIP, in 2019 and 2021, respectively. The Task Force will take into consideration provincial and federal commitments and jurisdiction when developing recommendations for Council.

Provincial: The Province released a draft Declaration on the Rights of Indigenous Peoples Act (DRIPA) Action Plan in June 2021 outlining provincial actions to implement UNDRIP and advance reconciliation. The DRIPA Action Plan identifies 79 actions that the Province aims to

accomplish in cooperation with First Nations between 2021 and 2026. In September 2021, the Musqueam Indian Band, Squamish Nation and Tsleil-Waututh Nation made a joint submission to the draft DRIPA Action Plan consultation process. Mayor Stewart sent a letter on behalf of City Council and the Co-Chairs of the UNDRIP Task Force expressing the City's strong support for this MST submission (Appendix D). The City also worked with the Union of BC Municipalities to provide feedback concerning the Province's draft DRIPA Action Plan.

Federal: The federal government will be undertaking consultation on the federal action plan for the United Nations Declaration on the Rights of Indigenous Peoples Act (Bill C-15, passed June, 2021). At the time of this memo, timing for this to be initiated is not known.

Missing Indigenous Women and Girl's Calls to Justice & Red Women Rising: In parallel with the work of the City of Vancouver's UNDRIP Task Force, the City is working on many other Indigenous-related initiatives, include actions to operationalise the recommendations of the Murdered, Missing Indigenous Women and Girls' Calls to Justice and the related Red Women Rising Report.

I. Next Steps

The Task Force has begun developing recommendations under the first theme (social, cultural and economic well-being), according to the workplan shown in Table 1. Approximately half-way through the workplan, in May 2022, the Task Force will submit a mid-point report to Council, to include recommended early actions.

The recommendations in the Task Force's final report will have staff exploring the feasibility and implications associated with the implementation of each proposed initiative, and reporting back to Council with this analysis and recommendations concerning implementation. The Task Force's final report will be presented to Council in October 2022 with a recommendation for Council to endorse its recommendations and refer to the next Council for approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Levitt". The signature is fluid and cursive, with a horizontal line extending from the end.

Karen Levitt, Deputy City Manager

APPENDIX A – Council Memo Distribution List

- Paul Mochrie, City Manager
- Katrina Leckovic, City Clerk
- Lynda Graves, Administration Services Manager, City Manager's Office
- Maria Pontikis, Chief Communications Officer, Civic Engagement and Communications
- Anita Zaenker, Chief of Staff, Mayor's Office
- Neil Monckton, Chief of Staff, Mayor's Office
- Alvin Singh, Communications Director, Mayor's Office
- Francie Connell, Director, Legal Services and City Solicitor
- Sandra Singh, General Manager, Arts, Culture & Community Services
- Andrea Law, General Manager, Development, Buildings, and Licensing
- Lon LaClaire, General Manager, Engineering Services
- Patrice Impey, Chief Financial Officer and General Manager of Finance, Risk, and Supply Chain Management
- Andrew Naklicki, Chief Human Resources Officer
- Theresa O'Donnell, Director of Planning and General Manager of Planning, Urban Design, and Sustainability
- Nick Kassam, General Manager, Real Estate and Facilities Management
- Francie Connell, Legal Services and City Solicitor
- Karen Fry, Fire Chief and General Manager, Vancouver Fire and Rescue Services
- Donnie Rosa, General Manager, Vancouver Board of Parks and Recreation
- Adam Palmer, Chief Constable, Vancouver Police Department
- Christina de Castell, Chief Librarian, Vancouver Public Library
- Celeste Dempster, Director, Intergovernmental Relations
- Councillor Howard Grant, Musqueam Indian Band
- Councillor Allyson Fraser, Musqueam Indian Band
- Council Appointee, Melissa Louie, Musqueam Nation
- Council Chairperson Khelsilem, Squamish Nation

- Councillor Kristen Rivers, Squamish Nation
- Councillor Dennis Thomas, Tsleil-Waututh Nation
- Councillor Charlene Aleck, Tsleil-Waututh Nation

APPENDIX B - UNDRIP Task Force Terms of Reference (from March 9, 2021 Council Motion)

This will be a Type D Committee, and will provide recommendations to Mayor and Council for priority actions that may be taken by the City to implement the UN Declaration on the Rights of Indigenous Peoples.

The scope of the committee's work will include:

- Consult and collaborate with the Musqueam, Squamish, and Tsleil-Waututh on the development of the Committee's Report;
- Provide recommendations on how the City can implement the UN Declaration on the Rights of Indigenous People in the City of Vancouver as an integral aspect of its work on Indigenous relations and reconciliation;
- Consult and engage Indigenous peoples and Indigenous groups in the City of Vancouver on recommendations for implementing the UN Declaration on the Rights of Indigenous People in the City of Vancouver;
- Consider the role of UNDRIP and the urban Indigenous communities today living in Vancouver, recognizing the importance of both title and rights in UNDRIP implementation;
- Build on past and current work in the City of Vancouver on reconciliation and the implementation of UNDRIP;
- Consider the BC Declaration on the Rights of Indigenous Peoples Act (DRIPA) as a model;
- Create a high-level work plan and a budget to carry out the recommended actions to implement the UN Declaration within the City of Vancouver, to be included for consideration in the 2022 city budget process as well as a review of current City projects involving Indigenous peoples and a work plan to bring them in line with the articles of the UNDRIP;
- Seek ways to engage women, youth, and elder voices in the development of the report's recommendations.

Composition

This committee is a Type D Committee that will provide a report to the Mayor and Council upon completion.

The committee will consist of up to two representatives from each of the Musqueam, Squamish, and Tsleil-Waututh Nations, along with Councillor Boyle and up to 3 other representatives from Mayor and Council. Two Steering Committee Co-Chairs will be appointed by the committee.

The Steering Committee will engage with and work to ensure representation of leadership that

reflects the diversity of the urban Indigenous community. Members of Council will be invited to participate in working groups at the request of the Co-Chairs.

The committee will be supported by a technical team of experts and advisors. That technical team could include staff from the Musqueam, Squamish, and Tsleil-Waututh Nations as chosen by the Nations, and staff from the City of Vancouver at the direction of the City Manager, as well as additional advisors and external experts.

Budget and Staff Support

The City Manager will be responsible for allocating staff resources as appropriate, including any recommendations for reprioritizing current staff work on Reconciliation to align with the implementation of UNDRIP. The City Manager will also assess resources and report back to the Mayor and Council on any recommended capacity resources to support Musqueam, Squamish, and Tsleil-Waututh Nations participation, as well as opportunities to seek funding support from senior levels of government.

Timeline

An update report including a work plan and requested budget will be presented to Council by the end of Q3 2021 or earlier.

APPENDIX C – UNDRIP Task Force Membership, at November 30, 2021

UNDRIP Task Force Steering Committee

City of Vancouver

- Councillor Christine Boyle (Co-Chair)
- Councillor Adriane Carr
- Councillor Melissa De Genova
- Councillor Jean Swanson

Musqueam Indian Band

- Councillor Howard Grant
- Councillor Allyson Fraser
- Council Appointee Melissa Louie

Squamish Nation

- Council Chairperson Khelsilem (Co-Chair)
- Councillor Kristen Rivers

Tsleil-Waututh Nation

- Councillor Charlene Aleck
- Councillor Dennis Thomas

UNDRIP Task Force Technical Committee

City of Vancouver

- Paige Thomson, Manager, Business Planning & Project Support
- Lindsay Grant, Indigenous Engagement Specialist

Musqueam Indian Band

- Desirae Fraser, Development Coordinator, Musqueam Capital Corp.

Squamish Nation

- Arthur Macapagal, Program Manager

Tsleil-Waututh Nation

- Gabriel George, Director of Treaty, Lands and Resources

Metro Vancouver Aboriginal Executive Council (MVEAC)

- TBD

Urban Indigenous Peoples' Advisory Committee (UIPAC)

- TBD

**APPENDIX D - Letter from the Mayor re: Support for Support for Musqueam,
Squamish and Tsleil-Waututh's feedback to the Draft DRIPA Action Plan**

September 29, 2021

Honourable Murray Rankin
Minister of Indigenous Affairs and Reconciliation
PO Box 9051 Stn Prov Govt
Victoria, BC V8W 9E2

Honourable Josie Osborne
Minister of Municipal Affairs
PO Box 9056 Stn Prov Govt
Victoria, BC V8W 9E2

**Re: Support for Musqueam, Squamish and Tsleil-Waututh's feedback to the Draft
DRIPA Action Plan**

Dear Minister Rankin and Minister Osborne:

Thank you for taking the time earlier this summer to meet with me regarding how we can work together to advance reconciliation and implement the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in our province.

On behalf of City Council and the City of Vancouver's UNDRIP Task Force, I want to express the City's support for Musqueam, Squamish, and Tsleil-Waututh's (MST) recently-submitted request to the provincial government to provide appropriate resources and support to municipalities to implement the Province's DRIPA action plan. Specifically, the City of Vancouver will be applying to your government for \$157,500 in capacity funding to engage in this work. This letter is prompted by a motion adopted by Vancouver City Council on July 20, 2021 (see Appendix).

When UNDRIP was established, it set the minimum standard for the survival, dignity, well-being and rights of the Indigenous peoples around the world. In partnership with MST and through the City of Vancouver's newly-established joint-UNDRIP Task Force, the City of Vancouver is committed to achieving those standards and we want to respond to MST's expressed eagerness to begin this work together, as soon as possible.

I look forward to working with your government as you finalize the DRIPA action plan, and to working with our host Nations as they gather the appropriate resources and support to advance UNDRIP.

Sincerely,

Kennedy Stewart
Mayor of Vancouver

APPENDIX (to letter from the Mayor)

On July 20, 2021, Vancouver City Council approved the following Motion

MOTION: City of Vancouver Support for Including Local Governments in the Province's DRIPA Action Plan

WHEREAS

1. The City of Vancouver has made significant long-term commitments as a City of Reconciliation, and has taken many steps to advance reconciliation. The City can continue to deepen its commitment to reconciliation with measurable actions and systemic change;
2. Earlier this year, Vancouver City Council unanimously passed a motion to implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
3. This work has been supported by Musqueam, Squamish, and Tsleil-Waututh Nations, including through participation in a shared Taskforce on Implementing UNDRIP in the City of Vancouver;
4. The BC government is seeking feedback from Indigenous peoples on their draft action plan required under the Declaration on the Rights of Indigenous Peoples Act until July 31, 2021.

THEREFORE BE IT RESOLVED THAT Council request the Mayor on behalf of Council, and Councillor Boyle, as Co-Chair of the UNDRIP Task Force, further to a motion from the UNDRIP Task Force, to write a letter expressing support for the anticipated request from Musqueam, Squamish, and Tsleil-Waututh Nations to the provincial government to provide appropriate resources and support to municipalities to implement the Provincial DRIPA Action Plan.