Indigenous Rights in Canada: Reconciliation through Recognition and Action at Library and Archives Canada

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Presentation to the ALA-ICA Annual Conference
November 2017
Mexico City
Indigenous Peoples in Canada
Legal Framework

• Royal Proclamation of 1763
  – Establishment of framework for treaty-making in Canada
• Manitoba Act, 1870
  – Legal establishment of Métis nation, land settlements
• Indian Act, 1876
  – Administrative framework for First Nations reserves, governance
• Constitution Act, 1982
  – Section 35 entrenches Aboriginal and treaty rights for First Nations, Métis and Inuit
• Modern Treaties (Comprehensive Land Claims), 1975-present
  – Settlements for land rights, self-governance not covered by historic treaties or other legal means
  – LAC role in negotiation, implementation and ongoing obligations
• Nunavut Land Claims Agreement, 1993
  – Land claim settlement granting distinct territory for Inuit
Indigenous Collections at LAC

• 400+ years of history documenting the experience of Indigenous peoples in Canada in every imaginable format:
  – Government records (federal management of lands, resources, social services)
  – Private archives
  – Publications
LAC and the Truth and Reconciliation Commission

Truth and Reconciliation Commission of Canada: Calls to Action
Reconciliation Based on the Recognition of Rights

• Alignment with the Government of Canada’s 10 Principles respecting the Government of Canada's relationship with Indigenous peoples
• Recognition of international Indigenous rights (UNDRIP, UNJOP) of all Indigenous peoples in Canada
• Recognition of national Aboriginal rights (constitutional, legislative, legal) of First Nations, Métis and Inuit
• Responding to the Truth and Reconciliation Commission Calls to Action
Five key articles in UNDRIP are of a particular importance to LAC in our efforts to fully implement the Declaration.

- Preservation of culture and distinct identity (8)
- Revitalization of cultural traditions and customs (11)
- Revitalization, development and transmission to future generations of languages, histories, oral traditions and writing systems (13)
- Consultation, cooperation and consent (19)
- Maintenance, control and protection for heritage, traditional knowledge and cultural expressions and related intellectual property (31)
Joinet-Orentlicher Principles

The Right to Know:
- Preservation of residential school information
- Broad but balanced access to collections

The Right to Justice and Reparation
- Neutral and equal facilitation of information for land claims, settlements and other litigation
Recent and Ongoing Programming

Public Programming:
• Residential schools exhibitions
• Connecting with youth and students
• Specialized web content
• Project Naming
• Public Events
• Canada 150+
Indigenous Heritage Action Plan

• Ambitious multi-year plan in four broad areas:
  – Institutional Awareness
  – Engagement
  – Collections Management
  – Promotion/Support

• To be developed in consultation with LAC Indigenous Advisory Circle

• Plan and results will be made public