

Item 4. Implementation of the six mandated areas of the Permanent Forum

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UNDRIP in Canada

- Canada is currently in the process of drafting legislation to implement UNDRIP, an agreement to which Canada is a signatory.
 - As a signatory, Canada has already acknowledged the legitimacy of UNDRIP as a tool of human rights domestically.
- CAP has raised concerns with the implementation process of UNDRIP in Canada, due to the unequal treatment of different Indigenous organizations and the risk of perpetuating that unequal position in legislation.
 - The main activities of the UNDRIP implementation legislation are the development of an action plan, and annual reports to Parliament on progress implementing UNDRIP in Canadian law. ◦ In principle these are positive goals, however they will only be effective if all Indigenous organizations are engaged on an equal basis, without bias favoring certain groups over others.
- Under the “Distinctions-Based” framework in Canada, favorable treatment is given to 3 national organizations holding “Permanent Bilateral Mechanisms” with the government, while other National Indigenous Organizations (NIOs) are excluded.
 - Under the “Distinctions-Based” model, there is a major risk of UNDRIP implementation reinforcing and entrenching inequalities rather than helping to overcome them.
 - The “Distinctions-Based” model itself is a violation of the principles set out in UNDRIP, ignoring the right to self-determination of Indigenous communities and their right to choose their own representatives, instead giving government authority to select preferred partners as representatives for Indigenous peoples.

6 Priority Areas:

Economic and social development:

Housing:

In Feb 2021 the Parliamentary Budget officer reported “Canada has 677,000 Indigenous households living in urban, rural and northern areas. Of those households, 124,000 are in housing need, including 37,500 individuals experiencing homelessness in a given year. There is a \$636 million annual gap between what these households pay for shelter and the level deemed affordable by the Canada Mortgage and Housing Corporation (CMHC).”

Barriers to finding housing include landlord and realtor discrimination, low income, challenges finding and maintaining employment, and lower levels of educational attainment. Lack of adequate and appropriate housing contributes to family instability, inconsistent employment, poor physical and mental health, and other negative social outcomes.

Issue:

- Under the “National Housing Strategy” (NHS):
 - Over budget 2017 and 2018, \$1.5 billion in “distinctions-based” support was established for a First Nations-led housing Strategy, an Inuit-led housing plan, and the Métis Nation’s housing strategy

- This funding excludes access to CAP's constituents, and CAP was not a consulted National Indigenous Organization in the development of the NHS.
- Budget 2021:
 - Allocated \$6 billion for "Infrastructure" for "Distinctions-Based" groups, but no allocated funding dedicated towards off-reserve, non-Status Indigenous housing programming.
- Housing funding represents a "Distinctions-Based" barrier for off-reserve and non-status Indigenous people, reflecting organizational membership and status over need.
 - Under a "distinctions-based" model, gaps in housing between Indigenous and non-Indigenous people in Canada cannot be closed, due to the inability of the model to reach the full spectrum of Indigenous households.
- "CAP-Daniels" establishes federal responsibility for off-reserve and non-status Indigenous people.

Goals:

- Reform the "distinctions-based approach", away from an exclusionary, organization-focused and membership-focused model, towards an inclusive model that respects off-reserve and non-status Indigenous people on a substantively equitable basis.
- Work with CMHC and PTOs to improve data on identifying gaps and need for housing support in the off-reserve and non-status Indigenous population across Canada.
 - Acknowledge the need for CAP and PTOs to address the needs of Indigenous people who are not served by other NIOs.
- Develop an off-reserve and non-status Indigenous Housing Strategy to support community-run housing programs
 - Ensure that sustainable funding levels are tied to this strategy to ensure that housing needs are met.
 - Provide flexibility for PTOs to determine the need criteria and support levels for their respective regions.
- Establish equitable treatment for off-reserve and non-status Indigenous people.