

**United Nations Expert Mechanism on the Rights of Indigenous Peoples
4th Session – July 11th to 15th, 2011**

**Agenda Item 6: Proposals to be submitted to the Human Rights Council for its
consideration and approval**

**Statement presented by Expert Member Wilton Littlechild
July 14, 2011**

Thank you, Mr. Chairperson. I would like to follow-up to last year's decision of the Expert Mechanism where it was proposed that the High Commissioner on Human Rights, Ms. Navanethem Pillay, be encouraged to hold an International Expert Seminar on Truth and Reconciliation Processes.

“Proposal 8. International expert seminar on truth and reconciliation processes

11. The Expert Mechanism on the Rights of Indigenous Peoples

(a) Recognizes that national truth and reconciliation processes provide an important model and mechanism for improved relations between States and indigenous peoples, and that such processes have the potential to facilitate strengthened recognition and implementation of the rights of indigenous peoples;

(b) Encourages the Office of the High Commissioner to consider the possibility of preparing an international expert group seminar on the relevance of national truth and reconciliation processes as a mechanism for conflict resolution and reconciliation between States and indigenous peoples.”¹

The Permanent Forum on Indigenous Issues supported this proposal in its recommendation of its Report of the Tenth Session (UN Doc. No. E/2011/43-E/C.19/2011/14) which states:

“95. The Permanent Forum on Indigenous Issues welcomes the proposal made by the Expert Mechanism on the Rights of Indigenous Peoples in the report on its third session, which encourages OHCHR to hold an international expert seminar on truth and reconciliation processes... This proposal of the Expert Mechanism recognizes the importance of national truth and reconciliation processes for improving relations between States and indigenous peoples and for facilitating strengthened recognition and implementation of the rights of indigenous peoples.”

Through my work as a Commissioner of the Truth and Reconciliation Commission of Canada (the TRC of Canada), I have identified five critical elements of resolving the legacy of residential and day school systems and of restoring respectful relationships.

¹ Human Rights Council, *Report of the Expert Mechanism on the Rights of Indigenous Peoples on its third session, Geneva, 12-16 July 2010*, UN Doc. No. A/HRC/15/36, 23 August 2010, page 6.

These elements are truth, forgiveness, healing, justice and reconciliation which can be achieved through "...a strengthened partnership between indigenous peoples and States" consistent with Treaty relationships." (preambular paragraph 15, UN *Declaration on the Rights of Indigenous Peoples*)

In 1984, Pope John Paul II made the following comments on the need for reconciliation in a papal visit to Canada:

"...It is clear from the historical record that over the centuries your peoples have been repeatedly the victims of injustices by newcomers who, in their blindness, often saw your culture as inferior...It is time for forgiveness, for reconciliation and for a commitment to building new relationships..."

These words have been confirmed by recent high-level comments by UN experts, including the UN Secretary-General Ban Ki-moon and the Special Rapporteur on the Rights of Indigenous Peoples, Professor James Anaya.

It is my recommendation that the Expert Mechanism consider co-hosting this International Expert Seminar on Truth and Reconciliation Processes in 2013.

It is further requested that the Permanent Forum on Indigenous Issues and the Special Rapporteur on the Rights of Indigenous Peoples as well as other relevant UN bodies and agencies be fully engaged in the International Expert Seminar.

It is necessary to resolve the legacy of residential, day and boarding school systems and orphanages established globally in order to fully realize the human rights of multiple generations of Indigenous peoples. Further, it will promote reconciliation between Indigenous peoples, States, Churches and other citizens. Thus, it is imperative for the Expert Mechanism to ensure the International Expert Seminar is held in 2013.

Hai Hai, Mr. Chairperson.