



The Anglican Church of Canada
Canadian Friends Service Committee (Quakers)
Christian Reformed Church in North America
Evangelical Lutheran Church in Canada
Mennonite Central Committee
The Presbyterian Church in Canada
The United Church of Canada



November 9, 2018

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
80 Wellington Street
Ottawa, ON
K1A 0A2

Dear Prime Minister:

As representatives of an ecumenical community committed to reconciliation, we write to express our hope for how your government will respond to the Supreme Court decision in *Mikisew Cree First Nation v. Canada*. We hope, as you enter the upcoming legislative session, that you will choose to go beyond the limits of consultation expressed in *Mikisew* to ensure that Indigenous Peoples are fully involved in decision-making on matters that affect them.

We reiterate our deep support for Indigenous Peoples' right to self-determination as affirmed in the International Covenants on civil and political rights and economic, social, and cultural rights, and the *United Nations Declaration on the Rights of Indigenous Peoples*. As churches and religious organizations, we have committed to and support this core right as the foundation of reconciliation between Indigenous and non-Indigenous peoples.

We are concerned that the Supreme Court's decision in this case limits Indigenous nations' actions to protect their rights to litigation after a law has been enacted rather than ensuring these rights are respected from the beginning of the legislative process. This burden of litigation, including the significant financial and human resources required, should not be borne by Indigenous peoples. We are concerned that this precedent does not set Canada on a good path towards nation-to-nation relationships, a process the federal government has committed to based on recognition, rights, respect, cooperation, and partnership.

Over the years, we have consistently affirmed our position regarding the right of self-determination. In 1987, leaders of the Christian churches issued *A New Covenant*, a Pastoral Statement on the recognition and protection of Aboriginal self-government in Canada. This position was reaffirmed in 2007. In 2016, following the release of the Truth and Reconciliation Commission's 94 Calls to Action, we affirmed our support of Call to Action 48, which calls for church, faith and inter-faith groups to adopt and comply with the principles, norms and standards of the *UN Declaration* as the framework for reconciliation. As part of that commitment, we urge all governments to do the same. We also note the actions we have taken as individual churches and faith organizations that are consistent with the principles of self-determination. The passage of Bill C-262, now under review by the Senate, would establish a legislative framework for implementation of the *UN Declaration*. Bill C-262 offers a collaborative approach to ensure Canada's laws live up to the rights affirmed in the *Declaration* and to ensure these rights are respected within all functions of government, including the legislative branch. As Article 19 specifies,

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

We hope that your government will be guided by Bill C-262's collaborative approach to go beyond what the *Mikisew* decision sets as the standard in legislative matters. We believe that this is consistent with the principles, norms, and standards of the *UN Declaration*, and therefore our shared goal of reconciliation.

For inquiries and to respond to this letter, please contact Dawn Maracle, Indigenous Rights Program Coordinator, KAIROS: Canadian Ecumenical Justice Initiatives at dmaracle@kairoscanada.org or 1-877-403-8933 ext. 231.

Yours sincerely,



Archbishop Fred J. Hiltz, Primate
The Anglican Church of Canada



Bishop Mark MacDonald, National Indigenous Anglican Bishop
Anglican Church of Canada



Stephen Bishop, Clerk
Canadian Friends Service Committee (Quakers)



The Rev. Darren Roorda, Canadian Ministries Director
Christian Reformed Church in North America



The Rev. Susan C. Johnson, National Bishop
Evangelical Lutheran Church in Canada



Anne Mitchell, Chair of the Steering Committee
KAIROS: Canadian Ecumenical Justice Initiatives



Ray Jones, Chair of the Indigenous Rights Circle
KAIROS: Canadian Ecumenical Justice Initiatives



Steve Heinrichs, Indigenous-Settler Relations
Mennonite Church Canada



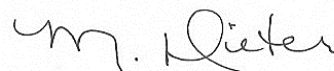
Rick Cober Bauman, Executive Director
Mennonite Central Committee



The Rev. Daniel Cho, Moderator of the 144th General Assembly
The Presbyterian Church in Canada



The Right Reverend Richard Bott, Moderator
The United Church of Canada



The Reverend Maggie Dieter, Executive Minister
Indigenous Ministries and Justice, The United Church of Canada

cc: The Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada
The Honourable Carolyn Bennett, Minister of Crown-Indigenous Relations and Northern Affairs
The Honourable Jane Philpott, Minister of Indigenous Services