

# NDP MP 'devastated' his Indigenous rights bill fails to pass Senate

NDP MP Romeo Saganash said he is "devastated" his private member's bill to implement the United Nations Declaration on the Rights of Indigenous Peoples failed to become law.

Conservatives in the Senate blocked Bill C-262, and other private member's business, from coming to a vote. They say they had concerns about passing such a sweeping bill to bring Canadian laws in harmony with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

"There are and always have been obvious flaws in a governing system that is designed to maintain a status quo and deny rights to people who power rejects," said Saganash, a Cree lawyer who was involved in the negotiations that led to the UNDRIP's adoption by the UN General Assembly in 2007.

"The process of bringing C-262 along the legislative path has highlighted this for me and I believe there are many parts in this struggle and many people lead: it's not enough to create legislation that holds the colonial government accountable to international human rights standards and to Indigenous ways of being; it will take structural and institutional change in order to see justice on stolen lands."

"Let us rise with more energy. Let us stand with greater determination," Saganash said in a statement on Facebook.

After the bill's defeat, Peter Harder – the government leader in the Senate – said the Trudeau government would bring forward legislation to implement UNDRIP if the Liberals are re-elected in October.

It is unclear whether the government legislation regarding UNDRIP would mirror Saganash's bill. Queries to the Minister of Crown-Indigenous Relations Carolyn Bennett remained unanswered at press time.

Conservative Senators said they opposed Saganash's bill because there was no clarity on what is meant by free, prior and informed consent (FPIC) in the UNDRIP and whether that would amount to giving First Nations a veto on any legislation affecting them.

There were also concerns on how FPIC would be obtained – through band councils, traditional elders or referenda or some other means. Conservative MPs also opposed the bill for similar reasons before it went to the Senate.

While Saganash's bill called for a 20-year time-frame to implement the UNDRIP, calling for a national strategy and yearly reporting on progress, Conservative

Senators questioned whether the bill, if it became law, would have immediate and unpredictable effect through the courts.

The Conservative Senators opposing the bill also pointed out that the Liberals' failure to make Bill C-262 a government bill is the reason why it did not get priority treatment in a majority government to ensure its passage.

The ecumenical social advocacy group KAIROS – as well as church, human rights and Indigenous organizations – signed an open letter June 17 urging senators to pass the bill.

KAIROS said it would require the federal government to work in consultation and cooperation with First Nations, Inuit and Métis peoples to develop a national action plan for implementation as urged in the Truth and Reconciliation Commission of Canada's Calls to Action.

"We know that there are some Members of Parliament who are promising this legislation will be brought back after the election," said Ed Bianchi, KAIROS programs manager. "As KAIROS, we're going to work with all the parties to make sure this legislation gets through."

The Canadian Conference of Catholic Bishops (CCCB) was not among the signatories of that letter. However, the bishops had previously indicated support for the bill, and for the Call to Action of the Truth and Reconciliation Commission that recommended implementing the UNDRIP.

In a statement, Assembly of First Nations National Chief Perry Bellegarde urged all political parties to make implementing the UN Declaration on the Rights of Indigenous Peoples a priority.

"The declaration provides a roadmap for reconciliation in this country," Bellegarde said. "We must see commitments from all parties to ensure Canada's laws are in harmony with this international standard that protects and enforces our fundamental human rights."