

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

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21 May 2019

Members of the Senate Standing Committee on Aboriginal Peoples
The Senate of Canada
Ottawa, Ontario K1A 0A4
By email to all members of the committee

Dear Senators,

Urging immediate committee deliberation on Bill C-262 towards urgent passage by the Senate

Lawyers' Rights Watch Canada (LRWC) is deeply concerned about procedural delays in the Senate of Canada that have slowed and now threatens to prevent the passage of [Bill C-262](#), "An Act to ensure that the laws of Canada are in harmony with the *United Nations Declaration on the Rights of Indigenous Peoples*."

On 30 May 2018 Bill C-262 was passed by the House of Commons by a vote of 206 to 79. In spite of support by a clear majority (72%) of the elected Members of Parliament, the Bill will die on the Senate order paper if it is not passed before Parliament rises on 21 June 2019 prior to dissolution for the upcoming October 2019 election. On 10 April 2019, after almost a year of unnecessary delay in the Senate, the House of Commons passed a [unanimous resolution](#) identifying Bill C-262 as one of two "critical pieces of legislation that have been duly passed by the House of Commons, and have been in possession of the honourable Senators for many months." The unanimous, all-party resolution states that "both bills should be passed into law at the earliest opportunity" (emphasis added). On 16 May 2019, more than a month after the House of Commons resolution, Bill C-262 passed second reading in the Senate and moved to the Senate Standing Committee on Aboriginal Peoples (Committee) for deliberation.

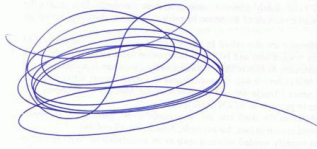
These unconscionable delays threaten to allow the appointed Senate to thwart the will of the elected House of Commons and in so doing to perpetuate systemic injustice for Indigenous Peoples in Canada, block meaningful reconciliation, and contravene the [Calls to Action of the Truth and Reconciliation Commission of Canada](#). Call to Action 43 calls on "federal, provincial, territorial, and municipal governments to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation" (emphasis added).

The Senate has had ample time for deliberation and input on Bill C-262. The Committee must now honour the democratic process and without further delay report the Bill to the Senate without amendment to enable third reading and announcement of the Senate's decision to the House of Commons in time for Royal Assent before Parliament rises on 21 June.

LRWC urges all members of the Committee to cooperate in expediting approval of Bill C-262. LRWC asks the Committee to ensure that the Bill continues to uphold and annex the full text of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) as adopted in 2007 by the UN General Assembly and endorsed by Canada in 2010, including UNDRIP's assurances of "free prior and informed consent" by Indigenous Peoples as stipulated in Articles 10, 11, 19, 28, and 29. (emphasis added).

Thank you for your immediate attention to this urgent matter.

Sincerely,

A handwritten signature in blue ink, appearing to be "Gail Davidson", written over a faint, light blue grid background.

Gail Davidson, Executive Director, LRWC

Copied to Senator Murray Sinclair, Senate Sponsor of Bill C-262, and all members of the Senate of Canada