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## **Standing Committee on Canadian Heritage**

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**EVIDENCE**

**Tuesday, January 29, 2019**

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**Chair**

**Ms. Julie Dabrusin**



## Standing Committee on Canadian Heritage

Tuesday, January 29, 2019

• (1530)

[English]

**The Chair (Ms. Julie Dabrusin (Toronto—Danforth, Lib.)):** We are going to begin now. We are here for the 138th meeting of the Standing Committee on Canadian Heritage. Welcome to everyone. Welcome back and to our new meeting space here in the West Block.

We are continuing our study today of Bill C-369, which is on a national indigenous peoples day. We have with us from Inuit Tapiriit Kanatami, ITK, the president Natan Obed and political adviser Tim Argetsinger. We have with us from the Native Women's Association of Canada, Virginia Lomax, legal counsel, and Casey Hunley, policy adviser.

We'll go in the order that you appear on the agenda. We will begin with ITK.

**Mr. Natan Obed (President, Inuit Tapiriit Kanatami):** *Nakurmik*. Thank you. It's an honour to be here this afternoon. I look forward to our conversation.

In relation to this particular bill, first, any time that we can celebrate indigenous peoples in this country we should take every opportunity to do so. The ongoing conversations about reconciliation, and the way in which the Canadian government understands its obligations on the rights of indigenous peoples, as well as the way in which our self-determination meets federal structures, are all in flux, I'd say, and will be for some time. It is my hope that, with a recognition of indigenous peoples and a day that is specifically for the recognition of indigenous peoples, we can continue this conversation on reconciliation. It can be a day to ensure that we are getting our messages across to one another, and that the country can recognize its indigenous peoples and celebrate us, and in the same way we can educate Canadians about indigenous peoples.

To start there, too often the term encompasses all indigenous peoples in this country, or previously aboriginal peoples, especially under section 35 of the Constitution. We can replace that language with who we actually are, which is first nations, Inuit and Métis. The first recommendation that ITK brings forward is that the name of the bill itself recognize and incorporate the actual names of our peoples into the bill rather than having it be just indigenous peoples. Doing that would force Canadians to understand that there is a complexity of different nations and different groups of peoples in this country, and also ties back directly to section 35 of the Constitution, where it says there are three aboriginal peoples of Canada: first nations, Inuit and Métis.

Perhaps we in this room all understand the complexities of that conversation, but for Inuit we often are lumped in with other ideologies of other indigenous peoples in this country, and many people don't understand the difference between first nations, Inuit and Métis. So this, I think, is a great opportunity for us to be very specific about who we are talking about when we're talking about an indigenous peoples day. That term is used in the United Nations context. It is a global term, but I would hope that in Canadian legislation we would be focusing on those indigenous peoples who are recognized under section 35 of the Constitution. There are other places and other venues where we celebrate globally the role of indigenous peoples across all nations.

Another consideration is in relation to what the day is for. It would be, in our position, much better for the day to be positive and be forward-looking than to be a remembrance day of sorts for certain grievances in the past—although history will be, of course, a part of the overarching conversation. I know there are direct links between the Truth and Reconciliation Commission's calls to action and this particular piece of legislation. I don't want to lose those entirely, but I do want Canadians and first nations, Inuit and Métis to have the ability to talk about the positive and the great strength that we bring to Canadian society, and the great leaders we have within our communities, and the visions we have for the future as Canadians but also as indigenous peoples exercising our right to self-determination.

Whenever this day happens, where it is and where it falls on the calendar, I think, is secondary to those first two points: one, that it recognizes the complexity of the indigenous peoples of this country by stating first nations, Inuit and Métis; and two, that it is an educational, and a positive and celebratory holiday rather than one that just marks particular human rights abuses or genocides that have happened in this country.

• (1535)

That isn't to say that we wouldn't talk about those things. It's just that I believe, for the moment in time that we're in and the appetite that I know Canadians have to learn more about first nations, Inuit and Métis, that it might be the best use of this particular statutory holiday.

Those are my remarks. Thank you.

**The Chair:** Thank you.

We will now go to the Native Women's Association of Canada, with Virginia Lomax and Casey Hunley, please.

**Ms. Virginia Lomax (Legal Counsel, Native Women's Association of Canada):** *Bonjour, kwe* and good afternoon.

I'd like to begin by acknowledging that we're gathered today on the traditional and unceded territory of the Algonquin Anishinabe peoples.

Since 1974, NWAC has been the chosen national representative of grassroots indigenous women, girls and gender diverse people. We represent status, non-status and disenfranchised first nations on and off reserve, Métis and Inuit women, girls and gender diverse people among our membership. We defend their rights to advocate for their voices to be heard.

Today, we're standing with the Truth and Reconciliation Commission of Canada to create two statutory holidays in Canada for indigenous peoples.

First, NWAC supports the creation of a statutory holiday to celebrate indigenous peoples. Nationally recognizing and valuing National Indigenous Peoples Day as a statutory holiday is an opportunity to demonstrate reconciliation. Canada must dedicate time to draw countrywide attention to all indigenous peoples' beautifully rich and diverse cultures. This deserves to be celebrated.

Indigenous people deserve to be a celebratory focal point: to have the opportunity to publicly share, honour and reconnect with accomplishments and achievements with the eyes and ears of the country watching and listening. Dedicating a day to celebrating indigenous peoples gives Canadians the opportunity to learn about the cultural diversity and vibrancy of all indigenous peoples in Canada. It's time to listen, and it's time to celebrate.

Currently, in the Northwest Territories and the Yukon territory, they celebrate National Indigenous Peoples Day as a statutory holiday in order to "recognize and acknowledge the valuable contribution of Aboriginal Peoples to the healthy development of our communities, territory and country" and to celebrate "the unique heritage, diverse cultures, and outstanding achievements of Indigenous peoples across Canada". Indigenous peoples and their cultures are worth celebrating, without question.

Secondly, NWAC stands by the TRC's call for a statutory holiday of truth and reconciliation, on October 1. We must annually honour and commemorate the children who attended residential schools: those who survived, and those who did not.

The TRC's call to action number 80 states that a statutory holiday permits families to participate in a day of honouring together. It can help families reflect on the critical bonds of love that exist between parents and children, a bond that is fundamental to living a good life, and one so heavily interrupted by residential schools. It provides children with agency to articulate that love that they need from their parents, while also giving parents an opportunity to reflect on the horrors of having a child forcibly removed.

In order to move forward in an era of reconciliation, we must honour and heal as individuals, as communities and as nations. We need to remember the previous and ongoing impacts of colonization. Residential schools, the sixties scoop and other assimilative strategies cannot be forgotten or ignored, and we cannot forget. We need to dedicate time to educate, to reflect and to recognize the journey toward reconciliation, and this must be nationwide.

Thirdly, NWAC strongly recommends the creation of two separate statutory holidays, the first being National Indigenous Peoples Day, which is a day of celebration, a day to recognize indigenous peoples' stories that are full of vibrant and diverse cultures with significant contributions not just to their communities and not just to Canada, but to the world. The second is a national day of truth and reconciliation, which is a day of reflection and remembrance, a day to honour and to educate Canadians on the past and present impacts of colonization and to acknowledge the ongoing intergenerational trauma affecting our communities today.

Combining a day of celebration with a day of reconciliation, in our view, is inappropriate and disrespectful. I'd like to leave you with a thought to help put this into context the way we see it. Would anyone in this room ever consider combining Canada Day with Remembrance Day?

*Chi-Miigwech. Nia:wen.*

Thank you.

● (1540)

**The Chair:** Thank you very much.

[*Translation*]

We will now move into questions and answers.

Mr. Boissonnault, you have the floor for seven minutes.

[*English*]

**Mr. Randy Boissonnault (Edmonton Centre, Lib.):** Thank you all for your testimony.

Natan, thank you so much for coming and sharing your thoughts with us.

How would you see that we could do something celebratory on a day other than National Indigenous Peoples Day that would be forward-looking? So if we looked at September 30, if we looked at a day in the fall, how could we commemorate and respect the TRC's calls to action and do what you are suggesting to us today, which is to be positive and forward-looking? How do we commemorate and also look to the future?

**Mr. Natan Obed:** That's an excellent question. The Native Women's Association of Canada has put it very well in relation to the difficulties with mixing the two, recognizing past human rights violations and abuses but also recognizing the vibrancy of indigenous peoples in this country.

I've celebrated Indigenous Peoples Day, formerly National Aboriginal Day, since my childhood, and that day is one of celebration. I've never considered it to be a day on which we're looking back at a particular point in time. It's just that we're here, we're resilient and we have so much to celebrate. Orange Shirt Day and the growing interest of Canadians in understanding residential schools and perhaps other issues such as relocation, I think, are things that Canadians will want more and more as people understand exactly what happened.

It is really hard to combine the two, and as far as a day in a calendar year goes, I'm afraid I'm of little use to you in recommending which day that might be, but it is important that whatever this bill ends up with, what day, that there be a clear definition between the two, and that somehow we come to terms with both of those issues.

I'm sorry that I don't have a better solution.

• (1545)

**Mr. Randy Boissonnault:** That's great. I just wanted your thoughts. I appreciate that. It's no secret that I'm in favour of two days. I'm in favour of keeping National Indigenous Peoples Day as it is and having another day for the great thinking and the respect and honour we do to indigenous peoples, first nations, Métis and Inuit peoples, and that we have to commemorate this.

I was struck by the testimony and I was speaking with colleagues who were struck by the testimony of indigenous and non-indigenous children who thought Orange Shirt Day was just a day when you put on an orange shirt. They need to know why. We all need to know why. We have to go into the heart of this issue and we have to have a day in our calendar that says we have to pause and think about this. I don't buy the money arguments. People are going to get paid anyway.

So let's pause and have everybody.... It's \$11 million. Are we worth spending \$11 million on to commemorate this part of our history? Yes, absolutely.

Virginia and NWAC, thank you for that moving testimony. How can we preserve the best of National Indigenous Peoples Day and also commemorate what needs to be commemorated with a new day?

**Ms. Virginia Lomax:** The clearest answer that comes to my mind is by having them separate. I can't really think of a better answer than to have two separate occasions for two very separate purposes.

**Mr. Randy Boissonnault:** That's fantastic.

You also mentioned that it was important for you to look forward but to commemorate. How would you see September 30 unfolding as a new statutory holiday? What would you like to see take place on a day like that?

**Ms. Virginia Lomax:** I think we would really like to see, at least initially, a strong emphasis on education. I think you put into context very well that a lot of folks don't even understand what Orange Shirt Day is. If there is going to be a separate day for honouring, commemorating and remembering residential schools and the sixties scoop, that needs to be combined with education on what those things are and what those things meant, and what they continue to mean. I would put a strong emphasis on coupling that with educational initiatives. If there can be suggestions to add to curriculum, to schools around those days, that might be a good place to start.

**Mr. Randy Boissonnault:** Learning kits across the country that can be used in classrooms.

**Ms. Virginia Lomax:** Yes.

**Mr. Randy Boissonnault:** You'd be in favour, then, of making sure the day is a day when children are in school.

**Ms. Virginia Lomax:** I don't have any opinion on that one way or another, at this point. Growing up in Saskatchewan, I don't remember ever being at school on Remembrance Day. We were in ceremonies across the town. One of the big things that happened in my hometown was that the ceremony happened inside the school. Despite the fact that we were technically off, our parents still brought us to the school to learn and to honour and to remember.

I think that's certainly something that could be repeated on this day.

**Mr. Randy Boissonnault:** Thank you.

Natan, how else can we be more careful with our language? The government term is "indigenous". Every time I have the opportunity to say "first nations, Métis and Inuit", that's what I do. How else can we be sensitive to and mindful of the language we use here in government?

**Mr. Natan Obed:** There is no pan-indigenous language. Any language you might use that a certain first nation, Inuit or Métis person has used is from their community and from their society. For Inuit, this isn't Turtle Island, although we respect the first nations who describe the world in that way.

The complexity of indigenous people's world view in this country, first nations, Inuit and Métis, reflects that of any major ethnic group of people in terms of society and religion. When you talk about ceremony, when you talk about these things, they are for a specific portion of first nations, Inuit and Métis in this country. They are not for all. There is virtually no statement you can make that encompasses the religious or social beliefs of all indigenous peoples of the country at once. Refraining from those types of blanket statements gets you closer to the respect from all first nations, Inuit and Métis.

• (1550)

**Mr. Randy Boissonnault:** I will say to you both, in the Cree language that I'm learning, *tatawaw*—that is, welcome, there is room for everyone—and *hay-hay*. You're both leaders, and your organizations are leaders. Thank you for walking with us on this journey.

**The Chair:** Thank you.

We will now go to Mr. Shields for seven minutes, please.

**Mr. Martin Shields (Bow River, CPC):** Thank you, Madam Chair.

I appreciate your being here to inform us and educate us on these particular issues. I would just follow up a little bit on your explanation of the three rather than the one. I think you have been doing it as you've been asked to clarify it, and it has been very interesting.

Would you like to expand on that more? We haven't heard this before. This is new information for us. You devolved that conversation from.... We talked about indigenous, and you're talking about something different. Could you expand on that a little bit more, please?

**Mr. Natan Obed:** You have to understand that the differences between first nations, Inuit and Métis within the federal context are astoundingly difficult to understand. There are very few people in this country, even in the legal profession, who could articulate the way in which each of the three indigenous peoples of this country interact with the Crown, or interact with provinces and territories.

We didn't make up this complexity. Often it was based on the natural resources of the particular area, the provincial or territorial governments of the time, or the federal government at the time when they needed something from our lands. It's needlessly complex. It's not of our own creation, and to push back against this, we must say that in the Constitution there are three indigenous peoples: first nations, Inuit and Métis.

For us, the way we interact with the federal government is through modern treaties, land claim agreements. They are the connection between us and the Crown. For many indigenous people in this country, it's the Indian Act. We don't fall under the Indian Act. Different legislation and different rules apply to different segments of the indigenous population in this country, and therefore, having a pan-indigenous approach often excludes or minimizes the experience of certain groups of indigenous peoples in this country.

For decades, the Inuit heard about indigenous or aboriginal investments from the federal government, through budgets or through other areas, that didn't ever go to Inuit communities. There's an easy way that the federal government can talk about aboriginal or indigenous peoples while still excluding certain first nations, Inuit or Métis interests within that.

A way to push back against that is to forcibly state that these are the three indigenous peoples under the Constitution in this country and to use that terminology. That allows for the next level of conversation to happen: Why is there a difference? What is the difference? How do we appreciate and then respond to that difference? Just having the name Inuit within this piece of legislation would be a tremendous win for the Inuit in this country.

We still struggle for a basic understanding of who we are. I think most Canadians know that there are Inuit in this country. Perhaps they refer to us with a different term, but they know that we live in the Arctic, that we're symbolic and that we're good artists, probably, but very few Canadians know anything more than that. We have to reinforce over time that we are part of the indigenous community in this country but we are not first nations, and we are not Métis, and we have a very different relationship with the federal government.

We are one step closer to all of those realities when you pull "indigenous" out and you replace it with "first nations, Inuit and Métis".

•(1555)

**Mr. Martin Shields:** I really appreciate that, because you have clarified it more. I think that has definite significance in the sense, as you're suggesting, that this is a starting place, one of the places that it could be used, which leads to that other conversation, and obviously then the education that would follow from it as it is identified that way.

I know you did respond a bit in the sense of questioning the timing. You said you grew up celebrating a specific day, but you were not clear on when that day was.

**Mr. Natan Obed:** Formerly National Aboriginal Day, and now National Indigenous Peoples Day, is June 21.

We receive funding from the federal government in the community I grew up in to have certain celebrations on that day. Our Inuit organizations across Inuit Nunangat, which is our homeland, do activities on that day as well, and often it's a day off work.

There are different ways across our homeland that we celebrate Indigenous Peoples Day on that particular day that is shared with the Government of Canada as of right now.

**Mr. Martin Shields:** So it is a day that you remember, a specific date. That's all I wanted to know, because that's been a date that has been mentioned numerous times—June 21.

I just wanted to clarify that that would be a date that would fit into what you have been doing.

**Mr. Natan Obed:** Yes.

**Mr. Martin Shields:** Good. Thanks.

Thank you for talking about Saskatchewan and Remembrance Day. Alberta is similar, but a lot of the country doesn't do that. It's not a statutory holiday; it's a school day.

**Ms. Virginia Lomax:** It was certainly a surprise to me when I moved to Ontario.

**Mr. Martin Shields:** There is the challenge. If we're talking about a national holiday, it does not mean the schools would not be in.

How does that fit with a national holiday, being the federal government, so the schools will still be in?

**Ms. Virginia Lomax:** You're saying that in this particular circumstance, you're speaking about October 1, September 30, or whatever day it is.

**Mr. Martin Shields:** It would be June 21 or whatever.

**Ms. Virginia Lomax:** Most schools would probably not be in session on June 21.

**Mr. Martin Shields:** Yes, they are in Alberta.

**Ms. Virginia Lomax:** If we have that kind of discrepancy across the country, it might be interesting to see if there are other unifying ways to bring different regions together on the same issue. I think that it could possibly go beyond people simply having a day off. Maybe there could be some type of federal programming even in a lead-up to the day. I'm sure we all remember things like Heritage Minutes on CBC. Perhaps there could be a similar public relations campaign in a lead-up to the day so that if the provinces choose to regulate these days in different ways or if different employers are going to be somehow exempt from giving people these days off and they can't spend them with their children, at the very least there would be some sort of national plan in place to draw attention to the importance of the day even if the date itself is not the significant part. I think that goes back to the other comments we've made. It's not the date that matters; it's the meaning behind it.

**The Chair:** Thank you.

[*Translation*]

Mr. Nantel, you have seven minutes. Please go ahead.

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Thank you, Madam Chair.

[*English*]

I invite you all to grab your earpiece. The lower switches are the ones switching to English and French. Eventually, we may have first languages in the translation services. We actually do have that now in the new House of Commons, which is great news.

[*Translation*]

I would like to refer everyone to my colleague Ms. Georgina Jolibois's very short bill, entitled An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Indigenous Peoples Day). In the summary, it states that the "enactment amends certain Acts to make National Indigenous Peoples Day a holiday."

That's the issue we need to focus on. We've talked a lot about this over the past few months. I recall my fellow member, Mr. Blaney, raising the issue of Remembrance Day. Members on both sides spoke passionately on the subject. They all wanted to pay tribute to our armed forces but wondered whether it was a good idea to establish a holiday.

Frankly, this isn't about selecting a date—granted, we do have to choose one, of course. Ms. Lomax pointed out that we wouldn't consider combining Canada Day, July 1, with Remembrance Day.

I'm worried about the issue getting bogged down; it's important to move forward. We've heard a range of views, and, yes, there is a risk in terms of combining the days. We need to consider whether designating June 21 as the new holiday is appropriate when orange shirt day exists as well.

Mr. Obed and Ms. Lomax, I'd like you to talk more about that. As you clearly pointed out, Ms. Lomax, we would never consider combining Remembrance Day and Canada Day, a day of celebration. Do you think we should proceed?

I'm worried because the end of the parliamentary session is looming, so I want to make sure that the bill comes to fruition at the end of all this.

• (1600)

[*English*]

**Ms. Virginia Lomax:** Just for clarity, the question is what would we do to ensure that we have not mixed these two days? To be succinct, separate them. Be very clear about the different meanings. I think that different programming for different days would also be prudent in order to conceptually distinguish these days.

If you're having a day of celebration, a day that's going to be a day with dancing, a day with music, a day with the celebration of the very distinct and vibrant cultures, it's going to have a different spirit than will a day that is intended to educate and to reflect.

To me, the way to distinguish this is not only to very clearly, temporally and physically separate these days but also for the federal

government to set an example of what these days are supposed to mean and what these days do mean.

[*Translation*]

**Mr. Pierre Nantel:** Mr. Obed, you said that, in the past, the Government of Canada had provided funding to celebrate the summer solstice on June 21.

Do you think that's still the best day to celebrate National Indigenous Peoples Day?

[*English*]

**Mr. Natan Obed:** Each community across Inuit Nunangat, our homeland, receives a small bit of funds from the federal government to celebrate National Indigenous Peoples Day. That's the fund I was referring to. As far as the push from indigenous people from Inuit first nations and Métis on making it a statutory holiday goes, that's been a conversation for a long time that predates the TRC. There have been Inuit representational organizations, our governments, and us, that have started to recognize that day as a statutory holiday within our own structures.

As far as whether or not this bill would create a statutory holiday for all Canadians goes, I wouldn't want to see it framed as it is now going to be the TRC call to action implemented through creating a statutory holiday on June 21, because that is mixing very clearly the established place and purpose for National Indigenous Peoples Day and this particular part of the TRC call to action.

Again, whether or not the statutory holiday falls on June 21 or another date is picked within the calendar year is a question that without more consultation I don't have a position on.

• (1605)

[*Translation*]

**Mr. Pierre Nantel:** Ms. Lomax, is there anything you'd like to add?

[*English*]

**Ms. Virginia Lomax:** Can I just ask a clarification question? Did you imply that it's at least a strong possibility that if these days are not combined, neither will go forward?

**Mr. Pierre Nantel:** I would not evoke this. The reality is that we've been talking about this for a long time and the reality is that there are many points of view. As you said, I wouldn't want to see the side effect of this bill actually be damage to any dates. I think that quite effectively, as you say, Remembrance Day, November 11, is one thing and July 1 is another thing.

**Ms. Virginia Lomax:** From our view, if there's concern that continued debate over the importance of this separation would harm the progression of the bill, I would respond that to progress with a bill that does not respect the separate spirit of these two events that we're discussing would be to fail the spirit of the bill.

[*Translation*]

**The Chair:** Mr. Nantel, you're out of time.

[*English*]

We are now going to Mr. Vandal, please. You have seven minutes.

**Mr. Dan Vandal (Saint Boniface—Saint Vital, Lib.):** Thank you.

First of all, I appreciate all of your input. It's been very valuable. This bill is incredibly important, and we can only learn through consultations with not only you but also many other groups and individuals.

My first question is whether any consultation was done before this bill was presented to the House of Commons by the author of the motion, MP Jolibois.

President Obed, was there any consultation? Is this the first time you've been asked your opinion?

**Mr. Natan Obed:** Yes.

**Mr. Dan Vandal:** Ms. Lomax.

**Ms. Virginia Lomax:** I can speak only to my own knowledge, but to my own knowledge, yes.

**Mr. Dan Vandal:** I'm glad we're having this conversation, because the information is very important.

**The Chair:** If I can just jump in for clarification. I wasn't sure if the answer was yes, it's the first time you've been consulted, or yes, you were consulted before.

**Mr. Natan Obed:** The "yes" was that this is the first time that we at ITK have been consulted on this particular bill.

**Ms. Virginia Lomax:** This is the first time, to my knowledge, that NWAC has been contacted in relation to this bill.

**The Chair:** Thank you.

**Mr. Dan Vandal:** Mr. Obed, you earlier stated that you would prefer that the day be positive and forward-looking. National Aboriginal Day was established in 1996. The purpose of the day was "to recognize and celebrate the unique heritage, diverse cultures and outstanding contributions of First Nations, Inuit and Métis peoples." The day was part of a Government of Canada "Celebrate Canada" program that includes Saint-Jean-Baptiste Day, Canadian Multiculturalism Day and Canada Day. Would the current National Indigenous Peoples Day not already satisfy the requirements that you think are most important?

**Mr. Natan Obed:** The evolution of National Indigenous Peoples Day has been wonderful to see. From the early 2000s until now, I think it has grown, and we now have celebrations that happen all across this country, and more Canadians understand it. Many first nations and Inuit and Métis look forward to and celebrate that day. So, yes, I think the spirit of what I'm imagining as a statutory holiday does live within that particular holiday already, although it does seem that the creation of a statutory holiday provides a greater weight and allows for more education and a bigger platform for us. If you think about holidays, statutory holidays, and how they've been allocated over time, they have been colonial in nature and they have thought about the founding of this country, not necessarily about indigenous peoples within Canada. This would be a marked departure from that legacy. I think that is a great opportunity.

• (1610)

**Mr. Dan Vandal:** If I remember correctly, at the same time you're also supportive of a commemorative day that remembers the residential schools. Is that what you stated?

**Mr. Natan Obed:** Yes. The idea that we would spend a day to recognize and consider and think about not only residential schools, but more broadly the very negative effects of colonialism for first

nations, Inuit and Métis in this country, especially, as I said, in relation to things like relocations and other human rights violations. I think this is necessary. Just last week I was in Arviat, Nunavut, where the Government of Canada apologized to the Arviarmiut, who were relocated three different times in the 1950s. Many of the Arviarmiut, this group of Inuit, died of starvation. This was at the same time as the Nuremberg trials were happening. This was the same time that this country was in a post-World War II period of reflection about the creation of the United Nations and the respect for human rights for all peoples. To think that we could learn from all of these things that have happened in this country, in a separate time and place, with no less power, and I guess just consciousness within this country, is also something that could be very powerful as well.

**Mr. Dan Vandal:** Virginia, I think your position is quite clear. You think there should be two days?

**Ms. Virginia Lomax:** Yes.

**Mr. Dan Vandal:** How important is it that both those days be holidays?

**Ms. Virginia Lomax:** I think it's important that both of those days be holidays, simply for the weight given to both of those days if they are created as federal statutory holidays. In my view, that is the federal government setting an example for reconciliation.

**Mr. Dan Vandal:** The bill, as it's written, only wants an indigenous persons day—I don't know if that's the right wording for it—which would be a statutory holiday.

Our challenge is to find a commemorative day that has some positive aspects to it that we can all be proud of. I'm not sure if you're aware, but our government is committed to implementing all of the calls to action of the Truth and Reconciliation Commission, and this may be an opportunity to attempt to implement one of them, or not. That's up to the committee.

Thank you.

**The Chair:** We're going to Mr. Yurdiga, please.

You have five minutes.

**Mr. David Yurdiga (Fort McMurray—Cold Lake, CPC):** Thank you, Madam Chair. I'll be splitting my time with the hon. MP Blaney.

First of all, I'd like to thank everyone for coming today. Your input is very important.

I've been talking to many indigenous groups, whether it's first nations or Métis—we don't have any Inuit in my riding—but the problem is they can't pick one date. One group wants it on September 30, the other wants it on June 21. There's no real clear, decisive date to pick, and from my perspective, this bill was designed and brought forward addressing it as one national holiday. We're sort of stuck on what's in front of us.

What have you been hearing in your communities? Obviously you're talking to a lot of members of the community. Is there a division in your area about which day? If you had to pick only one day, what's the discussion like?

I want to hear from all members, if possible, their point of view or what their experiences are.



•(1615)

**Mr. Natan Obed:** In the Inuit community, we haven't had a lot of conversation. This hasn't been a primary concern of our population in relation to a lot of our other socio-economic issues and the hopes that we have for a renewed relationship.

This is something that is undoubtedly a good thing—we don't want to conflate it with anything that isn't a very positive step. Of all the different hierarchies of needs that Inuit have, this is one that is very good to have, but we would, I think, much prefer having our infrastructure deficit or housing defect be completely covered by federal government funds, if we were going to pick what was more important. Of course we're not doing that, but this is just all to say there has not been a lot of conversation. I'm sure that the Government of Canada will do its best to find a day that works best for the majority of Canadians.

**Ms. Virginia Lomax:** From our perspective, we understand June 21 to be the day that is set aside as a celebratory day. Speaking from what I know from my client, the specific dates, to my knowledge, are not as important as the separation and the meaning behind the separate dates.

**Mr. David Yurdiga:** Is there anything else?

You know, the challenge for all of us is trying to get the word out there. A lot of people don't know about discussions happening at a committee. Do you think there needs to be more time to actually meet with different communities as a group and get a better understanding?

Right now, I know there has to be the educational component to it, also. We want to ensure that kids going to school understand the difference between the two days. One is celebration and the other one is remembrance. That discussion has to happen provincially, I would assume, and in the territories to ensure that it's part of the curriculum. I talk to my grandson and I ask him, "What are you learning in school? Do you know about this and that?" A lot of times, it's not part of the curriculum. I think we have to do a better job of educating. If we're going to move forward, we need to put more resources forward to our education system.

Natan, do you see an educational component as a necessary part of this recognition?

**Mr. Natan Obed:** Absolutely. The educational components of the TRC calls to action are being undertaken in some places, and in some cases not. I think there still needs to be a big breakthrough in the respect for the representatives of indigenous peoples to lead curriculum development and finalization of curriculum within provincial and territorial school systems that purport to speak on their behalf. For a school board to create curriculum and then implement it itself without the explicit agreement and approval and perhaps even the ability for the first nations, Inuit or Métis peoples to input or create that curriculum themselves is still a remnant of a colonial way of thinking.

As far as the time needed to discuss and consult on this bill goes, I think that's secondary to the need to have a statutory holiday, and I do think that over time we can create something positive out of this particular statutory holiday. I know there will never be a consensus across first nations, Inuit and Métis communities about what day that

might be, but just as with any other debate, or any other piece of legislation before you, there are always going to be a number of Canadians who are not supportive of the acts that go through Parliament.

**The Chair:** Thank you.

We'll now go to Mr. Hogg, please, for five minutes.

**Mr. Gordie Hogg (South Surrey—White Rock, Lib.):** Thank you.

Thank you very much for being here. You've brought a number of new perspectives that we haven't heard from a number of the other witnesses who have come before us, so we're most grateful for that.

You've made reference to paternalism and colonialism and the issues coming out of those, and you talked a little bit about the celebrations that might occur.

At one point, Ms. Lomax, you made reference to the fact that perhaps the federal government has to come up with some ideas about that, or show some leadership around that. Clearly we want to do that, but clearly we also don't want to be paternalistic about that, and that process. When you made that reference, I think your comment was that perhaps the federal government should come up with ways of looking at that. I think each of you have talked about some unifying values and principles that underlie that. Could you personally outline what you see those values as being? Then, if you were the federal government, how would you engage in this process to ensure that not just the outcome but also the process is respectful, as the TRC would keep reminding us that we have to do? It's a value we want to reflect.

Can each of you comment on what you see as some of those values, and then on a respectful process as you would see it?

•(1620)

**Ms. Virginia Lomax:** When you're talking about principles we see, are you speaking specifically about the truth and reconciliation thing?

**Mr. Gordie Hogg:** I'm talking about the principles and values that you would want those days to reflect. I'd like to then think about how 10 years from now, if everything worked the way you want it to, and everything came together the way we're talking about, what would that day look like, and what would people coming away feel like? What are the values being reflected, which we must ingrain in what we're trying to do now so that those values will be able to be permanent parts of the celebrations and the remembrance?

**Ms. Virginia Lomax:** For the indigenous peoples day, we see this as a day of celebration, of respecting and promoting and assisting, ultimately, in the longevity and the thriving of diverse, vibrant indigenous cultures. That would be what we see in this National Indigenous Peoples Day.

But the second day—a truth and reconciliation commemoration day—we see as a day of honouring and of commemoration for those who have and have not survived residential schools, the sixties scoop, and the onslaught of other assimilative practices that have been present in Canada, the legacy of colonialism. We see this as a day of remembering, educating and reflecting.

These days have two very different spirits. For the federal government to go ahead and act on these days in the way that I described earlier in my testimony...that must come from the grassroots up. It would require engaging with communities and organizations to see what they need from these days. It's not just about what we see. It's about what folks on the ground, folks in communities, need from these days.

**Mr. Gordie Hogg:** If I interpret what I think I hear you saying, those values you reflect are the values we would ingrain within the principles of this piece of legislation or at least realize them. Once the legislation is passed, you're saying that activities that would come out of that would have to go back to the communities to be spoken about, to be engaged, or else be given totally to the communities to take responsibility for. Is that a fair interpretation?

**Ms. Virginia Lomax:** Yes. And if we see this as possibly something that the federal government can assist through funding for capacity building within communities and within organizations to bring forward what these days mean to individual communities that are distinct and that have very distinct cultures, I think that would be a very important place to start, from the grassroots up.

**Mr. Gordie Hogg:** Thank you.

Mr. Obed, can you comment on the same thing with respect to the values that you see and then the process by which you would see those values being realized or implemented or celebrated or remembered?

**Mr. Natan Obed:** I think Canada is still in an educational phase with regard to first nations, Inuit and Métis and how we fit within this country. Almost all the work that we're doing on the legislative front and also on the renewal of the relationship front is pushing back against ignorance, pushing back against the lack of understanding of the rights that we have as indigenous peoples globally and the rights that we have as first nations, Inuit and Métis in this country.

A statutory holiday, especially one around celebration, gets us closer to this acceptance that we are first nations, Inuit and Métis in this country but that we can also celebrate as Canadians as well, that there can be these bridging places because there still are many indigenous peoples in this country who do not feel very comfortable about being a part of this country.

Inuit specifically have often talked about being first Canadians and Canadians first, but we often have been alone in rooms where we have expressed that view. It would be great if there were just more buy-in from all Canadians about the amazing contributions of first nations, Inuit and Métis in this country and celebration of that, and celebration of the growth of this country with that as a hallmark, not necessarily as something that has to be dealt with by this country.

I often talk about how to be a really good public servant, to be a really good bureaucrat within what was formerly known as INAC and however it is now different, you had to know how to limit the expenditures by the Government of Canada to indigenous peoples in whatever file you were working on. Whether it was rights, whether it was programs or services, whether it was policy, you were a good public servant if you figured out a way to ensure that the least amount of money or no money at all or no time at all went to those things that indigenous peoples ask for in this country.

We want to turn that on its head. We want to figure out how to create a country that imagines indigenous peoples succeeding alongside all other Canadians for the benefit and health of all of Canada. I don't think we're there yet. This holiday can go a long way to making sure that from a very early age, all Canadians have a positive association with first nations, Inuit and Métis. That isn't the case now, and we're not building that in the way that we should be.

• (1625)

**The Chair:** Thank you. That is all of your time, and a few minutes on top.

[*Translation*]

It is now over to Mr. Blaney.

You may go ahead for five minutes.

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):** Thank you, Madam Chair.

Hello to my fellow members and thank you to the witnesses for being here.

Mr. Obed, your vision is very inspiring. I have no doubt there is an appetite in Canada for an all-encompassing and positive vision of indigenous communities, be they first Nations, Métis or Inuit. That's why we supported this bill. I listened carefully to what you and Ms. Lomax said.

As a former veterans affairs minister, I used to take part in National Indigenous Peoples Day celebrations on June 21. Here, in Ottawa, we would honour the contribution of indigenous peoples in times of conflict and war, at a ceremony held right next to the National Aboriginal Veterans Monument. It was an opportunity to recognize the contribution indigenous people made for our freedom.

On July 1 last year, I witnessed the paradox of a touching moment while in Beaumont-Hamel, France. I learned that, on that day, Newfoundlanders close all their shutters in the morning, for a half day of sadness to recognize the sacrifice of a generation of Newfoundlanders, whose lives were brutally cut short during the First World War. In the afternoon, however, Newfoundlanders celebrate the province's union with Canada. It is that sort of paradox we have to deal with.

What I now realize is that June 21, the day currently designated National Indigenous People's Day, is not a holiday. You are teaching us a lot this afternoon. We also learned that no consultations were held on Bill C-369, in its current version, and now there is talk of two days instead of one. How do we balance remembrance and celebration? We don't know what the date should be. June 21 strikes me as an appropriate day to bring Mr. Obed's vision to life. I'd like to hear your thoughts, but I just wanted to share my comments with you.

At this point, adding another day so there are two holidays would essentially distort the bill. We would have to either go back to the drawing board or hold more consultations. After listening to everything that's been said today, I have more questions than answers, but I'd like to give you the remainder of my time to share your thoughts.

•(1630)

**The Chair:** You have about two and a half minutes left.

[English]

**Mr. Tim Argetsinger (Political Advisor, Inuit Tapiriit Kanatami):** In response to your question, I think there's a way of achieving that balance where the focus of a day could be a focus on the past human rights abuses that indigenous peoples have experienced and have worked to overcome. At the same time, it could be the day to focus on the agency that we all have to take positive actions to address some of the challenges that flow from those past experiences. It could be both one of recognition and also one that highlights some of the positive work that has been taken by first nations, Inuit and Métis communities, organizations and governments to address some of the challenges that are associated with past experiences such as residential schooling or relocations.

I think that could be a way to balance.

[Translation]

**Hon. Steven Blaney:** Ms. Lomax, would you like to add anything?

[English]

**Ms. Virginia Lomax:** It's my client's position that there should be two separate days, and that's what I'm able to speak to at this time.

That being said, any legislation that is drafted that will impact indigenous people should be done in very clear consultation with them. If there are questions still surrounding this bill and its potential impacts on first nations, Métis and Inuit people, then there should be further consultation to know those impacts. It's a possibility.

I can't comment on whether or not this specific bill needs more consultations, because quite simply I don't what consultation has gone into this. I can't speak to that. It's generally our view that what is done that impacts indigenous people must be done by indigenous people or at the very least with them.

[Translation]

**Hon. Steven Blaney:** Thank you very much.

[English]

That was quite extensive.

**Ms. Virginia Lomax:** Thank you.

**The Chair:** Mr. Hogg, I understand that you had one more question. You had extra time the last time around, so could you try to keep it to three minutes, please?

**Mr. Gordie Hogg:** Thank you, Madam Chair.

In some ways, Mr. Blaney covered some of that, and you've started to touch on it. There are all kinds of expectations with respect to consultation in terms of what consultation looks like, whether it's genuine and how engaging it is, with a number of principles around that.

I'll give each of you one minute out of what I have left. Could you comment on what you would see as an appropriate process for consultation with respect to this piece of legislation? Even if it's passed, how do we move from that to looking at what's going to happen on those days and what's appropriate in terms of

engagement? Could each of you comment on that briefly for me? Thank you.

**Mr. Natan Obed:** There have been a number of pieces of legislation that have had consultation over the past few years.

I think the first nations, Inuit and Métis languages legislation comes to mind as the federal government doing a distinctions-based approach to consultation with indigenous peoples and having sessions that bring together a diverse group of our constituency—for Inuit—to be able to speak on the legislation. It also requires there to be information provided about the intent of the piece of legislation.

That said, I think this is a Canadian issue writ large, so the consultations should happen all across the country.

**Ms. Virginia Lomax:** My addition to those comments would be that the consultation should happen first. We're commenting on this legislation after it's written. Perhaps some of these issues could have been solved.

**Mr. Gordie Hogg:** On consultations, you've both described broadly the concept of consultation. Does this mean finding people to come here again? Does it mean going out into those communities? Does it mean holding round tables and sessions with people? How robust is this? What does this look like?

**Ms. Virginia Lomax:** I think it would mean a combination of all of those things. Certainly, if the aim is to find what it is that indigenous, first nations, Métis and Inuit constituents require, it requires asking them about their needs.

•(1635)

**Mr. Gordie Hogg:** Is that something that we would go out to the governing bodies for and ask them to do?

**Mr. Natan Obed:** This is a Government of Canada bill. Often, we, as representatives of indigenous peoples, are put in pretty precarious conditions when we are asked to do consultation on behalf of the federal government, because in the end it is not our piece of legislation. We also cannot guarantee our constituency that the federal government will or will not implement any of the things we ask for.

**Mr. Gordie Hogg:** I've just been reminded that it's not a government bill. This is a private member's bill that is coming forward, so in that sense it's not a government bill. At the same time, the principle of good public policy is that it does engage those people who it's going to impact most, the people who have a vested interest in it and want to see it.

That's what I'm trying to get to, because so often the processes do not adequately engage people in a meaningful way so that they feel they've been heard and policy-makers or decision-makers are well informed. That's a frustration that I think all of us have in terms of being able to get that visceral emotive sense of how this impact... You've started to give some of that to us, but I don't want to go through this process and find, my gosh, there's something else we should have done.

I spend a lot of time studying public engagement processes around the world. I don't think there are any fantastic ones, but certainly there are some that are a lot better than others. That's what I was struggling with. What is it that we can do? If you were sitting here, what would you say should be done? How would you do that?

**The Chair:** Mr. Hogg, I'm really sorry to do this to you, but you have taken all of your time.

[*Translation*]

The last two minutes are yours, Mr. Nantel.

**Mr. Pierre Nantel:** Thank you, Madam Chair.

[*English*]

Thank you very much for your appearance today.

As my honourable colleague mentioned, it is not a government bill. It is my colleague's: Ms. Georgina Jolibois, a Dene person from La Loche in Saskatchewan. I think the idea behind the official writing of the bill is to actually.... The debate around the dates has been coming, but the bill is not evoking a date. It's evoking "the day fixed by proclamation as National Indigenous Peoples Day".

According to me, the date is something that of course we have to agree on, but the principle we have to agree on is that it should be a statutory holiday. If we pursue this tandem approach of a comparison between July 1 and Memorial Day, National Indigenous Peoples Day

could be a statutory holiday so that we can all celebrate our heritage and our shared relation with the first nations and indigenous people, Métis and Inuit. This is what this bill is about. It's not about the date. We can come up with a proposal for a date, but the bill itself is about the fact that shouldn't "the day fixed by proclamation as National Indigenous Peoples Day" be a statutory holiday? As I've heard many times from the other side, this is surely a worthy investment. We need to celebrate this, and we need to fix this.

Do you want to intervene, Mr. Obed?

**Mr. Natan Obed:** I'm sorry about the cavalier nature of my description of the bill. From where I sit, we have Inuit governance and Inuit democracy, and this is a Government of Canada exercise. I'm not necessarily meaning to conflate a private member's bill and a Government of Canada bill.

**Mr. Pierre Nantel:** Of course. Understood.

**The Chair:** Thank you very much.

It was a very interesting discussion today. You brought many ideas that in fact we had not heard before. That was very helpful to all of us. I really want to thank you for your time.

That brings to an end this panel discussion. I will briefly suspend so that we can move in camera.

[*Proceedings continue in camera*]

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