



SECTOR UPDATE  
RIGHTS & JUSTICE BRANCH: JUSTICE SECTOR  
ISSUE: RESIDENTIAL SCHOOLS AND THE TRC

July 2022

## What is the history of this issue and how does it impact First Nations?

The Canadian Residential School system was in existence for well over 100 years. Residential schools were not schools, but rather institutions of assimilation and racism which were designed to forcibly remove First Nations children from their families and to eliminate their ties with their culture and nations. Residential Schools implemented a government mandated policy of cultural genocide and erasure against First Nations people. Many survivors suffered neglect and extreme forms of abuse, including physical, sexual, and emotional abuse while attending these institutions. The legacy of Residential Schools has had many negative and lasting impacts upon generations of First Nations people.

Following many years of advocacy and the filing of a class action lawsuit in 2010, a negotiated agreement entitled the *Indian Residential School Settlement Agreement (IRSSA)* was reached between survivors of residential schools, the Assembly of First Nations (AFN), the federal government and representatives of the church entities which operated the residential schools. IRSSA provided common experience payments and an Independent Assessment Process (IAP) to compensate survivors for the harms and abuse they suffered while attending these institutions. IRSSA also led to the creation of the Truth and Reconciliation Commission of Canada (TRC). The TRC was mandated to share the experiences of residential school survivors and families, and to share this information with all Canadians. In 2015, the TRC produced a comprehensive Final Report with 94 Calls to Action, as well as 10 Principles for Reconciliation. The AFN fully supports the mandate and the work that was done by the TRC and continues to advocate for the complete implementation of all 94 Calls to Action.

On May 27, 2021, Tk'emlups te Secwepemc announced that they had found the remains of 215 children from the former Kamloops Indian Residential School in unmarked graves near the Residential School site. Since this discovery, there have been efforts from First Nations across Canada to carry out similar searches of former residential school sites to discover the truth about missing children who attended these institutions.

In July 2021, Chiefs-in-Assembly passed emergency Resolution 01/2021, *Demanding Justice and Accountability for the Missing and Unidentified Children of Residential Schools*. The Resolution calls upon the Federal Government to work with First Nations in full partnership to take immediate action to recover all documents and relevant information to help inform searches and investigations moving forward. Resolution 01/2021 fully supports the United Nations Resolution 60/147 "UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International



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*Humanitarian Law.*” The Chiefs-in-Assembly also passed emergency Resolution 02/2021, *Preliminary Examination of the Prosecutor of the International Criminal Court*, which directs the AFN to support investigations of former residential school sites, support an intervention at the International Criminal Court (ICC), and invite the International Commissioner on Missing Persons to work with First Nations.

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**How has the AFN’s recent advocacy affected this area?**

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On March 31, 2022, a delegation of Residential School survivors and leaders traveled to Vatican City to meet with His Holiness Pope Francis to seek acknowledgement of the claim by the Roman Catholic Church related to the right of domination over everyone and everything and an apology for its role in the spiritual, cultural, emotional, physical and sexual violence against First Nations in these institutions to be delivered by the Pope in Canada. On April 1, 2022, Pope Francis jointly addressed the First Nations, Métis, and Inuit delegations and apologized for the role of Catholics in operating residential institutions and asked for forgiveness from Indigenous Peoples. The delegations were organized and sponsored by the Canadian Council of Catholic Bishops (CCCB), and provided the Pope the opportunity to, “listen and to offer space for the painful stories shared by the survivors,” and to address the ongoing trauma and suffering faced by Indigenous Peoples to this day.

On May 13, 2022, the Vatican announced that Pope Francis will travel to Canada from July 24-29, 2022, which will include stops in Edmonton, Quebec City, and Iqaluit. These sites were selected by the Vatican without input from the delegations. Edmonton was selected because it is home to the second-largest number of Indigenous People living in urban Canadian centres and 25 residential schools were located in Alberta – the most in any province in Canada. Iqaluit is home to close to 8,000 people and has the highest population of Inuit (3,900) of all Canadian cities. Quebec City is home to Ste. Anne-de-Beaupré, one of the oldest and most popular pilgrimage sites in North America.

A year after the announcement of the discovery at Kamloops Indian Residential School, First Nations continue to conduct ground searches for the unmarked graves of their lost loved ones. The federal government and the church entities must fully cooperate and work in full partnership with all First Nations who wish to undertake ground searches at former residential school sites. The AFN is advocating for the disclosure of all documents that are in the possession of the federal government and the Catholic Church entities. In accordance with emergency Resolutions 01/2021 and 02/2021, the AFN is calling for an investigation by an international representative or rapporteur into the unmarked graves found at former residential school sites.



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### Where do we hope to go in the future?

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The AFN continues to demand the full implementation of the TRC's 94 Calls to Action and complete transparency regarding documents and information in the possession of the federal government and the Catholic church entities. The AFN remains committed to ensuring First Nations have the resources to carry out searches into unmarked graves at former residential school sites and that those responsible are held accountable. Furthermore, the AFN feels strongly that there must be greater support for healing for First Nations people, which incorporates ceremony and cultural protocols. The AFN stands in solidarity with Residential School Survivors and the families who are seeking justice and healing.