



Office of the Independent  
Special Interlocutor

for Missing Children and Unmarked  
Graves and Burial Sites associated  
with Indian Residential Schools

# Indigenous-Led Reparations Framework for Missing and Disappeared Indigenous Children in Canada

Survivors are the Living Witnesses

Finding and Protecting Truth



Upholding International  
Obligations

Amending Canadian Laws

Establishing a National  
Commission of Investigations

Exercising Indigenous  
Sovereignty and Rights

Applying Indigenous Laws

Supporting Indigenous  
Approaches to Healing

Countering Settler Amnesty

Expanding the Circle

# Key Components

## Finding and Protecting Truth

- Fully implement TRC Calls to Action 71-76 and **expand the scope** to include cemeteries and burial sites associated with other institutions.
- Provide **long-term, sufficient, and flexible funding** for Indigenous-led investigations, and support Survivor Gatherings and the recording of Survivors' truths.
- Amend or enact legislation to establish an **Indigenous Burial Site** designation to protect burial sites and include robust enforcement mechanisms.
- Enact **federal Right to Truth** legislation requiring all records relating to Indigenous Peoples to be registered in a National Records Registry and establish **moratorium** on the destruction of government records.
- Review, amend, and **modernize federal access to information system** to align with UN Declaration, Joinet-Orentlicher Principles, and the right to truth, and ensure no records are destroyed without the free, prior and informed consent of Indigenous Peoples.

## Upholding International Obligations

- Establish a **National Commission of Investigation** that adopts the human rights-based forensics guiding principles of the UN Committee on Enforced Disappearances.
- Publicly acknowledge Indigenous children as **victims of enforced disappearance** and provide **full reparations**, including compensation to families and communities.
- Sign and ratify the **American Convention on Human Rights** and accept the jurisdiction of the **Inter-American Court on Human Rights**.
- Sign and ratify the **International Convention for the Protection of All Persons from Enforced Disappearance**; Codify enforced disappearance as a crime under the Criminal Code and **Crimes Against Humanity and War Crimes Act**.
- Refer the enforced disappearance of Indigenous children to the **International Criminal Court**.

## Justice and Accountability

- Uphold Indigenous Peoples' human rights, including the right to reparations for genocide and mass human rights violations by fully implementing the UN Declaration on the Rights of Indigenous Peoples.
- Support and respect Indigenous Peoples' inherent right of **self-determination**, including the right to apply Indigenous laws and legal systems.
- Establish a **National Indigenous Data Sovereignty Strategy** and Action Plan.
- Appoint an independent panel of experts to investigate the history and legality of land transfers of burial sites and **rematriate these lands**.
- Enact an Indigenous **Repatriation Act** and develop an Action Plan for implementation.
- Establish **ethical guidelines**, and a certification process for archaeologists, anthropologists, and other professionals, and include powers of investigation and enforcement for breaches of regulatory requirements.

## Reparations and Countering Settler Amnesty

- Establish healing lodges and centres in Indigenous communities and provide sufficient **health and wellness supports**.
- Issue apologies** for the harms of genocide, colonization, and mass human rights violations.
- Enact **commemoration laws** to protect against historical negationism and the spread of hatred and **regulate educational curricula**.
- Include provisions in Bill C-63: An Act to Enact Online Harms Act, to address harms of denialism and amend the Criminal Code, making it an offence to promote hatred against Indigenous Peoples.
- Universities, media, medical organizations and professional associations investigate their past complicity in mass human rights violations against Indigenous Peoples, including their knowledge and involvement in human experimentation on Indigenous children.

