

# Legislation Affecting Indigenous People: An Overview of the Liberal Record

by Yellowhead Institute

**IN JUNE 2018, YELLOWHEAD PUBLISHED** a critical analysis of the emerging Indigenous Rights Framework. In that analysis we noted that if all the proposed legislation affecting Indigenous peoples were to pass, the Trudeau Liberals would be the most active government on Indigenous issues in 100 years.

**At the end of this parliamentary session and the official end of the Government's current four-year mandate, we can now more clearly take stock of the legislation affecting Indigenous peoples that actually made it through the legislative process.**

The charts below show:

- 1) **Government Bills (introduced by the Liberal cabinet) and Self-government specific legislation**
- 2) **Private Members Bills, and**
- 3) **Senate Bills.**

Across this spectrum, those shaded in green are the Bills that have become law, those red are Bills that were voted down or those which were stuck in the legislative process with Parliament rose.

**Considering the Bills that did become law, the Liberal Government was very active on Indigenous-specific legislation and legislation that impacts Indigenous peoples in a significant way.**

They passed 16 of these laws, most of them in the last year. more than that, 21, were introduced but not passed. This includes Romeo Saganash's C-262, the UNDRIP law. In fact, not a single private member's bill affecting Indigenous peoples has become law.

It is important to note that this chart does not fully capture all the amendments made to previous First Nation specific legislation and buried in the omni-bus budget bills of 2018 and 2019. Nor does it include the significant policy changes enacted over the course of this government's life, from a new fiscal regime to land claim negotiation directives.

While there is much analysis of each of these pieces of legislation to do, this Brief hopefully provides an overview of the outgoing Government's priorities and the scope of the changes facing First Nations. With so much of this legislation being passed recently, whether it was "co-developed" or not, discussion can now turn to implementation (or, in contrast, preventing implementation).

# GOVERNMENT BILLS

16 Bills: ■ 14 passed, ■ 2 Dead



**PASSED:** Bills that have become the law



**DEAD:** Bills that are voted down, or have no chance of making it through the process.

	<b>BILL C-91</b> An Act respecting Indigenous languages	ROYAL ASSENT	JUNE 21, 2019	➤➤
	<b>BILL C-92</b> An Act respecting First Nations, Inuit and Métis children, youth and families	ROYAL ASSENT	JUNE 21, 2019	➤➤
	<b>BILL C-69</b> An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts	ROYAL ASSENT	JUNE 21, 2019	➤➤
	<b>BILL C-68</b> An Act to amend the Fisheries Act and other Acts in consequence	ROYAL ASSENT	JUNE 21, 2019	➤➤
	<b>BILL C-97</b> An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2019 and other measures (INAC Split)	ROYAL ASSENT	JUNE 21, 2019	➤➤
	<b>BILL C-48</b> An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast	ROYAL ASSENT	JUNE 21, 2019	➤➤
	<b>BILL C-83</b> An Act to amend the Corrections and Conditional Release Act and another Act	ROYAL ASSENT	JUNE 21, 2019	➤➤
	<b>BILL C-88</b> An Act to amend the Mackenzie Valley Resource Management Act and the Canada Petroleum Resources Act and to make consequential amendments to other Acts	ROYAL ASSENT	JUNE 21, 2019	➤➤

	<b>BILL C-55</b> An Act to amend the Oceans Act and the Canada Petroleum Resources Act	ROYAL ASSENT	MAY 27, 2019	»»
	<b>BILL C-57</b> An Act to amend the Federal Sustainable Development Act	ROYAL ASSENT	FEBRUARY 28, 2019	»»
	<b>BILL C-86</b> A second Act to implement certain provisions of the budget tabled in Parliament on February 27, 2018 and other measures (Amendment to the First Nation Lands Management Act)	ROYAL ASSENT	DECEMBER 13, 2018	»»
	<b>BILL C-98</b> An Act to amend the Royal Canadian Mounted Police Act and the Canada Border Services Agency Act and to make consequential amendments to other Acts	FIRST READING, SENATE	JUNE 20, 2019	»»
	<b>BILL C-99</b> An Act to amend the Citizenship Act	FIRST READING, HOUSE OF COMMONS	MAY 28, 2019	»»

## SELF-GOVERNMENT SPECIFIC LEGISLATION

	<b>BILL C-70</b> An Act to give effect to the Agreement on Cree Nation Governance between the Crees of Eeyou Istchee and the Government of Canada, to amend the Cree-Naskapi (of Quebec) Act and to make related and consequential amendments to other Acts	ROYAL ASSENT	MARCH 28, 2018	»»
	<b>BILL C-61</b> An Act to give effect to the Anishinabek Nation Education Agreement and to make consequential amendments to other Acts	ROYAL ASSENT	DECEMBER 14, 2017	»»
	<b>BILL C-17</b> An Act to amend the Yukon Environmental and Socio-economic Assessment Act and to make a consequential amendment to another Act	ROYAL ASSENT	DECEMBER 14, 2017	»»

# PRIVATE MEMBERS BILLS

15 Bills: ■ 15 dead

	<p><b>BILL C-391</b> An Act respecting a national strategy for the repatriation of Indigenous human remains and cultural property</p>	AWAITING ROYAL ASSENT	MAY 30, 2019	>>
	<p><b>BILL C-326</b> An Act to amend the Department of Health Act (drinking water guidelines)</p>	SENATE, SECOND READING	APRIL 4, 2019	>>
	<p><b>BILL C-369</b> An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Day for Truth and Reconciliation)</p>	SENATE, FIRST READING	APRIL 2, 2019	>>
	<p><b>BILL C-318</b> An Act to establish Indian Residential School Reconciliation and Memorial Day</p>	HOUSE OF COMMONS, FIRST READING	OCTOBER 31, 2019	>>
	<p><b>BILL C-262</b> An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples</p>	SENATE COMMITTEE	JUNE 11, 2019	>>
	<p><b>BILL C-443</b> An Act to protect, maintain, revitalize and strengthen Indigenous languages</p>	HOUSE OF COMMONS, FIRST READING	APRIL 30, 2019	>>
	<p><b>BILL C-332</b> An Act to provide for reporting on compliance with the United Nations Declaration on the Rights of Indigenous Peoples</p>	HOUSE OF COMMONS, FIRST READING	DECEMBER 14, 2016	>>
	<p><b>BILL C-361</b> An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Aboriginal Day)</p>	HOUSE OF COMMONS, FIRST READING	JUNE 15, 2017	>>
	<p><b>BILL C-202</b> An Act to establish a Canadian Environmental Bill of Rights and to make a related amendment to another Act</p>	HOUSE OF COMMONS, FIRST READING	DECEMBER 9, 2015	>>

	<b>BILL C-264</b> An Act to amend the Canadian Bill of Rights (right to housing)	HOUSE OF COMMONS, FIRST READING	MAY 3, 2016	»»
	<b>BILL C-265</b> An Act to ensure secure, adequate, accessible and affordable housing for Canadians	HOUSE OF COMMONS, FIRST READING	MAY 3, 2016	»»
	<b>BILL C-304</b> An Act to amend the Railway Safety Act and the Canadian Environmental Assessment Act, 2012 (transport of dangerous goods by rail	HOUSE OF COMMONS, FIRST READING	SEPTEMBER 27, 2016	»»
	<b>BILL C-373</b> An Act to amend the Historic Sites and Monuments Act (composition of the Board)	SENATE AT SECOND READING	OCTOBER 25, 2018	»»
	<b>BILL C-386</b> An Act to establish Orange Shirt Day: A Day for Truth and Reconciliation	HOUSE OF COMMONS, FIRST READING	NOVEMBER 29, 2017	»»
	<b>BILL C-392</b> An Act to amend the Aeronautics Act, the Fishing and Recreational Harbours Act and other Acts (application of provincial law)	HOUSE OF COMMONS, SECOND READING	DECEMBER 5, 2018	»»

# SENATE BILLS

6 Bills; ■ 2 passed, ■ 4 dead

	<p><b>BILLS-208</b> An Act respecting National Seal Products Day</p>	ROYAL ASSENT	MAY 16, 2017	»»
	<p><b>BILLS-3</b> An Act to amend the Indian Act in response to the Superior Court of Quebec decision in Descheneaux c. Canada (Procureur général)</p>	ROYAL ASSENT	DECEMBER 12, 2017	»»
	<p><b>BILLS-245</b> An Act to declare the Trans Mountain Pipeline Project and related works to be for the general advantage of Canada</p>	SENATE, SECOND READING	OCTOBER 24, 2018	»»
	<p><b>BILLS-248</b> An Act to establish International Mother Language Day</p>	SENATE, FIRST READING	FEBRUARY 6, 2018	»»
	<p><b>BILLS-212</b> An Act for the advancement of the aboriginal languages of Canada and to recognize and respect aboriginal language rights</p>	SENATE COMMITTEE	DECEMBER 1, 2016	»»
	<p><b>BILLS-215</b> An Act to amend the Criminal Code (sentencing for violent offences against Aboriginal women)</p>	SECOND READING, SENATE	APRIL 10, 2019	»»