

Statement of Commitment to Reconciliation by the Law Society of Yukon

Yukon Indigenous Nations Acknowledgement

The office of the Law Society of Yukon is in Whitehorse, Yukon, on the traditional territories of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council. The Law Society acknowledges all Indigenous nations, particularly those that have called what is now 'the Yukon' home from time immemorial. The Indigenous nations of these lands include the Inuvialuit, the Gwich'in, the Hän, the Northern Tutchone, the Southern Tutchone, the Kaska, the Tagish, the Tlingit, and the Upper Tanana (Indigenous Nations).

The Law Society recognizes and respects the cultural diversity of all the Indigenous Nations of these lands. We also recognize and respect the historic and contemporaneous relationships that these Indigenous Nations share with each other and with all Canadians.

The Need for Reconciliation

The Law Society has a responsibility to promote healing through reconciliation. Reconciliation is a process that is inclusive, respectful and restorative in focus.

In its Final Report, the Truth and Reconciliation Commission of Canada's Call to Action #27 called on the Federation of Law Societies, of which the Law Society is a member, to:

Ensure that all lawyers receive appropriate cultural competency training which includes the history and legacy of residential schools, the United Nations declaration on the rights of indigenous peoples, treaties and aboriginal rights, indigenous law and aboriginal-Crown relations. This will require skills-based training in inter-cultural competency, conflict-resolution, human rights and anti-racism.

The Law Society acknowledges that discriminatory colonial laws, policies and institutions, including the Indian Residential Schools, adversely impacted the Indigenous peoples and the Indigenous Nations of these lands both socially and culturally. Laws, such as those preventing Indigenous people from hiring or becoming lawyers, barred their ability to seek redress for the injustices done to them. The Law Society acknowledges that legal and social inequities arising from these discriminatory laws, policies and institutions continue to reverberate even with the signing of modern treaties and self-government agreements.

The Law Society also acknowledges that the Indigenous Nations of these lands have retained unique values, customs, practices and systems of Indigenous law. They are referenced interchangeably in this statement as Indigenous laws or Indigenous legal orders. These systems of Indigenous laws must be respected and retained. In addition, the inherent and constitutionally affirmed jurisdiction of the Indigenous Nations of these lands must also be

given room to evolve, including through the negotiation of administration of justice agreements and other constructive arrangements. In that regard, the Law Society acknowledges its responsibility to ensure that its members are aware of and continue to support what are both historical and contemporary Indigenous justice systems, as well as other innovations based on Indigenous law.

Commitment of the Law Society of Yukon

The Law Society affirms its commitment to the broad goals of the Truth and Reconciliation Commission, particularly Call to Action #27, to ensure that our members receive ‘appropriate cultural competency training’. This means mandatory education with respect to Indigenous law, Indigenous legal orders and Aboriginal law. The Law Society will also ensure that this training is a necessary part of being competent to practice law in the Yukon.

This cultural competency training will include:

- (a) skills-based training in inter-cultural competency, conflict-resolution, human rights and anti-racism;
- (b) an overview of the history of the Indigenous Nations of these lands and their relationship with the non-indigenous people of the Yukon;
- (c) an overview of the experience of the Indigenous peoples and Indigenous Nations of these lands with the Indian Residential School system;
- (d) an overview of the traditional legal, political and social governance structures of the Indigenous Nations of these lands and their application to contemporary Yukon society;
- (e) an overview of the colonial legal structures and frameworks that apply to the Indigenous Nations of these lands with and without modern comprehensive treaties or self-government agreements; and
- (f) any other training recommended by the Law Society Executive.

The Law Society will demonstrate its commitment to reconciliation by:

- (a) identifying opportunities to work with all Indigenous organizations in the Yukon in support of continued relationship building and collaboration;
- (b) implementing and, where necessary, developing mandatory professional development programming for our members based on collaboratively developed programs and courses with the Indigenous Nations of these lands and other organizations;

- (c) developing, with willing Indigenous partners, on-the-land programs for our members to foster an understanding of Indigenous legal orders and the healing of both past and ongoing trauma endured by the Indigenous Nations of these lands;
- (d) advocating and supporting the collection of appropriate resource materials by the Yukon Law Library that deal with the history of Indian Residential Schools in the Yukon, the Indigenous Nations treaties and Final Agreements, self-government agreements and other relevant constructive agreements for the use of all our members, as well as for Yukon residents; and
- (e) continuing to support other programming and training to ensure that our members receive 'appropriate cultural competency training'.

Reconciliation is about healing so that we can move forward together, both stronger and united. The Law Society is therefore committed to strengthening relations with the Indigenous Nations of these lands by taking the above action. In doing so, we are working to achieve meaningful change in a shared spirit of trust, openness and respect.