

# Murder by Decree: The Crime of Genocide in Canada. “The Indian Residential Schools”

A Counter Report to the “Truth and Reconciliation Commission”

By [The International Tribunal for the Disappeared of Canada](#)

Region: [Canada](#)

Theme: [History](#), [Law and Justice](#)

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**September 30, 2021** is the first National Day for **Truth and Reconciliation**, declared by the Government of Canada:

“The day honours the lost children and Survivors of residential schools, their families and communities. Public commemoration of the tragic and painful history and ongoing impacts of residential schools is a vital component of the reconciliation process.

*Below is the Real Report by **The International Tribunal for the Disappeared of Canada (ITDC)** which confronts The official **Truth and Reconciliation Narrative**.*

First posted on GR on May 31, 2021.

Censorship of this report at different levels of government, not to mention the Canadian Media and well as the online search engines.. Google has removed this article from search results.

Click [here to read the full report](#).

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## **In Memory**

*To the many tens of thousands of children who died while in the internment and death camps falsely called “Indian residential schools”; To those men and women who have fought against impossible odds to recover the memory of those children and the truth of how they died, and bring to justice who and what is responsible; And to those who suffer and die today at the hands of the same criminal system. “Earth, cover not their blood”*

## **And in Acknowledgment**

Of the heroic efforts of three ground breaking citizen-based Inquiries into Genocide in Canada: The Truth Commission into Genocide in Canada (1998), The Friends and Relatives of the Disappeared (2005) and The International Tribunal into Crimes of Church and State (2010); and of **Rev. Kevin D. Annett**, who has fathered and led these movements from the beginning at enormous personal risk and sacrifice. What Canada and all survivors owe to him is incalculable.\*

And of seven of the fallen aboriginal leaders of this movement, who died of probable foul play after naming the names of killers of children and leading protests or occupations at the Roman Catholic, Anglican and United Churches of Canada:

- Virginia Baptiste, died suddenly January 29, 2004 of unstated causes while in hospital
- Louis Daniels, died suddenly February 4, 2006 of unstated causes while in hospital
- Harriett Nahanee, died February 24, 2007 shortly after her release from prison
- Johnny “Bingo” Dawson, died December 6, 2009 after a police beating
- William Arnold Combes, died February 26, 2011 after a lethal injection in St. Paul’s Hospital
- Ricky Lavallee, died January 23, 2012 after severe blows to the head and chest
- Harry Wilson, died April 4, 2013 of unknown causes

\*We urge the public to read this report alongside Kevin Annett’s latest book “Unrelenting: Between Sodom and Zion” (Amazon, 2016) which gives a stirring personal account of the two decade history of this movement. To order: <https://www.createspace.com/6052421> . Also see [www.itccs.org](http://www.itccs.org) & [www.KevinAnnett.com](http://www.KevinAnnett.com).

## **Preamble**

This report was prompted by the enormous miscarriage of justice engineered by the government and churches of Canada known as the “Truth and Reconciliation Commission” (TRC). It is written as a corrective response to that Commission’s unlawful and deceptive efforts to conceal the extent and nature of deliberate Genocide in Canada by church and state over nearly two centuries.

This report is issued by **The International Tribunal for the Disappeared of Canada (ITDC)**, an international coalition of jurists and human rights groups. The ITDC was formed

in December, 2015 to investigate the disappearance of people in Canada and prosecute those responsible. The Tribunal arose because of continued efforts by the Canadian government to obstruct and subvert justice by concealing and falsifying the truth of the genocide of native people in Canada, both past and present.

What you will read in these pages is the most definitive independent account of that genocide ever published in Canada. It encompasses the work of researchers, activists and eyewitnesses spanning over twenty years, and is based on verifiable documented evidence that was deliberately suppressed, censored or destroyed by the Canadian government's TRC between 2008 and 2015.

A genuine, non-governmental Inquiry has been operating in Canada since February of 1998: The Truth Commission into Genocide in Canada (TCGC) and its subsequent offshoots. As a grassroots, self-supporting network of native and non-native people, this movement has struggled against enormous odds to document and make public the true and uncensored story of the genocidal massacre known as the Indian residential school system. The TRC was deliberately established by church and state in response to the TCGC's independent inquiry and public protests, in order to sabotage and defuse the tremendous impact this movement has had since the spring of 1998.

This current ITDC report is based on its own original research as well as the discoveries and work of the TCGC and other independent inquiries into the Canadian Holocaust. The purpose of this report is to pull back the false narrative of genocide in Canada constructed by the governmental TRC and provide a true account of the greatest crime in Canadian history.

This report is a precious archival resource that will be used as the basis for further legal and political action; not only against individual perpetrators of this crime against humanity, but the system of power as well as the institutions that slaughtered entire nations and continue to do so.

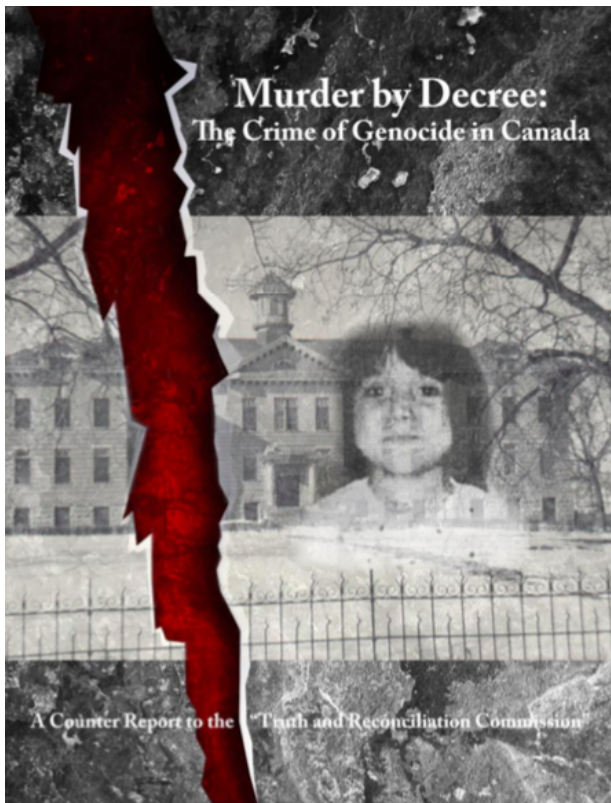
In that regard, it was deemed appropriate to publish this report on the fifteenth anniversary of the issuing by the TCGC of the first independent study into crimes in Indian residential schools, "Hidden from History: The Canadian Holocaust" by Rev. Kevin Annett. Long before the TRC and other state-sponsored efforts to control and "spin" the truth, this single work began the process of shedding light on legions of missing children and giving countless survivors a voice.

The authors have composed this report for future generations of the peoples of Canada, as a first step away from a murderous legacy that is still destroying them. Canadians must know of the crime in which they are expected to live, fund and collude, if there is any hope for them to one day repudiate that system and build a new and just federation of equal nations. For "Whoever fails to understand and embrace their own past is doomed to repeat it".

### **March 1, 2016 - Toronto and Brussels**

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### **A Critique of the "Truth and Reconciliation" Commission: An Obstruction of Justice and Truth from Start to Finish**



*The Truth and Reconciliation Commission ... shall not hold formal hearings, nor act as a public inquiry, nor conduct a formal legal process; shall not possess subpoena powers, and does not have powers to compel attendance or participation in any of its activities or events ... shall not make any findings or express any conclusion or recommendation regarding the misconduct of any person or the possible civil or criminal liability of any person or organization ... shall not name names in their events, activities, public statements, report or recommendations, or make use of personal information or of statements made which identify a person ... The Commissioners shall not record the names of persons so identified.*  
- From Section Two, "Establishment, Powers, Duties and Procedures of the Commission", Truth and Reconciliation Commission, Ottawa, 2008

I saw lots of free food and fancy suits and rock bands at the Winnipeg TRC, but they didn't have the money to pay our way down from our reserve to tell our story. What's worse, when we tried to get up at the mike and tell about all the kids we buried at residential school we were told we couldn't and the mike was turned off. That (TRC Chair) Murray Sinclair even laughed in our face, and he said, "Oh no, it's those loonies from Sandy Bay again!" - Ernie White, residential school survivor, 2011

By definition, no regime suspected of committing crimes against any people within their national boundaries may credibly undertake an investigation of those crimes. Any legitimate inquiry and any legal actions arising from it must occur through independent, neutral bodies from outside that nation. Such independent bodies must be recognized by the international community and be allowed to operate freely and conduct their investigations within that nation without interference or influencing of any kind. - Statement by Rudy James, Field Secretary for the International Human Rights Association of American Minorities (IHRAAM) at the inauguration of its Tribunal into Canadian Indian Residential Schools, June 12, 1998, Vancouver

Canada's "**Truth and Reconciliation Commission**" (TRC) was a rapid in-house response

by church and state designed to present their own self-serving narrative of their Indian residential schools crimes. It was by any objective standard an elaborate misrepresentation of a monumental crime.

**For one thing, the TRC was created by the same institutions of church and state that were responsible for the residential school crimes being investigated;** this fact alone disqualified the TRC from the outset as any neutral or credible body. Indeed, the TRC only commenced its work after both institutions had legally indemnified themselves from any liability for those crimes: a maneuver that constituted an obstruction of justice under the law.

The government's formal announcement of the TRC in June of 2008 was triggered prematurely by a series of widely reported church occupations led by residential school survivors early in 2008, followed quickly by a call from a Member of Parliament for an inquiry into missing residential school children. These events forced the government to announce the TRC as part of a general residential schools "apology" issued by Prime Minister Stephen Harper on June 11, 2008.

The protests and Parliamentary exposure concerning the missing residential school children that prompted this premature announcement of the TRC had embarrassed the government and caused the churches responsible for much of the crime to panic, and insist on exerting oversight of the TRC. This in turn caused the TRC to operate in a blatantly controlled and partisan manner from its inception. The Catholic, Anglican and United churches actually nominated all three of the TRC commissioners, who were in turn approved by the government's Privy Council in Ottawa. Ironically but not surprisingly, this tag team action by the perpetrators represented the same kind of power sharing arrangement that characterized the Indian residential school system.

Similarly, the church and government lawyers who constructed the TRC mandate framed it as a legally toothless body whose findings could not be used to judge or convict any person or group (read, church), and whose records were censored to exclude any evidence of criminal acts or deaths in the residential schools. The mandate even declared that the TRC "shall not hold formal hearings, nor act as a public inquiry ... and shall not name names in their events ..." So then, since the TRC denied that it was an inquiry, what in fact was it?

In the words of a visiting South African scholar who observed three separate TRC public events during 2011 and 2012,

"It was all an enormous pretense with very little substance to it. Its so-called 'public forums' were controlled events featuring stage-managed speakers, and were structured to prevent any damaging testimony from surfacing. I never once heard a child's death or torture even being mentioned. It was remarkable how easily the government pulled off what was such an obvious whitewash. To compare it to the South African TRC is laughable." (Dr. Neil Kruger, from an April 12, 2013 interview with Kevin Annett)

As part of its elaborate subterfuge, the TRC's name was deliberately taken from the South African government's "Truth and Reconciliation Inquiry" into crimes of apartheid, the Canadian TRC thereby giving itself the aura of a genuine investigation when it was nothing of the kind. The Canadian media assisted in the overall deception from the start, continually framing the TRC as a legitimate effort to tell the real story of the residential school crimes

while never mentioning the powerless and restricted nature of the TRC as a “non inquiry”.

Starved of any alternative and commanded by their own state-funded “leaders” of the Assembly of First Nations (AFN) to participate in the TRC events, many aboriginal survivors of the schools initially looked to the TRC to at least allow them the chance to publicly “tell their story”. But even that opportunity was denied to them at the TRC forums.

No residential school survivor was allowed to speak at such an event unless his or her statement was first examined and vetted by the church and state-appointed “Commissioners”; the statement was then stripped of any reference to a crime, a killing or the name of a perpetrator. And thus gagged, the survivor had only ten minutes to speak, whereas no such time restriction was placed on officials from the churches that committed the crime, who were regularly allowed to use the TRC events to publicly justify and minimize the atrocities in the schools.

Shawna Green is a Cree second generation survivor who tried to speak at the TRC forum in Victoria, British Columbia during 2011, and was prevented from doing so. (Her experience is described at [https://www.youtube.com/watch?v=5xb1u4S\\_tbs](https://www.youtube.com/watch?v=5xb1u4S_tbs)). As she recalls,

“I was disgusted by what we were all put through. I was barred from speaking, straight off, and when I challenged this I was threatened with physical expulsion from the hall. There were only a dozen or so actual survivors at the forum the day I was there, and they all looked miserable. They weren’t honored or given any help or counseling or recognition at all, and they could only speak at the mike for a few minutes. But some fat cat Catholic Bishop was given a half hour to spout his disgusting crap about how they were only trying to do good in the schools.

“At that point, an old lady who had gone to Kuper Island (residential school) started yelling out at the white church guy, “Stop lying! Tell the truth!”, and (TRC Chairman) Murray Sinclair stood up and yelled at her to be quiet and show respect to the Bishop! Show respect to your rapist! And Sinclair’s supposed to be a native. That old lady looked totally crushed. She looked like something had just been killed in her. It was like watching her get abused her all over again.”

Such re-traumatizing behavior by TRC officials was hardly accidental, considering their mandated aim to block unregulated statements, censor evidence and shield church and state from legally damaging revelations. Police were often conspicuously present at TRC events, and according to one officer at the Ottawa forum, were instructed to be on the alert for and detain “unauthorized speakers or protestors.”

Such intimidation, and the clearly unlawful mandate of the TRC to deny citizens their constitutional right to speak, name their abusers and have their evidence recorded for legal purposes, actually compelled the first head Commissioner of the TRC, Judge Harry Laforme, to resign from his appointment just a few months after the TRC was launched. (See “Chairman quits troubled residential school commission”, CBC News, October 20, 2008)

Citing differences with his two fellow Commissioners, Laforme “expressed fear that political and bureaucratic interference could compromise the panel.” But Laforme referred later to the questionable practices of TRC officials and implied that his position as a judicial officer was being compromised by his association with the TRC.

Such a startling public implication by a sitting judge that the TRC was operating unlawfully did not sway the TRC in its course under the new leadership of Murray Sinclair, a Cree politician from Manitoba who took over as the TRC chairman from Judge Laforme. Although denying it was any kind of public inquiry or open forum, Sinclair and the TRC nevertheless began staging public events in major cities across Canada that were wrongly depicted by them as “truth telling” forums at which residential school survivors could freely disclose their stories. In reality, nothing a survivor said at such an event was recorded in any open, public record but rather was kept in a private archive, and the copyright to the survivor’s own statement rested with the government.

This clandestine record system especially applied to any evidence of crimes or the deaths of residential school children shared at TRC events. In the spring of 2010, Sinclair stated that TRC researchers had uncovered proof that mass graves of children existed at “some” schools, but neither disclosed this evidence nor stated when it would be revealed, if ever. Later, Sinclair remarked that evidence of deaths or killings could be kept confidential “for five or ten more years”. As of February 2016, neither the TRC nor the government and churches have disclosed this evidence of children’s grave sites, despite the continual reference to burials and killings by eyewitnesses and in documents surfaced by independent inquirers.

As in any controlled process, every TRC employee was required to sign confidentiality agreements that legally constrained them from sharing anything they uncovered in the course of their work. All of the churches that ran residential schools required a similar confidentiality statement from their employees after lawsuits by survivors commenced against them in the spring of 1995. (See the discussion of the Brantford Anglican school excavation in the fall of 2011 in Appendix Six)

Head TRC researcher John Milloy of Trent University was picked for his role because of his long and faithful service as a compliant scholar in several government “Royal Commissions” into aboriginal people in Canada during the 1990’s. Milloy performed a similarly dissembling role for the TRC by conducting a tightly edited “research” of already-censored church documents while never revealing his findings to the public. But even Milloy was forced to admit on one occasion that his research had revealed that dead residential school children were being routinely buried “two or three to a grave” at the Anglican school in Brantford, Ontario. (June 3, 2009)

One of the most blatant aspects of this official cover up of evidence by the TRC was revealed in how it allowed the churches that ran the schools to edit, conceal or destroy incriminating evidence in its own records. The TRC had no mandated authority to issue subpoenas or compel disclosure of evidence or attendance at its events by the churches. And the latter were given months after the TRC commenced to re-organize their archives and remove incriminatory evidence from them.

In hindsight, and considering its nature as a creature of the parties that conducted the crime they were supposedly addressing, the TRC could be nothing other than a sanitized account of Canada’s enormous Crime against Humanity. What is perhaps less understandable is why the world and so many Canadians have given the TRC even an ounce of attention or credibility.

Such organized duplicity at the highest levels of power in Canada is not confined to the

TRC's obfuscation of past war crimes in Canada, but extends to the government's recent efforts to throw a similar fog and misdirection around the escalating disappearance of aboriginal women and children. Part Three of this report will examine how police, government and foreign corporate interests are not only concealing but facilitating these disappearances as part of a wider campaign to dispossess and kill off the last remaining indigenous peoples of Canada.

This report is an answer to these crimes and an urgent summons to the world and all Canadians who refuse to live any longer under a genocidal regime. To truly honor and remember those who have fallen, all people of conscience must reclaim their true history as well as their future.

## **Synopsis of this Report**

1. Our research has established that the crimes and murders committed against children in the Canadian Indian residential school system between 1889 and 1996 were legally authorized, sanctioned and protected by every level of government, church and police in Canada. All the evidence indicates that these crimes constituted calculated mass murder under the guise of religion and education, and represented a deliberate campaign of depopulation aimed primarily at western Canadian aboriginal nations and designed to strike at their weakest link: their children. By every legal and international standard and definition, this crime amounted to deliberate genocide.

2. The primary agents responsible for this genocide were the Canadian federal government and the Crown of England, the Vatican, and Roman Catholic, Anglican and United churches of Canada.

3. At no point during this 107 year period of the residential schools' operation were these crimes ever halted or punished by authorities responsible for the schools, despite continual protests and reports documenting the crimes and a consistently enormous death rate. On the contrary, the perpetrators were routinely protected and exonerated by both government and church officials.

4. Native children began dying in droves the very first year the residential schools opened in 1889, at an average death rate of nearly 50%. The death rate in these schools was on average over ten times the mortality level on the Indian reservations from which the children had come. This death rate continued unabated for at least another fifty years, despite constant complaints and reports by doctors who inspected the schools.

5. After these huge mortality rates became public in 1903, the government stopped officially publishing any death records of students.

6. This enormous mortality was the result of a deliberate practice by all the churches that ran the schools of housing healthy children with those sick and dying from tuberculosis, and denying them medical treatment and care: in effect a regime of institutionalized germ warfare. (See Appendix Three, The Report of Dr. Peter Bryce, Medical Officer of the Department of Indian Affairs, 1907-9)

7. The ongoing high mortality rate was also caused by a continual denial of regular food, clothing and proper sanitation to children interned in the schools, amidst a regime of routine



and systemic rapes, beatings, tortures and killings: conditions that continued unabated for over a century, from 1889 to 1996.

8. Despite these murderous conditions, attendance in the residential schools was made mandatory for all native children under a federal law enacted in 1920. Significantly, all government medical inspection of the schools was terminated that same year.

9. In the decade that followed this institutionalization of mass murder, special laws were passed across Canada that a) allowed the involuntary sexual sterilization of any residential school child, b) denied Indians the right to hire a lawyer or bring a case into court, and c) made the churches that ran the schools the legal guardian of the children.

10. In the 107 year history of the Canadian residential schools, from among the many complaints brought against staff members, clergymen and school officials there is no record of a single complaint resulting in any reprimand or disciplinary action.

11. Despite the death or disappearance of at least 66,000 children in these schools over a century and numerous statements of eyewitnesses to killings, not a single person has ever been charged or tried in a Canadian court for the death of one of these children.

12. Despite their pivotal role in these deaths and the regime of institutionalized terror in the schools, the churches responsible for the genocide - the Catholics, Anglicans and United Church - continue to operate legally, are supported by Canadian taxpayers and have been indemnified under Canadian law from any consequence for their crime.

13. Canada and its churches have never been charged with Genocide by any other nation or by the United Nations, despite their having committed this crime according to all five definitions of Genocide contained in the United Nations Convention on the Prevention of Genocide (1948), which was ratified by Canada in 1952.

14. The Canadian government and the Catholic, Anglican and United churches have engaged in a continual and illegal obstruction of justice for decades to conceal and destroy the evidence of their residential school crimes. They have done so by obliterating school records, silencing and killing eyewitnesses and survivors as well as in-house whistleblowers, destroying the remains and mass graves of children who died in the schools, and constructing a false narrative about the schools. This enormous falsification and cover up culminated in an official whitewash of their genocide established by them known as the "Truth and Reconciliation Commission" (TRC), which censored and misrepresented the residential schools genocide from start to finish.

15. In practice, Genocide has always been a legitimate tool of state and of religion. In Canada, its extermination of indigenous nations created and was a structural mainstay of the nation. Today, that extermination of indigenous nations is not only continuing but is expanding because of its continued importance to the resource extraction-based Canadian economy and its resulting institutionalization in the very fiber of government and society. Put simply, both foreign capital and domestic politics require that Indians in Canada continue to be made landless, impoverished and eradicated, and profited from in the process.

16. The Canadian state, its churches and its authorizing Crown authority are proven agents of intergenerational genocide, and as such constitute rogue powers under international law

that have lost their authority and right to govern, to tax or to operate. The active replacement of these morally and lawfully nullified institutions is a duty and obligation of all citizens under the Law of Nations and such conventions as the Rome Statute of the International Criminal Court (1998) and the Nuremberg Legal Statutes of the United Nations (1950).

Click [here to read the full report](#). More details from <http://murderbydecree.com>.

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## Table of Contents

In Memory and Acknowledgement - 3

1. Preamble - 4

2. A Critique of the "Truth and Reconciliation" Commission - An Obstruction of Justice and Truth from Start to Finish - 6

3. Synopsis of this Report - 12

4. Chronology of Genocide in Canada by Church and State : 1840-2015 - 15

5. Part One: The Crime - 31

a) Understanding the Killing Machine

b) How many Children Died?

c) The Issue of Intentionality, and the exceptional case of Group Crime

d) Homicide - Contributory Causes of Death

e) Imposing Measures to Prevent Births and Conception - Sterilizations - Murder of Newborns, Forced Abortions and Segregation

f) Forcibly Transferring Children from one group to another

g) Inflicting Conditions designed to cause long term destruction

h) Causing Bodily and Mental Harm - Experimental Mind Control, MKULTRA and the residential schools

i) Destroying indigenous ways of life, cultures and souls

6. Part Two: The Concealment, Containment and Deception - 98

Fashioning the Deceptive Narrative and the Language of Normative Genocide

7. Part Three: The Ongoing Crime - 126

Disappeared Women and Children

8. Summary and Conclusions: A Consequential Course of Remedy and Action - 141

9. Documentation from the Text - 144

10. Appendices: Archive of key events, documents and testimonies - 286

11. Bibliography and Contact - 383

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