



AFN/CANADA MEMORANDUM OF UNDERSTANDING ON JOINT PRIORITIES

OVERVIEW

On December 15, 2016, Prime Minister Justin Trudeau responded to the Assembly of First Nations' (AFN's) call for a high level mechanism to discuss First Nations' priorities by agreeing to a process for dialogue with the AFN.

Following review of internal drafts of a Memorandum of Understanding (MOU) by the AFN Executive Committee in February and May 2017, the National Chief was mandated by the Executive Committee to finalize a MOU with Canada. Accordingly, the National Chief and the Prime Minister signed the AFN/Canada MOU on Joint Priorities, at the first meeting, June 12, 2017.

The MOU is a simple agreement to meet a minimum of three times a year, with one of those meetings chaired by the Prime Minister. Current priorities for dialogue include: community safety and policing, co-development of a languages act, co-development with First Nations of measures to support implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), establishment of a joint law and policy review, implementation of the Truth and Reconciliation Commissions (TRC) Calls to Action, continuing work to develop options for Chiefs for a new fiscal relationship, and measuring the progress to close the socio-economic gaps.

UPDATE

The third meeting under the MOU on Joint Priorities took place March 26, 2018. The following Ministers were in attendance: Carolyn Bennett, Minister of Crown-Indigenous Relations and Northern Affairs (CIRNA), Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada and Jane Philpott, Minister of Indigenous Services. Parliamentary Secretaries from Canadian Heritage, Indigenous Services Canada (ISC) and CIRNA also attended the meeting.

The meeting served as an opportunity to discuss the 2018 federal budget commitments, hear updates on joint work to close the socio-economic gap, and discuss the recently announced Recognition and Implementation of Indigenous Rights Framework (RIIRF).

Regarding RIIRF, concerns were expressed about the current approach to engagement not being conducive to rights recognition. Full and meaningful engagement is required with rights holders. Legal and political change is needed to keep Canada in line with the UN

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Declaration. The government expressed the view that its duty is to create the space that allows First Nations to breathe life into articles of the UN Declaration and s.35 of the Constitution.

A detailed account of the dialogue and agenda from March 26, 2018 is included in AFN Bulletin – ‘Meeting on AFN-Canada Memorandum of Understanding on Joint Priorities’, which can be found at www.afn.ca under ‘News & Media’.

Since the late fall of 2017, many positive developments have occurred related to the joint priorities identified in the MOU:

- On the evening of November 20, 2017, the Minister of Justice, Jody Wilson-Raybould announced government support of Private Members Bill C-262: “With the direction and leadership of Prime Minister Trudeau, our government will support Bill C-262. This Bill acknowledges the application of the UN Declaration in Canada, and calls for the alignment of the laws of Canada with the UN Declaration.”
- On December 5, 2017, the House of Commons began debate on Bill C-262. Speaking for the Government, Yvonne Jones, Parliamentary Secretary to the Minister of Crown-Indigenous Relations and Northern Affairs, expressed support for C-262, stating “We...are proud to support this private member's bill and give him (MP Romeo Saganash) our guarantee that we are on this path together, all Indigenous and non-Indigenous Canadians, and we will do what is long past due in this country, which is to bring forward the right legislation and standards to ensure that self-determination and the inherent rights of Indigenous people are respected in the lands that we all love.”
- On December 6, 2017, Minister of Indigenous Services (ISC), Jane Philpott, indicated areas of federal interest to advance a new fiscal relationship between First Nations and the Government of Canada. This followed the completion of the joint report on options for moving on fiscal relations that was tabled at AFNs Special Chiefs Assembly (SCA) 2017.
- Minister Philpott also announced an emergency meeting with representation from First Nations and F/P/T governments “Child and Families Together” that took place January 25-26, 2018 in Ottawa, ON.
- On December 14, 2017, Minister of CIRNA, Carolyn Bennett announced the appointment of six members to the Interim Board of Directors for the National Council for Reconciliation. Grand Chief Wilton Littlechild will chair the Interim Board and will be joined by Max Fineday, Mike DeGagné, Clint Davis, Edith Clouthier and Jean Teillet. The establishment of a National Council for Reconciliation was called for in the Final Report of the Truth and Reconciliation Commission (Calls to Action #53 and #54).
- On December 14, 2017, the National Chief and Minister Philpott met to discuss First Nations budget priorities in areas relating to the Minister’s mandate including priorities relating to housing and infrastructure.
- January 10, 2018, the Minister of Public Safety, Ralph Goodale announced \$291 million of additional funding to support police services on First Nations and in Inuit communities. The new five-year deal is intended to begin April 1, but is based on the federal government finalizing agreements with individual communities and the provinces. The new funding nearly triples the amount identified in the 2017 federal budget. The additional federal funds will be permanent, which will allow police

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services to plan for the future, for the first time.

- February 14, 2018, the Prime Minister reiterated support for Bill C-262, announced the replacement of the Comprehensive Claims Policy and the Inherent Right Policy and most notably, indicated that a new approach to rights recognition and implementation to be developed “in full partnership” with First Nations, including new mechanisms to recognize First Nations systems of governance and ensure consistent, meaningful implementation of Treaties and other agreements.
- On February 27, 2018, Budget 2018 was announced. The budget includes a total investment of \$4.76 billion over five years for Indigenous peoples and communities. This represents a running total of \$16.6 billion in investments in the past three budgets, an unprecedented commitment from the federal government.

NEXT STEPS

- The next ministerial level meeting on joint priorities is planned for the fall of 2018.

