



# WHAT IS THE COLLABORATIVE PROCESS?



LEGAL AFFAIRS  
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## What is the Collaborative process?

The consultation process will focus on the broader issues, such as Indian registration, Band membership, and First Nations citizenship. The consultation process was designed together with First Nations organizations.

## What is the Plan for the Collaborative Process?

Consultations under the Collaborative Process will deal with three issues:

- The removal of the 1951 cut-off from the Indian Act;
- remaining registration/membership unfairness under the Indian Act; and
- discussions around how First Nations will be responsible for regulating the identity of their members or citizens, and Canada getting out of the “business” of deciding status under the Indian Act.

Consultations started on June 12, 2018. They will complete with a report to Parliament due by June 12, 2019.

## First Nations Priorities for *Indian Act* Reforms

- New registrants will require more resources and land base.
- Some First Nations said that they do not want to accept any new registrants.
- Drafting membership codes will affect future generations directly.
- If Canada wants to give more responsibilities to First Nations, then First Nations should be told about that decision in advance as a part of the nation-to-nation dialogue.

## Factors to consider under *Indian Act* reforms

- **Diversity of Nations** - Consultations with the leadership and Elders from all First Nations will be required. Consultations with traditional experts and/or knowledge holders who are authorized by their respective nations to make rulings on the local customs and laws will be required, as well.
- **Elements of Consultation** - Canada is required to receive the First Nations consent on proposed reforms, because the First Nations will provide a lasting solution to this issue. As such, it is vitally important that Canada properly consults First Nations when it discusses any additional reforms to Indian status and/or questions of First Nations citizenship.