



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) call for a high-level mechanism to discuss First Nations' priorities by agreeing to a process for dialogue with the AFN.

The National Chief was mandated by the Executive Committee in May 2017 to finalize a Memorandum of Understanding (MOU) with Canada. The AFN/Canada MOU on joint priorities was signed by the National Chief and the Prime Minister at the first meeting held in June 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 the following.

- 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
- measuring progress on closing the socio-economic gaps between First Nations peoples and other Canadians

UPDATE

The following is a status update on each priority identified in the MOU.

1. Policing and community safety issues affecting First Nations

- Canada is investing \$88.6 million over seven years, starting in 2019, to improve policing facilities in First Nations and Inuit communities.

In November 2018, the Government of Canada created a new program, Funding for

First Nations and Inuit Policing Facilities, to provide better policing infrastructure for the people who live and work in First Nations communities.

- A process to develop and implement a statutory framework recognizing First Nations police services as essential services remains outstanding.

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- The substantive work to ensure the legal, justice and correctional systems eliminate racism and discrimination has yet to begin in earnest.

2. Co-development of an Indigenous Languages Act to support the preservation, revitalization and strengthening of Indigenous Languages

- On June 21, 2019 Bill C-91, *An Act respecting Indigenous languages* - a jointly developed Indigenous Languages Act – received Royal Assent with all party support.

3. Work in partnership on measures to implement the United Nations Declaration on the Rights of Indigenous Peoples, including co-development of a national action plan and discussion of proposals for a federal legislative framework on implementation

- References to the UN Declaration have been written in federal legislation.
- Important preliminary steps taken: Canada has expressed unqualified endorsement of the UN Declaration on the Rights of Indigenous Peoples and commitment to its full implementation.
- AFN called for non-partisan support of Romeo Saganash's Private Member's Bill C-262 (UN Declaration on the Rights of Indigenous Peoples Act). Despite majority support for this bill in the House and Senate, it did not pass due to a filibuster in the Senate by the Conservative Party of Canada.
- The Liberal Party, Green Party and the New Democratic Party committed to, if elected, introduce a government bill supported by First Nations to implement the *United Nations Declaration on Rights of Indigenous*

Peoples that is at least as strong as Bill C-262.

4. Implementation of the 94 Calls to Action of the Truth and Reconciliation Commission of Canada

- The federal government expressed its commitment to the full implementation of all the TRC Calls to Action.
- Ongoing dialogue is needed to reinforce the importance of Canada's commitments to the TRC's Principles.
- Two key Calls to Action have been implemented: joint work to develop Indigenous Languages legislation and Child Welfare legislation. An Act respecting Indigenous languages (C-91) and an Act respecting First Nations, Inuit and Métis children, youth and families (C-92) were passed in June 2019.
- Other measures have been taken: National Day for Truth and Reconciliation - \$10M over 2-years for First Nations to host events; Honouring Missing Residential School Children - \$34M over 3-years to support the development and maintenance of a National Residential School Student Death Registrar.
- The AFN continues to advocate for the full and meaningful implementation of the Calls to Action.

5. Ongoing work to develop options for consideration by Chiefs-in-Assembly and federal decision-makers for a new fiscal relationship to ensure sufficient, predictable and sustained funding for First Nations governments

- The AFN and Canada have worked on a proposal for new financial transfer mechanisms to support new fiscal relations

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- reflecting a government-to-government relationship.
- Capacity Development: \$101.5M over 5 years to rebuild nations and support First Nations governments.
- 6. Work jointly to decolonize and align federal laws and policies with the United Nations Declaration on the Rights of Indigenous Peoples and First Nations' inherent and Treaty rights**
- Commitments were made in the AFN-Canada MOU on Joint Priorities to carry out a joint review of law and policy. However, Canada carried out a review on its own. Establishing a joint review process remains a priority; and requires reforms to federal law, policy and operational practices.
- 7. Dialogue and planning to identify priorities and measure progress to close the socio-economic gap between First Nations and other Canadians**
- An Act respecting First Nations, Inuit and Métis children, youth and families (C-92) received Royal Assent in June 2019.
 - Over 4 federal budget cycles, a total of \$21.4 billion in new investments to begin addressing inequities in essential government services like clean water, education and child and family services.
 - Canada has committed to fund above the 2% cap and to eventually increase funding by 22%.
 - \$2.6B of new investments allocated for K-12 on-reserve education to reduce the education funding gap between on-reserve schools and provincially run public schools.
 - A 6-point Action Plan has been developed to address the Child Welfare crisis.
 - \$1.2B over 3-years for Jordan's Principle.
 - \$634.8M over 5 years for First Nation Child and Family Services. \$1B over 10 years for First Nations Early Learning and Child Care.

NEXT STEPS

- The next meeting under the AFN-Canada Memorandum of Understanding (MOU) on joint priorities is planned for February 2020. This meeting will focus on revising the identified joint priorities based on current mandates from Chiefs-in-Assembly.