



What does the Housing, Infrastructure, Water and Emergency Services Sector do for First Nations?

The Housing, Infrastructure, Water and Emergency Services (HIWES) Sector is primarily responsible for advocating to support the creation of First Nations-led policies and solutions related to adequate housing, access to clean drinking water, local infrastructure, and effective emergency management equipment, resources and strategies. The HIWES Sector supports First Nations' pursuit of recognition of their Indigenous and Treaty Rights, including the Treaty Right to housing.

Why is this work important?

The purpose of the HIWES Sector is to advocate nationally for First Nations' access to secure, adequate and affordable housing; safe, clean and reliable drinking water; safe and quality infrastructure; and access and support for emergency management in First Nations communities.

Historically, the AFN has advocated for change in how the federal government administers First Nations housing programs, with partial success. Unfortunately, these programs have often been imposed upon First Nations. In 2015, First Nations saw a major breakthrough in the federal approach. Since then, First Nations are leading the development of a fundamental transition to First Nations control of housing, through a joint process with Canada.

In 2018, under the leadership of National Chief Perry Bellegarde and portfolio holder for the Housing file, Manitoba Regional Chief Kevin Hart, the Chiefs-in-Assembly adopted the monumental *National First Nations Housing and Related Infrastructure Strategy* (the Strategy), which will form the basis of transformative change in the federal government's First Nations housing policy (expected in late 2020 or early 2021). The new approach is unofficially in place, with some First Nations starting discussions with Canada. The intent is to reduce the federal government's role to providing long-term sustainable funding to those First Nations which opt to develop and manage their own housing programs. Only First Nations have the knowledge and power to raise the standard of housing to match or surpass those enjoyed by most Canadians. The HIWES Sector currently leads the development of an implementation plan for the Strategy which would then be accepted by Chiefs. The Sector is overseeing the completion of a study where First Nations are gathering and analyzing their own housing data to support the new investments needed. The results of that work will help the federal government meet its own aspirational target of having all Canadians enjoy adequate housing by 2030.

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When it comes to the infrastructure needs of First Nations, the AFN has completed two major studies: *Assembly of First Nations Operations and Maintenance Engagement Session Summary Report – June 2020* and the *Assembly of First Nations Asset Management Planning Pilot Summary Report – June 2020*. The studies' findings will form the direction the AFN will be taking on infrastructure and operations and maintenance for the next 2-3 years. The HIWES Sector is working towards a National First Nations Infrastructure Assessment across all asset categories, which will help define the infrastructure gap in First Nations and assess the amount needed for infrastructure investment. Asset Management Planning (AMP) is a critical building block towards improvement and growth on First Nation infrastructure issues.

For many First Nations, access to clean water and waste-water infrastructure has been a longstanding issue. Since 2013, the AFN has had a clear mandate from the Chiefs-in-Assembly to advocate for the repeal and replacement of the *Safe Drinking Water for First Nations Act* (SDWFNA), which came into force in November 2013. The SDWFNA has been severely scrutinized by First Nations for its lack of meaningful consultation, the imposition of unjust liability on First Nations without proper resources, and the granting of sweeping enforcement, legislative and judicial powers to the Crown.

How has the AFN's recent advocacy affected this area?

Under National Chief Bellegarde, the AFN's advocacy work has strengthened the federal commitment to water and wastewater, including significant investments which commenced in Budget 2016. In 2019-2020, the AFN Water Unit has continued its efforts in the co-development process for the repeal and replacement of the SDWFNA. Preliminary regional engagements were held in the summer of 2019 with over 500 First Nations from across Canada. Towards the end of 2019, the HIWES Sector worked with First Nations to assess preferred options for co-developing the First Nations Long-Term Strategy and presented a preliminary list of concepts to be included. Due to COVID-19, the deadline has been extended, and the AFN Water Unit is working towards a refined co-development process with Indigenous Services Canada (ISC). The HIWES Sector continues to advocate for First Nations presence on all decision-making boards and bodies involved in water and wastewater.

The Emergency Services Unit within the HIWES Sector advocates for comparable emergency service delivery and access to adequate and appropriate funding support with at-level engagement with First Nations in the development of all facets of their emergency management regimes. The unit leads research and analysis and provides recommendations on First Nations emergency management.

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Under National Chief Perry Bellegarde's leadership, the AFN has advocated for the recognition of First Nations' rights to develop their own programs and institutions that are inclusive of emergency management through the United Nations Declaration of the Rights of Indigenous People (UNDRIP). This advocacy also includes the First Nations right to equitable access of health funding and protective equipment under the current COVID-19 pandemic. This work has resulted in enhanced funding and agreements to work with First Nations to assist in the development of their emergency management regimes, as well as working towards the eventual devolution of the role and responsibility for emergency management to First Nations.

Where do we hope to go in the future?

Infrastructure

Throughout COVID-19, the need for reliable critical infrastructure has presented itself as a necessity across the country. Canada and all First Nations must emerge with a plan for the future. *Build Back Better* is a new initiative created to embrace the opportunity to think big. To get much needed infrastructure investment in our communities, all First Nations must prepare and plan for what their future will look like and work to gain access to infrastructure stimulus funding. More announcements from the federal government's plan to fund infrastructure are anticipated. The AFN encourages First Nations engagement and inclusion in this process to close the gap for our peoples.

Talks are on-going with ISC on an Operations and Maintenance Policy Reform. The draft AFN Operations and Maintenance Policy has been circulated to an experts' group for comments. The input has pointed away from an out-dated ISC Operations and Maintenance Policy for funding assets on First Nations. Instead, the desired direction is now towards a holistic approach to asset management. The HIWES Sector is working with expert groups and First Nations to define the new policy on an Operations and Maintenance funding framework beyond 2021. Capacity development of a holistic asset management plan, standard for all First Nations infrastructure and assets, is planned for 2020-21.

Housing

There are three main housing-related challenges for the AFN in the coming year:

- holding the federal government to its commitment to jointly create, with First Nations, transformative change to its First Nations housing policy and for the federal government to evolve toward being, exclusively, a funder of First Nations controlled programs;
- advocating for the federal government to decolonize by being more transparent with First Nations on their short-term plans and activities; and,

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- supporting the Dene Nation to achieve its goal to control its housing.

Water

First Nations involvement in all decision-making, including legislation, is extremely important in light of Canada's adoption of the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration). Any new legislation must be committed to achieving the minimum standards of the Declaration, and to adhere to the Declaration in its entirety. If any new legislation on First Nations water and wastewater is to be successful, significant resources must be invested to ensure equal access to safe, clean drinking water and proper sanitation for all First Nations.

Future activities include follow-up engagements on the *Long-Term Water and Wastewater Strategy* and the *Safe Drinking Water for First Nations Act*, and to continue the national engagement process to collect feedback from First Nations so that the Joint Working Group can prepare a framework for the repeal and replacement of current legislation. The AFN continues to raise important issues around the Government's commitment to creating a Canadian water agency, reviewing the *Canada Water Act*, and advocating for First Nations-led policies and programs. The AFN is committed to addressing and advocating for First Nations Right to water, watershed management and protection, and wastewater treatment and management.

Emergency Services

The Emergency Services Unit will continue to advocate for an increase of project proposal funding for First Nations from the Emergency Management Assistance Program (EMAP), and greater First Nations involvement in forums, symposiums, and conferences concerning emergency management.

The Emergency Services Unit will continue helping First Nations develop their emergency management regimes, and acquire appropriate funding for prevention and mitigation, preparedness, response, and recovery efforts, appropriate training, continued access to comparable emergency services, and the eventual transfer of responsibility and direct funding of these processes to First Nations.

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