



BRIEFING NOTE TO THE EXECUTIVE COMMITTEE FOR DISCUSSION

SUBJECT: The Healing Path Forward Accord

DATE: March 10, 2023

DIRECTOR: Office of the National Chief

SECTOR: AFN Executive Committee

SUMMARY

- The Assembly of First Nations is experiencing challenges and setbacks with the current Permanent Bilateral Mechanism (PBM), when working to advance identified priorities through this process including: an overloaded priorities list (Schedule A), it does not reflect and incorporate current priorities, nor does not address regional diversity and speaks more to discussions than action plans.
- The draft Healing Path Forward Accord, outlines a renewed framework that includes, political processes to advance national priorities while also respecting regional diversity and promoting First Nations regionally led processes.
- It is recommended that engagements by region take place on the draft Healing Path Forward Accord. Once feedback is received, a report will be presented at the April 2023 SCA to First Nations in Assembly for adoption.

PURPOSE:

- To outline the existing concerns with the AFN-Canada Memorandum of Understanding (MOU) on the Permanent Bilateral Mechanism (PBM).
- To provide a background on the draft Healing Path Forward Accord (Accord) as a mechanism that provides clear strategic direction and action toward evolutionary and positive change for all First Nations from coast-to-coast-to-coast.
- To have engagements take place by region take place on the draft Healing Path Forward Accord resulting in feedback and input to form a final draft of the Accord.

CURRENT STATUS:

- The Permanent Bilateral Mechanism (PBM) agreement, also known as the AFN-Canada MOU, speaks more to discussions than on action plans.
- The PBM/MOU needs to be revisited and renewed to:
 - address an overloaded priorities list (Schedule A),
 - reflect and incorporate current priorities, and

- address regional diversity and needs through the creation of multiple processes that currently do not exist.
- The Healing Path Forward Accord is currently in draft form. The formal development of the Accord will begin with the input and feedback received from each region.

BACKGROUND:

- The PBM/MOU work and agreement was passed by way of motion by the Executive Committee initially in February 2017 and then again with the final PBM/MOU wording and schedule A list of priorities in June 2017.
- The PBM/MOU focuses on National priorities as represented by the AFN.
 - It **does not** have any other processes that consider regional priorities or regional diversity and protocol.
- The PBM/MOU includes a steering committee of senior officials who meet to work on priorities. They have encountered problems with the commitment from the government with respect to participation and obligations.
- The process is non-binding and has three components:
 - The first component is to have regular meetings between FN leadership and members of the Federal Cabinet to review progress on joint priorities. Attached to the agreement to meet regularly is a document that lists jointly agreed upon priorities, it is called Schedule A. There are to be three meetings a year. One of the meetings will be chaired by the PM.
 - The second component is to form a steering committee of senior officials to identify and establish requirements to support the AFN-Canada working group.
 - The third is to review and update Schedule A – a list of agreed upon priorities - on an annual basis.
- While the PBM/MOU asks for three meetings annually with Federal Cabinet ministers, the last to take place (Chaired by the Prime Minister) was January 2019 (a non-PBM Meeting between Canada and the AFN was planned for March 2020 but the COVID-19 pandemic caused this not to happen). Senior government officials have said that the coordination of three meetings annually with cabinet ministers is an unrealistic expectation and commitment, despite agreeing to the initial terms.
- The draft Healing Path Forward Accord aims to address equality and equity for First Nations, establishes political processes, including: a national political process, a national First Nations economic growth, wealth building and prosperity table, regional political processes, internal political restructuring and a national caucus of elected women leaders and implementation recognizing and respecting our inherent and treaty rights.

RECOMMENDATIONS:

- 1) The National Chiefs Office will host engagements with regions on the draft Healing Path Forward Accord prior to the April 2023 SCA. Once feedback is received, a revised document will be developed and shared with First Nations in Assembly for adoption.

ATTACHMENTS:

AFN-Canada MOU including Schedule A
DRAFT Healing Path Forward Accord