

**ADDITIONS TO RESERVES****OVERVIEW**

---

Beginning in 2010, the Assembly of First Nations (AFN) and Canada formed a Joint Working Group (JWG) mandated by AFN resolution to jointly reform the 2001 Additions to Reserve (ATR) policy. This work culminated in 2016 with the release of a new 2016 ATR policy.

The key changes in the new policy included the following:

- Clear policy language about adding lands to reserve.
- Updated policy categories.
- Removal of “contiguity” as a land selection requirement.
- Streamlined process with a focus on joint work planning and project management.

At the 2016 AFN Annual General Assembly (AGA) the Chiefs-in-Assembly passed AFN Resolution

17/2016, *Call on Canada to Update the Additions to Reserves Policy (ATR)*, urging Canada to work with the AFN to provide joint policy interpretation and implementation oversight. The previous department, Indigenous and Northern Affairs Canada, accepted a 2016 AFN ATR proposal committing the parties to work together to achieve these outcomes.

Indigenous Services Canada (ISC), the newly formed federal department responsible for ATR implementation, initially proved hesitant to engage with AFN on ATR policy interpretation and implementation oversight. In December 2017, ISC once again signaled a willingness to renew engagement and agreed to provide AFN with limited funding to engage with First Nations on ATR.

**UPDATE**

---

ISC expressed a desire to explore legislation that would expand elements of the *Claims Settlement Implementation Acts* (Manitoba, Saskatchewan, and Alberta) nationally.

One major change proposes having an approval process by way of Ministerial Order, rather than an Order in Council, not just for those First Nations pursuant to the Claims Settlement Implementation Act in the prairies, but for all First Nations.

A second major change is having access to pre-reserve designations, access to pre-reserve leases and pre-reserve permits allowing for increased access to economic development opportunities.

ISC is now in the process of drafting legislation and would like AFN to participate in reviewing the draft.

**NEXT STEPS**

---

The AFN is engaged in reviewing the proposed draft legislation.