



# Parliamentary Wrap-Up

September 2023 – June 2024

## First Nations Taking the Lead

Reconciliation with First Nations remained a central theme in this year's parliamentary session, with First Nations advocating for increased self-determination and implementation of existing agreements. First Nations expressed concerns about potential jurisdictional overreach and the need for access to healthy food for educational success. On budget measures, First Nations advocated for increased funding for education, infrastructure, and economic development initiatives in their communities. First Nations continued to push for a concrete action to implement the *United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)*, emphasizing the need for whole-of-government approaches and for First Nations to take the lead role in implementation work.

Although, progress was made on developing a United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) National Action Plan, First Nations remained cautious about its effectiveness.

First Nations advocacy methods included parliamentary written submission and appearances by representatives of the Assembly of First Nations (AFN), Chiefs and leaders, before committees. Additionally, supporting reports from the AFN outlined concerns and recommendations including the AFN's [National Climate Strategy](#), [Position Paper on Bill S-13](#), [Call for Justice Progress Report](#). Protests and rallies raised public awareness about key issues - for example, AFN supported the Chiefs of Ontario's [demonstration on Parliament Hill](#) opposing Bill C-53.

The AFN participated in seven studies led by the House of Commons Committees and three studies led by the Senate. Some of these studies are still active and some have concluded resulting in a report from Parliamentary Committee to the Government of Canada for consideration. For example, in May 2024 the Standing Committee on Indigenous and Northern Affairs released a report entitled ["We Belong to the Land": The Restitution of Land to Indigenous Nations](#), which the AFN contributed by written submission on June 2023. The AFN closely monitored four pieces of legislation spanning up to two years that have received Royal Assent in this year's session. The AFN intervened on these four bills throughout its legislative life cycle, in some cases intervening on two occasions. **Below are key issues the AFN advocated for on behalf of First Nations-in-Assembly.**



## AFN Advocacy at the House of Commons Committees



### ***C-53, Recognition of Certain Métis Governments in Alberta, Ontario and Saskatchewan and Métis Self-Government Act***

[Bill C-53](#) will recognize the Métis Nation of Alberta (MNA), Métis Nation of Ontario (MNO), and Métis Nation of Saskatchewan (MNS) as Métis governments with an inherent right to self-government under Section 35 of the *Constitution Act, 1982*. This bill will also provide a framework to implement future treaties between those Métis governments and the Government of Canada.

Through [written submission](#) and [testimony](#), the AFN recommended to the Standing Committee on Indigenous and Northern Affairs (INAN) that the bill be withdrawn, and that a national consultation process be developed with First Nations to ensure that all potential impacts of this legislation are thoroughly considered. The AFN called for immediate steps to ensure that First Nations rights and interests would be upheld in accordance with the *United Nations Declaration on the Rights of Indigenous Peoples* (the UN Declaration).



### ***Bill C-27, Digital Charter Implementation Act, 2022***

This enactment provides for the development of a national framework to establish a school food program to ensure that all children in Canada have access to healthy food. Through a [written submission](#) to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA), the AFN advocated the need for the development of a national framework that will play a crucial role in the holistic development of First Nations children, contributing to their educational success, long-term health, and cultural identity.

The enactment provides recognition of First Nations jurisdiction, traditional practices, and need for food infrastructure supports as it develops the framework for the National School Food Program. First Nations must be leaders in the rollout of this program to ensure it meets the needs of their communities, which often face unique challenges such as extreme food prices, remote and isolated food shipments, economies of scale disadvantages, and intergenerational health conditions.



### **Freshwater Study**

The AFN provided new information in an [addendum](#) to the Standing Committee on Environment and Sustainable Development's (ENVI) Freshwater Study. The addendum reflected recent developments, including the creation of a UN Declaration Action Plan Measures (APMs) and the release of the AFN National Climate Strategy.



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## Population Sustainability of Yukon Salmon Stocks

A [written brief](#) to the Standing Committee on Fisheries and Oceans (FOPO) shared AFN's views in relation to Yukon River Chinook Salmon of Canadian-origin. Yukon River Chinook salmon are in a long-term state of decline. Since a pronounced stock crash in 2000-2001, there has been a clear trend of declining size and abundance. There are many factors that have contributed to these unprecedented low returns. As such, the AFN made recommendations to FOPO seeking to better understand key threats to freshwater habitat, such as habitat destruction associated with placer mining and other development projects, and linking those threats to the regulations and policies that permit threats to continue.



## Pre-Budget Consultations in Advance of the 2024 Budget

The AFN provided [testimony](#) to its 2024 Pre-Budget Submission (PBS) at the Standing Committee on Finance (FINA). The testimony spoke to investment areas towards First Nation priorities to eliminate socioeconomic gaps and closing the infrastructure gap, in addition to meeting the objectives set out by the UN Declaration. Economic Reconciliation was also discussed as being achieved when a new distinct approach for budget-setting aligns with Inherent Rights, international treaties signed with the Crown, and respect for Nation-to-Nation relationships.



## Report 2, Housing in First Nations Communities, of the 2024 Reports 2 to 4 of the Auditor General of Canada

[Testimony](#) was provided to the Standing Committee on Public Accounts (PACP) study related to the findings of the Auditor General of Canada's 2024 report on First Nations Housing. The AFN echoed the Auditor General's comments that Canada's failure to address First Nations housing needs is part of a distressing and persistent pattern of failure. The AFN called for significant investment, specifically a \$135.1 billion commitment, to close the First Nations housing gap by 2030 and is prepared to work with Canada to co-develop a strategy to close the housing gap.



## AFN Advocacy at Senate Committee



### ***S-13, An Act to amend the Interpretation Act and to make related amendments to other Acts***

[Bill S-13](#) proposes to add a non-derogation clause to the federal Interpretation Act and repeal current non-derogation clauses found in other federal statutes. The AFN provided a [written submission](#) and [testimony](#) to the Standing Senate Committee on Legal and Constitutional Affairs (LCJC) stating the legislative proposal is generally acceptable, so long as an amendment is made to clarify that all laws must be interpreted as consistent with the *UN Declaration*. The AFN also highlighted concerns regarding the overall legislative process and call for such processes to adhere to free, prior, and informed consent.



### ***Examine the implementation of the United Nations Declaration on the Rights of Indigenous Peoples Act, 2021 by Canada and First Nations, Inuit and Métis peoples***

In a [testimony](#) to the Standing Senate Committee on Indigenous Peoples (APPA), the AFN raised concerns over the lack of funding for First Nations-led initiatives; a lack of government mandates to implement APMs; and a lack of whole-of-government approaches to implementation. The AFN also confirmed a submission to the Expert Mechanism on the Rights of Indigenous Peoples on implementation of the United Nations Declaration in Canada, this informed the AFN's testimony to the APPA Committee.



### ***Indigenous Peoples and the Canadian Human Rights Framework - National Inquiry into Missing and Murdered Indigenous Women and Girls' Call for Justice 1.7***

The AFN provided [testimony](#) to APPA's study on Call for Justice 1.7, which calls on all governments to establish a National Indigenous and Human Rights Ombudsperson and a National Indigenous Human Rights Tribunal. The AFN emphasized the importance of the Calls for Justice, called on all governments to commit to implementing Call for Justice 1.7, address potential barriers, and provide adequate resources.

The AFN continues to monitor bills and studies that are relevant to and impact First Nations rights.



## Royal Assent

The AFN advocated on the following bills that have since received royal assent. Since receiving royal assent, the AFN is monitoring implementation of the legislation and continues to ensure First Nations voices are heard throughout the implementation process through regulations, secure of funding, and education of First Nations' Inherent and treaty rights.



### *Division 28 of Part 4 of Bill C-69, An Act to implement certain provisions of the budget tabled in Parliament on April 16, 2024*

[Bill C-69](#) makes substantive amendments to the *Impact Assessment Act* (IAA), ostensibly to bring it in line with what the Supreme Court of Canada views as constitutional. In a [written submission](#) and [testimony](#) provided on May 30, 2024, the AFN raised three points to the Standing Senate Committee on Energy, the Environment and Natural Resources (ENEV): 1) First Nations participation in the creation and implementation of the *Impact Assessment Act*; 2) Amending legislation in an era of the *United Nations Declaration on the Rights of Indigenous Peoples Act*; and 3) Specific areas of amendments to strengthen the recognition of First Nations rights, knowledge systems, and jurisdiction.

Royal Assent was received on June 20, 2024. The bill passed with AFN's recommended amendments not being incorporated.



### *C-29, An Act to provide for the establishment of a national council for reconciliation*

The AFN intervened on [Bill C-29](#) through [testimony](#) given on October 17, 2022, to the House of Commons INAN Committee, and [testimony](#) given on May 16, 2023 to the Senate APPA Committee, expressing concerns about the appointment process of the NCR. The AFN advocated for additional appointments of First Nations representatives to the National Council for Reconciliation. The AFN also highlighted the lack of permanent funding, and the need to use UN Declaration as a framework to implement this legislation. Royal Assent was received on April 30, 2024, in which the AFN may nominate one Board of Director.



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## *C-35, An Act respecting early learning and child care in Canada*

The AFN intervened on [Bill C-35](#) through [written submission](#) on March 17, 2023, to the House of Commons Standing Committee on Human Resources, Skills and Social Development and Status of Persons with Disabilities (HUMA), highlighting recommendations concerning First Nations Inherent rights, engagement, and statutory funding. [Testimony](#) was also given on November 1, 2023, to the Senate Standing Committee on Social Affairs, Science and Technology (SOCI), to raise the concerns shared at HUMA. Particularly, AFN raised concerns regarding free, prior, and informed consent, acknowledgment of inherent rights, and funding. Recommendations were made to include engagement with First Nations, First Nations representative on National Advisory Council, and commitment of funding.

After receiving Royal Assent on March 19, 2024, the 2024 Federal Budget announced the creation of a national school food program which will provide \$1 billion over five years to Employment and Social Development Canada (ESDC), Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), and Indigenous Services Canada (ISC) to work with provinces, territories, and Indigenous partners to expand access to school food programs. This includes investments for First Nations, Inuit and Métis communities as well as Self-Governing and Modern Treaty Partners.



## *C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms)*

The AFN intervened on [Bill C-21](#) through [testimony](#) to the Standing Committee on Public Safety and National Security (SECU) on November 3, 2022, and [testimony](#) to the Standing Senate Committee on National Security, Defence and Veterans Affairs (SECD) on November 6, 2023. Both times the AFN called for an amendment to include an oversight mechanism on the powers bestowed to Chief Firearms Officers to ensure orders do not restrict First Nations access to firearms used in sustenance hunting and harvesting. Also raised was the fact that First Nations leadership was not adequately consulted nor was their consent obtained with respect to any potential impact Bill C-21 may have on First Nations rights.

Given that Royal Assent was received on December 15, 2023, the AFN will focus on sharing information with First Nations on the final version of the legislation and on advocacy around regulations that will accompany the legislation. The AFN will also continue to advocate for the protection of First Nations communities through effective and culturally supportive legislation and regulations. The AFN was invited to have one representative on the re-established Canadian Firearms Advisory Committee, which will guide the development of the regulations.