



Assembly of First Nations (AFN)

Special Chiefs Assembly

December 2 to 4, 2025

Rogers Convention Centre • Ottawa ON • Hybrid



PARLIAMENTARY ADVOCACY UPDATE

Assembly of First Nations Parliamentary Advocacy Update

The Assembly of First Nations (AFN) conducted parliamentary advocacy and made several interventions throughout the Fall Parliamentary session. Canada's 45th Parliament introduced a series of bills and convened a wide range of studies that impact First Nations. This document provides an overview of the interventions made by the AFN and highlights a number of upcoming studies being monitored for the 2026 Spring Parliamentary session.

Bill S-2, An Act to amend the Indian Act (new registration entitlements)

This bill was introduced on May 29, 2025, as a Senate Government Bill to amend the *Indian Act* to provide new entitlements to registration in the Indian Register, responding to the decision in *Nichols v. Canada (Attorney General)*. This bill is essentially identical to legislation introduced under the previous Parliament, which was not completed before that Parliament was dissolved in March 2025. Bill S-2 as it was introduced:

- Ensures that descendants of individuals who were enfranchised are entitled to registration in the same way as descendants of those who were not enfranchised;
- Allows people who wish to have their names removed from the Indian Register to apply for deregistration, allowing individuals to deregister in order to be recognized in another nation;
- Supports women who were automatically transferred to their husbands' First Nation, and their descendants to seek reaffiliation with their natal First Nation; and
- Replaces offensive and outdated language such as "mentally incompetent Indians".

On October 1, 2025, National Chief Woodhouse Nepinak made an intervention to the Senate Standing Committee on Indigenous Peoples (APPA) and a technical submission was made in follow-up. The AFN submitted that Bill S-2 must explicitly affirm citizenship as a core area of First Nations' inherent jurisdiction. The bill must promote the exercise by First Nations of this jurisdiction exclusively and in a manner that centres the revival of First Nations traditions, protocols and institutions. The AFN advocated for an opt-in legislative framework that enables First Nations to exclusively implement their own citizenship systems. An opt-in model would allow First Nations to reinvigorate their systems of kinship as an exercise of their inherent jurisdiction.

The AFN will continue to monitor the progress of Bill S-2 as it completes review in the Senate and advances to the House of Commons. The AFN is hosting a Dialogue Session and Plenary Session during the December 2025 Special Chiefs Assembly on Bill S-2 and the subject Second Generation Cut-Off, following a motion passed by APPA to adopt amendments removing the second generation cut-off.



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House of Commons Standing Committee on Indigenous and Northern Affairs (INAN) Study on Indigenous Policing and Public Safety

The House of Commons Standing Committee on Indigenous and Northern Affairs (INAN) conducted a study on Indigenous Policing and Public Safety, which concluded on October 28, 2025. On October 20, 2025, National Chief Woodhouse Nepinak made an intervention to INAN and a technical submission was made in follow-up. The AFN has long advocated for changes to First Nations policing and justice in Canada, including the establishment of First Nations policing as an essential and fully funded service with more recognition of and support for the reclamation of First Nations legal traditions and justice systems. The submission explored the complex history of First Nations and policing, highlighting the court challenges made by 32 of 36 self-administered police services under the First Nations and Inuit Policing Program (FNIPP). Instruments like the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and court decisions such as the Supreme Court of Canada landmark decision on Bill C-92, *An act respecting First Nations, Inuit and Métis children, youth and families*, provide support for a legislative framework to advance First Nations self-determination over policing and public safety as an act of legislative reconciliation.

The AFN made recommendations to INAN for legislation that recognizes First Nations Policing as an essential service, that the legislation be an opt-in framework and include the following key principles:

- **Rights Recognition:** Recognition of First Nations self-determination in accordance with First Nations inherent, treaty, and constitutional rights. In addition, federal legislation should advance the principle set out in UNDRIP. Finally, the legislation should address First Nations paramountcy in relation to provincial/territorial policing legislation and regulations.
- **Essential Services Designation:** Recognition of First Nations police services are integral to community safety and security, and that the “essential services” designation is one of the necessary preconditions to ensuring these services are backed by legislation and adequately resourced to provide culturally relevant and responsive policing services.
- **Equitable Funding:** Recognition that First Nations police services must be equitably and sufficiently funded to do their work and that such funding should be up to a level consistent with their recognition as essential services when compared to other federal and provincial services.

The AFN continues to advocate for the introduction of legislation recognizing First Nations policing as an essential service.

House of Commons Standing Committee on Justice and Human Rights (JUST) Study on Bail System, Sentencing and the Handling of Repeat Violent Offenders in Canada

The House of Commons Standing Committee on Justice and Human Rights (JUST) conducted a study on the bail system, sentencing and the handling of repeat violent offenders in Canada. On October 21, Regional Chief Teegee made an intervention to JUST and a technical submission was made in follow-up. The AFN is mandated by First Nations-in-Assembly to advocate for change to Canada's justice system



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to address the ever-increasing overrepresentation of First Nations citizens in Canada's correctional institutions and recognition of and support for the reclamation of First Nations legal traditions and justice systems. The submission connects the current Canadian methods, practices, policies and Canadian law related to bail, sentencing, and release to the continued overrepresentation of First Nations in correctional institutions.

The Office of the Correctional Investigator (OCI) found that although there were overall declines in the incarcerated population in recent years, Indigenous over-representation has risen at an unabated pace to 40.8%. Efforts introduced by way of amendments to Canada's *Corrections and Conditional Release Act S.C. 1992, c. 20 (CCRA)* did not result in the intended impact. Instead, the efforts were circumvented by biases inherent in the bail system and by the institutions governed by the CCRA. The AFN submission made the following recommendations aimed at addressing First Nations overrepresentation in Canada's prisons and jails:

- Control and ownership of existing state-run Healing Lodges be transferred to First Nations and their institutions;
- Redirect funding from Correctional Services Canada to First Nations;
- Develop a distinctions-based First Nations "de-carceration" strategy, designed with First Nations;
- Fully implement the OCI recommendations from the report: *Ten Years since Spirit Matters: A roadmap for the reform of Indigenous corrections in Canada*;
- Government of Canada commitment to implement the Indigenous Justice Strategy and AFN National First Nations Justice Strategy, incorporating long-term sustainable funding for First Nations-led initiatives; and
- An automatic link between First Nations accused to a First Nations justice program, whether on-reserve or in urban centers.

The AFN will continue to advocate for justice reforms to address the overrepresentation of First Nations citizens. AFN is specifically monitoring government sponsored legislation *Bill C-14, Criminal Code Amendments (Bail Reform)*, introduced on October 23, 2025. Bill C-14 includes over 80 clauses of amendments aimed at stricter bail laws, creating a new reverse onus, and tougher sentencing laws for repeat and violent offenders resulting in lengthier and consecutive sentences, affecting parole eligibility. Notably, this legislation has been developed without consultation with First Nations and appears to undermine a fundamental principle of Canada's justice system of "innocent until proven guilty". The AFN is preparing to make an intervention when this legislation is referred to committee for study and anticipates this to occur in the Spring Parliamentary session.

House of Commons Standing Committee on Natural Resources (RNNR) Study on Critical Minerals Development in Canada

The House of Commons Standing Committee on Natural Resources (RNNR) conducted a study on critical minerals development in Canada. On October 23, 2025, National Chief Woodhouse Nepinak



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made an intervention to RNNR and a technical submission was made in follow-up. The AFN submission included 18 recommendations supported by mandates from First Nations-in-Assembly. First Nations have the right to determine and develop priorities and strategies for the use of their lands, territories, and resources. AFN submitted that both the RNNR Committee and responsible federal departments must engage First Nations rights-holders themselves, whose lands, waters, economies, rights, and interests will continue to be directly impacted by resource development in Canada. AFN's recommendations focus on 5 areas of consideration, including:

- Full adherence to the United Nations Declaration on the Rights of Indigenous Peoples, specifically article 32, in all critical mineral activities;
- Centering First Nations in critical mineral mining and other activities in economic reconciliation;
- First Nations rights to water in the context of critical minerals;
- Addressing mining legacy and ongoing contamination in full partnership with First Nations rights- and title-holders; and
- Acknowledge and prevent gender-based violence associated with the mining industry.

The RNNR Study also included a parliamentary mission to visit specific projects in northern Ontario and northern Quebec. The AFN contacted First Nations in those areas to raise awareness of this study and provided template letters to support First Nations participation and response. The AFN also created an advocacy package and posted this to the AFN website to increase First Nations awareness of the study and support additional interventions. Through the National Chief's call for increased First Nations participation, the RNNR Committee agreed to extend the deadline to make written submissions for an additional month.

House of Commons Standing Committee on Environment and Sustainable Development (ENVI) Study on the Effectiveness, Potential Improvements, and Capability of Canada's 2030 Emissions Reduction Plan

The House of Commons Standing Committee on Environment and Sustainable Development (ENVI) conducted a study on the effectiveness, potential improvements, and capability of Canada's 2030 Emissions Reduction Plan. Regional Chief Wendell LaBobe made an intervention to ENVI and a technical submission was made in follow-up. The AFN submitted that strengthening the implementation of Canada's 2030 Emissions Reduction Plan, and the Government of Canada's overall approach to climate mitigation and adaptation, is a vital opportunity to respond to the direction from First Nations-in-Assembly and demonstrate urgent, transformative, and rights-based climate action. The AFN raised the concern that the Government of Canada's new approach to climate change is a *Climate Competitiveness* vision that deprioritizes Canada's commitment to reduce domestic greenhouse gas emissions in favour of focusing on economic development and climate competitiveness from energy transition. Current reports, however, indicate that Canada is far from achieving its' domestic targets, reducing emissions at a much slower rate than expected: at best, 14% in 2030 and 25% in



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2040. Not only are these reductions far from the legal targets of 40-45% by 2030 under the *Canadian Net Zero Emissions Accountability Act*, they disregard the call from First Nations-in-Assembly to reduce emissions by 60% below 2010 levels by 2030 and reach net-zero emissions by 2050.

AFN's submission includes recommendations in the following areas:

- The Government of Canada must avoid backsliding on commitments and instead take urgent and transformative climate action in line with the AFN National Climate Strategy;
- The Government of Canada must engage with First Nations rights- and title-holders before introducing the *Climate Competitiveness Strategy*;
- First Nations Climate Leadership must include action through a First Nations Climate Lens;
- *Building Canada* is an opportunity to advance First Nations climate adaptation and net-zero actions through Closing the Infrastructure Gap.

Emission Reduction Plans are more than just numerical targets; they are a signal of the approach the Government of Canada is taking to address the climate crisis. The application of these considerations engaged by the Climate Lens to the longer-term objective of reaching net-zero by 2050 aspires to create a more progressive and innovative dialogue about climate action, a dialogue that avoids lapsing into failed narratives about balancing economy and environment, or quick-fix technological solutions, and takes up a focus that is rooted in First Nations knowledge systems, rights, and climate leadership. Investments in closing the infrastructure gap, including in adaptation and net-zero infrastructure will be key in this regard. This is an important starting point, but further and more fulsome engagement with First Nations rights-, title- and treaty-holders is essential.

House of Commons Standing Committee on Fisheries and Oceans (FOPO) Study for the 5-year Review of the Fisheries Act

The House of Commons Standing Committee on Fisheries and Oceans (FOPO) conducted a study for the 5-year review of the *Fisheries Act*. On November 18, 2025, Regional Chief Teegee made an intervention to FOPO and a technical submission was made in follow-up. This is the first review since amendments to the *Fisheries Act* were made in 2019 and presents an opportunity to assess implementation of existing sections to ensure alignment with global biodiversity framework goals and commitments, as well as enact consistency amendments to ensure conformity with constitutional and international legal obligations. The AFN's intervention recommended a series of amendments to the *Fisheries Act*, including:

- *The Fisheries Act* be amended to include the minimum standards outlined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), with explicit inclusion of provisions on Duty to Consult including the Free, Prior and Informed Consent of rights- and title-holders;
- Achieving reconciliation through the rebuilding of fish stocks, habitat restoration, and protection of habitat;



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- Reducing the excessive Ministerial discretion, which may enable the avoidance of the protection of inherent and constitutionally protected rights; and
- Supporting First Nations' leadership in conservation and stewardship of marine and aquatic ecosystems, consistent with the Government of Canada's obligations under section 35 of the *Constitution Act, 1982*.

The AFN called for the Department of Fisheries to immediately accelerate the use of habitat and biodiversity protection tools, such as marine refuges and ecologically significant areas, especially in areas critical to First Nations fisheries and rights-based practices, in full partnership with First Nations. Protection of Indigenous Knowledge Systems through recognition of intellectual property rights of First Nations is critical. Indigenous knowledge provided to government should only be used for the protection of procedural fairness and natural justice in relation to the specific regulatory decision for which the Indigenous knowledge is provided to the Minister. The AFN will continue to advocate to bring the *Fisheries Act* into conformity with the UN Declaration, implementing Supreme Court of Canada decision, and otherwise fully respecting and implementing First Nations treaty and inherent rights, title, and jurisdiction.

House of Commons Standing Committee on the Status of Women (FEWO) Study of Section 810 of the Criminal Code and Women's Safety

The House of Commons Standing Committee on the Status of Women (FEWO) conducted a study of Section 810 of the Criminal Code and Women's Safety. The AFN made a written technical submission to the committee. Criminal Code Section 810 deals with "peace bonds" and allows a person to obtain a court order if they have reasonable grounds to fear another person will cause them personal injury, damage to their property, or commit certain other offenses. Section 810.03 can effectively ensure survivors have timely, effective protections without subjection to incarceration if it were to standardize and strengthen their provisions around accessibility and awareness, establish clearer enforcement protocols through culturally informed indicators, uphold Gladue principles, and mandate availability of support. Accomplishing these aspirations would effectively demonstrate meaningful progress in aligning intimate partner violence legislative changes with survivor-centered principles.

The AFN submission recommends that:

- Section 810 peace bond provisions be strengthened by leveraging specialized courts to enhance accessibility to judges, crown prosecutors, and legal aid lawyers who are already trained to assess domestic violence related criteria;
- Standardizing the use of Indigenous Partner Assault Response Programs could result in consistent use of culturally informed indicators to better inform enforcement of peace bonds; and
- Judges hearing Section 810.03 files consider utilizing existing court worker programs to assess and provide referrals for the individual entering the 810 to counseling or addictions services, depending on the underlying issue.



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House of Commons Standing Committee on Veterans Affairs Study on Suicide in Veterans

The House of Commons Standing Committee on Veterans Affairs conducted a study on Suicide among Veterans, which included a focus on Indigenous Veterans within the scope of the study. The AFN made a written technical submission to the committee. For First Nations people, the crisis of death by suicide is far more severe, with suicide rates three times higher than non-Indigenous Canadians (24.3 deaths per 100,000 person-years compared to 8 deaths per 100,000 among non-Indigenous people). Although no epidemiological study has specifically examined suicide rates among First Nations Veterans, the evidence is clear: First Nations Veterans face compounded risk from multiple, overlapping sources of trauma. These sources include operational stress injuries, combat trauma, moral injury, and service-related physical/mental health conditions; the legacy of residential schools, forced assimilation, land dispossession, and historical discrimination encoded in the *Indian Act*; and continued marginalization, barriers to services, and the persistent effects of colonization.

The AFN submission recommends:

- **Fund First Nations-Led Suicide Prevention Initiatives** - Establish a dedicated, multi-year funding stream for First Nations designed and led suicide prevention and mental health programs specifically for First Nations Veterans and their families. This funding must be allocated directly to First Nations communities and organizations, not filtered through Veterans Affairs Canada (VAC). Funding should be sufficient to support culturally grounded, community-based programming, and be flexible to accommodate regional and community-specific approaches.
- **Eliminate Barriers to VAC Service Access** - Mandate Veterans Affairs Canada to establish dedicated VAC outreach and service delivery capacity in First Nations communities. Services should provide transportation supports for First Nations Veterans seeking services outside their communities. In addition, services should develop plain-language, culturally appropriate information about eligibility and benefits. To effectively support First Nations Veterans, a priority must be placed on establishing clear, simplified pathways to benefits, free from unnecessary bureaucratic obstacles, as this will significantly enhance access, reduce delays, and demonstrate a genuine commitment to addressing systemic inequities and meeting Veterans' urgent needs.
- **Implement Cultural Safety Standards** - Require all mental health services for First Nations Veterans to meet defined cultural safety standards:
 - Integration of traditional healing practices, ceremonies, and Elders' guidance;
 - Trauma-informed care that acknowledges both military trauma and intergenerational colonial trauma;
 - Hiring of First Nation mental health professionals and cultural advisors; and
 - Community-defined measures of cultural safety and accountability to First Nations for service quality.



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- **Close the Data Gap** - Guided by First Nations data governance principles and oversight, mandate Statistics Canada to systematically collect, disaggregate, and publicly report comprehensive data on First Nations Veteran suicide rates along with key mental health indicators unique to First Nations Veterans. This process must ensure First Nations control over data sovereignty and the publication of annual progress reports focused on closing disparities in health outcomes, thereby reinforcing First Nations authority and accountability in health data management and decision-making. This approach ensures that data serves First Nations self-determination and healing, not colonial surveillance or external research agendas.

Future AFN Parliamentary Advocacy

Legislation/Study	Analysis
<i>Bill C-8, An Act respecting cyber security, amending the Telecommunications Act and making consequential amendments to other Acts</i>	This bill introduces several measures to modernize and increase security around telecommunications and vital services like banking, energy regulators and transportation services. However, cybersecurity cannot be treated as a purely technical exercise - it is a matter of rights, equity, and reconciliation. For many First Nations, digital infrastructure is still years behind the rest of Canada. To impose compliance obligations without co-developed supports will only worsen the inequities that the federal government has pledged to close through the Closing the Infrastructure Gap (CTIG) in First Nations initiative.
<i>Bill C-9, An Act to amend the Criminal Code (hate propaganda, hate crime and access to religious or cultural places)</i>	This bill introduces several amendments to strengthen Canada's legal framework against hate propaganda and hate crimes. This includes creating an offence of willfully promoting hatred against any identifiable group by displaying certain symbols in a public place. The bill has raised serious concerns about a critical omission: the failure to explicitly address Indian Residential School (IRS) denialism. This gap in the legislation is not merely an oversight - it represents a profound disconnect from the lived realities of First Nations Peoples and individuals, and the ongoing impacts of colonial violence.
<i>Bill C-10, An Act Respecting the Commissioner for Modern Treaty Implementation</i>	This bill appoints a Commissioner for Modern Treaty Implementation and establishes an Office of the Commissioner for Modern Treaty Implementation to assist the Commissioner in discharging their duties. The appointment of the Commissioner is through the House of Commons and the Senate and lacks a process to require inclusion of Modern Treaty partners. The Commissioner would be deemed an employee of the Government of Canada and rank similar to a department head.



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Legislation/Study	Analysis
<i>Bill C-12, An act respecting certain measures relating to the security of Canada's borders and the integrity of the Canadian immigration system and respecting other related security measures</i>	This bill makes amendments to a range of acts like the <i>Customs Act</i> , <i>Controlled Drugs and Substances Act</i> , <i>Oceans Act</i> , and <i>Immigration and Refugee Protection Act</i> . While the bill does not explicitly amend cross-border mobility rights, it increases discretion for border officials, which could result in more frequent questioning, searches, and detentions of First Nations citizens crossing for cultural, family, trade, or ceremonial purposes. Enhanced data-sharing with U.S. authorities could also impact individuals with minor or historical criminal charges, limiting mobility despite treaty-affirmed rights.
<i>Bill C-14, An act to amend the Criminal Code, the Youth Criminal Justice Act and the National Defence Act (bail and sentencing)</i>	This bill introduces over 80 clauses aimed at stricter bail laws, creating a new reverse onus, and tougher sentencing laws for repeat and violent offenders resulting in lengthier and consecutive sentences, and affecting parole eligibility. The bill proposes that repeat offenders who have been charged with home invasions, violent car theft, assault, sexual assault, extortion or human trafficking will have to prove they deserve bail before it is awarded. Notably, this bill has been developed without consultation with First Nations and appears to undermine a fundamental principle of Canada's justice system of "innocent until proven guilty". There is concern that these changes will exacerbate the current overrepresentation of First Nations citizens in the Canadian justice system.
<i>Bill S-205, Corrections and Conditional Release Act Amendments</i>	This bill amends the <i>Corrections and Conditional Release Act</i> to limit isolation, mandate timely mental-health assessments, and require the transfer of individuals with severe mental-health issues to appropriate hospitals. It caps Structured Intervention Unit confinement at 48 hours without court approval, strengthens sections 81 and 84 to expand Indigenous and community-run services, and obliges CSC to partner with Indigenous and marginalized organizations for custody, healing, and reintegration. It introduces a remedy for sentence reduction when CSC acts unlawfully or harmfully, and aligns with recommendations from the Correctional Investigator to improve accountability and resource balance. Overall, S-205 seeks to reduce isolation harms, address systemic discrimination, and uphold human rights and reconciliation commitments.
<i>Bill S-212, An act respecting a National Strategy for Children and Youth in Canada</i>	This bill aims to establish a clear objective or strategy on the wellbeing of children and youth in Canada across five dimensions of wellbeing: physical, mental, spiritual, moral and social, with a special focus on eradicating child poverty. This bill contains positive language on the wellbeing of First Nations children that could nonetheless be strengthened by consultation with First Nations, as well as the adoption of First Nations-specific frameworks such as the First Nations poverty and well-being indicators.



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Legislation/Study	Analysis
<i>Bill S-228, Criminal Code Amendments (Forced Sterilization)</i>	This bill amends the Criminal Code to clarify that a sterilization procedure is an act that wounds or maims a person for the purpose of an aggravated assault charge. While in Committee, serious concerns were raised around the bill's potential "chilling effects" and unintended consequences for the medical community performing consensual surgeries, with the concerns stemming from medical practitioners and medical experts. Under the 44th Parliament, similar legislation had been introduced that included the standard of coercion within the definition with specific references to legal safeguard and consent. The current bill no longer includes explicit safeguards for medical professionals before carrying out a sterilization procedure.
<i>RNNR: Forestry Study</i>	This study is anticipated to start in December 2025 and hold at least six meetings until the submission deadline. The study will focus on: evaluating the effects of countervailing and anti-dumping duties; the government's role in market diversification and the development of new value-added products to improve the industry's competitiveness; define the importance of wood as material in housing construction and in achieving carbon neutrality targets; analyze the implementation of public procurement policy that promotes the use of wood products; forest management practices; and respect for provincial and territorial jurisdictions. The deadline to submit written briefs is January 30, 2026.
<i>NFFN: Federal programs and initiatives to support the creation of housing (Building Canada Homes)</i>	This study by the Senate Standing Committee examines: the launch of the Build Canada Homes agency and how it will coordinate its operations with those of the Canada Mortgage and Housing Corporation in the delivery of affordable housing programs; conversion of federal lands into opportunities for housing development; off-site construction; role of municipalities; and development of affordable housing. The deadline to submit written briefs is December 30, 2025. The committee will submit its final report to the Senate no later than March 31, 2026.



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Legislation/Study	Analysis
<i>INAN: Government consultation on resource development and infrastructure projects</i>	This study is anticipated to be scheduled during the 2026 Spring Parliamentary session and will focus on how the Government of Canada is fulfilling its legal and constitutional obligation to consult with First Nations, particularly in relation to natural resource development projects, infrastructure development and any project having an impact on the environment and Indigenous peoples' access to land, water and natural resources that may affect Indigenous rights. The Committee will report on its findings to the House of Commons along with recommendations to strengthen the transparency, effectiveness and respectfulness of consultation processes.
<i>FEWO: Gender-based violence in rural, remote, and northern communities</i>	This study is anticipated to be scheduled during the 2026 Spring Parliamentary session. This study will focus on: the impact of gender-based violence in rural, remote, and northern communities across Canada, taking into account the experiences and impact on Indigenous and marginalized communities and the barriers that women in these communities face in accessing support services for gender-based violence, including shelters, counselling, legal aid, and healthcare; examine the social, economic, and geographic factors that limit access, as well as strategies and policy measures to ensure timely, equitable, and culturally appropriate support for all rural women, including Indigenous and marginalized communities, across Canada; and will be comprised of two meetings. The committee will request that the government table a comprehensive response to the report.