



Affirming Rights, Delivering Change

**2025 Assembly of First Nations
Observations on Canada's Implementation
Performance respecting the United Nations
Declaration on the Rights of
Indigenous Peoples**



EXECUTIVE SUMMARY

The following report card tracks Canada's progress in implementing its commitments made under the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA) 2023-2028 [Action Plan](#),¹ since its release in June 2023.

Since the launch of the Action Plan, Canada has made **varied progress** in implementing the objectives detailed in 181 Action Plan Measures (APMs). Our findings show that for several action plan measures APMs, Canada has made some progress and in a few areas has advanced significant change. With the majority of APMs, however, Canada remains in the initial stages of taking meaningful action to ensure its policies, legislation, consultation processes, and mandates are aligned with the spirit and United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration). Of those Action Plan Measures that related to First Nations' and Shared Priorities, 7 individual APMs have seen moderate progress, with the remaining 123 Action Plan Measures having little or some progress (60) or no visible progress at all (64).

The UN Declaration has been called the framework for reconciliation because it reaffirms inherent rights and fundamental freedoms, serves as the basis for legal and policy guidance, and is built on the principles of justice and respect. Fully embedding it into Canadian law and policy offers the potential for transformational change in the Nation-to-Nation relationship. Canada continues to reiterate its commitment to advancing key APMs that will build the institutions and mechanisms necessary to strengthen this relationship and unlock progress on the rest of the Action Plan. Since the release of the Action Plan, notable achievements and advancements include major legislative and policy developments, such as the release of the Indigenous Justice Strategy and ongoing implementation of *An Act respecting First Nations, Inuit and Métis children, youth and families*. Canada forecasts that its implementation will increase over the next two years.

The full and effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples will require Canada to provide sustained, predictable, and sufficient funding to First Nations to exercise their inherent and Treaty rights, and to engage meaningfully in the processes established under UNDA. First Nations' rights must be supported with the fiscal resources necessary to fully exercise them. This principle is reinforced by section 35 of the Constitution Act, 1982, which affirms Aboriginal and Treaty rights, and by the AFN's latest Pre-Budget Submission, which sets out concrete fiscal measures to ensure First Nations governments have the tools to advance their jurisdiction and close persistent socio-economic gaps. Together, these frameworks underscore that ongoing fiscal commitments are essential for Canada to uphold its constitutional and international obligations and to move reconciliation forward in practice, not just in principle.

With a new Liberal Government, First Nations want genuine partnerships where Canada acts with urgency, honours its commitments, and works alongside First Nations' rights holders to fully realize the rights affirmed in the UN Declaration. Full implementation of the UNDA, and ensuring First Nations' full affirmation of their inherent and Treaty rights, title, and jurisdiction, will take generations. While Canada's initial momentum was delayed by the federal election in 2025, now is the time to recommit to transformative change. With the strength and resilience of First Nations and a genuine commitment

1 Department of Justice Canada. (2023). United Nations Declaration on the Rights of Indigenous Peoples Act action plan. Government of Canada. <https://www.justice.gc.ca/eng/declaration/ap-pa/index.html>



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from Canada, there is an opportunity to create real and lasting change for future generations to inherit. This Report Card, the first the Assembly of First Nations (AFN) has produced since the launch of the Action Plan, tracks Canada's progress towards these essential commitments.

RECOMMENDATIONS

The following recommendations are intended to support advocacy efforts for the implementation of inherent and Treaty rights and title, as affirmed in the UN Declaration, as well as guide Canada on how to approach its implementation work.

The Assembly of First Nations (AFN) calls on Canada to:

1. Prioritize key measures in the Action Plan that support the inherent and Treaty rights, title and jurisdiction of First Nations, including the right to free, prior, and informed consent.
2. Allocate sufficient departmental funding for APM implementation and renew the Indigenous Partnership Fund with needs-based, sustainable, and predictable funding.
3. Support First Nations' jurisdiction through strengthening collaboration with provinces and territories to support First Nations-led jurisdiction.
4. Support a First Nations led process to renew the action plan based on First Nations' priorities.

Assessing Implementation Progress by Thematic Cluster

Below is a diagram that illustrates the AFN's assessment of progress in each thematic cluster of the UNDA Action Plan.

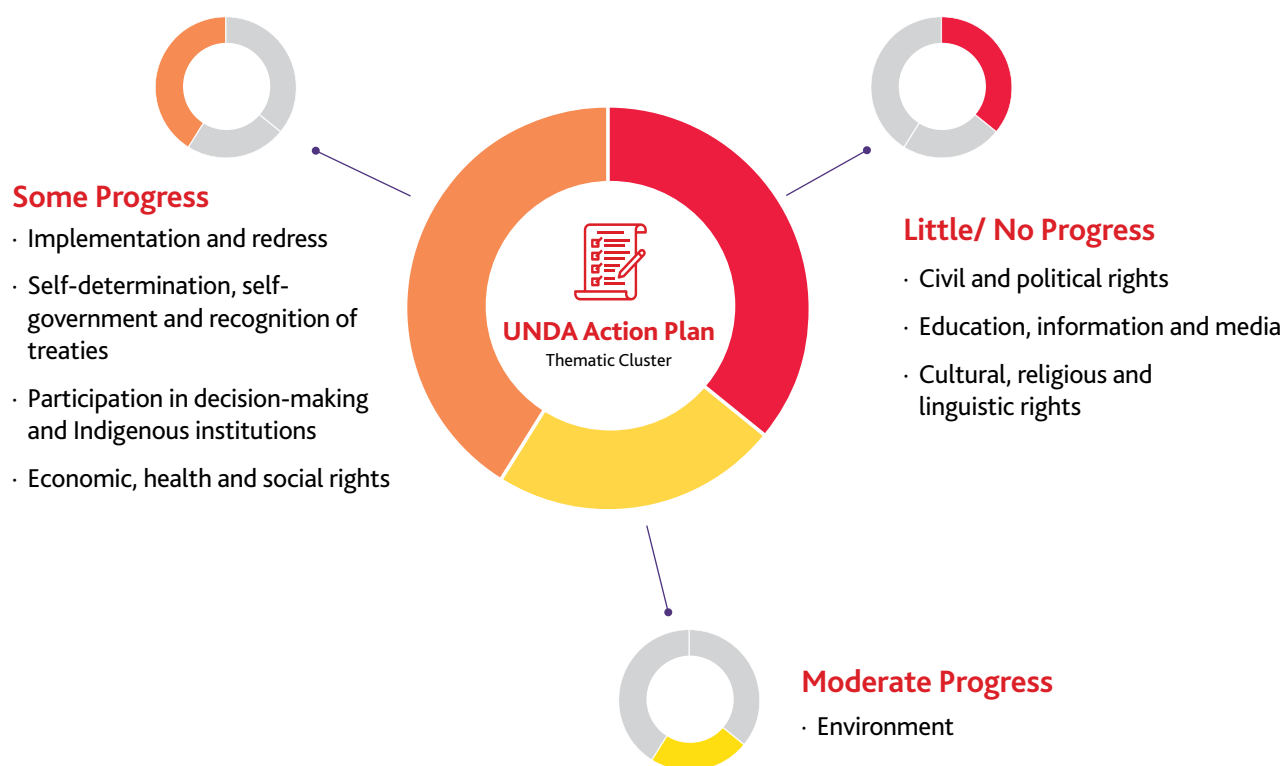




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BACKGROUND

The UN General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples, (UN Declaration or Declaration) an international human rights instrument, on 13 September 2007 after more than twenty years of negotiations with Indigenous Peoples around the globe. It is the most comprehensive universal instrument specifically addressing the human rights of the world's Indigenous Peoples. Developed in response to deep injustices and extreme human rights violations, the UN Declaration is a symbol of triumph and hope. The UN Declaration provides a principled legal framework for achieving reconciliation, redress, and respect.



Canada has made important legal, statutory, and international commitments to fully respect and implement the Declaration in Canada. On June 21, 2021, after decades of advocacy by First Nations, the Parliament of Canada passed the UNDA, providing a roadmap to begin implementing the UN Declaration based on lasting reconciliation, healing, and cooperative relations. The passing of the UN Declaration commits Canada to accepting its standards and implicates the Honour of the Crown and upholding the rule of law throughout the Declaration's implementation. In 2023, the Department of Justice released its Action Plan, a five-year policy document created to support whole of government's progress to advance reconciliation and work towards implementing the UN Declaration.

Since that time, federal courts have provided guidance on the use of the UN Declaration in Canada, concluding that it should be given the same weight as a binding international instrument in the constitutional interpretation of s. 35(1)², and requiring Canada to consider the UN Declaration, including the standards of free, prior, and informed consent, in the determining whether Canada's duty to consult has been met³.

Canada's adoption of the UN Declaration offers clear direction for Canada to affirm the UN Declaration as a universal international human rights instrument with application in Canadian law. The UN Declaration offers a pathway for First Nations to exercise their internationally-recognized inherent right to self-determination.

This Progress Report assesses Canada's progress on implementing action plan chapters one and two, which include 130 **Shared Priorities** and **First Nations Priorities** Action Plan Measures (APMs).

METHODOLOGY

In its annual report, Canada has identified thematic clusters that demonstrate alignment between the action plan measures and the articles within the UN Declaration. AFN is evaluating implementation based on the following thematic clusters:

² *Montour and White*, 2023 QCCS 4154, para 1201

³ *Kebaowek First Nation v. Canadian Nuclear Laboratories*, 2025 FC 319.



- Implementation and redress (Articles 38, 39, 40, 41, 42, 46)
- Civil and political rights (Articles 6, 7, 9, 17, 33, 35, 36)
- Education, information and media (Articles 14, 15, 16)
- Self-determination, self-government and recognition of treaties (Articles 3, 4, 37)
- Lands, territories and resources (Articles 10, 26, 27, 28, 30, 32)
- Environment (Article 29)
- Participation in decision-making and Indigenous institutions (Articles 5, 18, 19, 34)
- Economic, health and social rights (Articles 20, 21, 22, 23, 24)
- Cultural, religious and linguistic rights (Articles 8, 11, 12, 13, 25, 31)

The AFN measures Canada's progress on implementation by analyzing four core criteria for each thematic cluster and its corresponding Shared Priorities and First Nations Priorities APMs:

- **Implementation with Rights Holders:** Can Canada demonstrate that it has meaningfully consulted, co-developed, and engaged First Nations rights holders and their representative governments and institutions?
- **Action:** Do the legislation, policies, and regulations that Canada relies on to implement its APMs comply with the UN Declaration? If not, has Canada implemented or amended its laws and policies to ensure the APMs can be executed in a manner consistent with the UN Declaration?
- **Mandate:** Has Canada provided specific and measurable mandates to implement the APMs? Were the APMs implemented in alignment with the UN Declaration articles?
- **Funding:** Has Canada provided funding to First Nations and their representative governments and institutions for consultations and implementation of the APMs? If yes, was the funding adequate and sustainable?

Over 2025, the AFN undertook research and development of this report card, supported by conversations with First Nations participants at the 2025 AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples and the AFN Chiefs' Committee on the UNDA.



The AFN uses the following system to track its progress:

Substantive progress means Canada is actively implementing measures aligned with the UN Declaration and the priorities of rights holders. This includes providing sufficient funding, clear Ministerial mandates, and taking concrete actions—such as introducing, changing, or repealing laws, regulations, and policies—that support lasting and transformative change. Moderate progress means Canada has met these criteria for several measures, but not all. Some progress shows Canada is making efforts toward these goals but



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still falls short in most areas. Little to no progress highlights serious gaps in funding, leadership mandates, meaningful participation of rights holders, and overall action.

When assessing Canada's Declaration implementation performance, it is essential to remember that the federal Action Plan itself is not a legal standard. The Action Plan cannot define or determine in law what is needed to respect the rights and to meet the State obligations in the Declaration. The Action Plan cannot define, limit or restrict the rights under the Declaration or elsewhere under international or Canadian law. Further, the Action Plan is not the only relevant reference point for what implementation requires.

With these limitations, it is important to ground any assessment of Canada's Action Plan, with the understanding of its intent as a policy statement regarding its planned implementation. The Crown's obligations to continue to engage, consult, obtain consent and respond to the priorities of First Nations rights-holders respecting Declaration implementation cannot be limited to, or retrained by, the Action Plan. The critical legal standards that must be respected lie in the Declaration and the broader international law framework apply regardless of the content of the Action Plan. in which it is situated.



KEY TAKEAWAYS

Since the release of the Action Plan, notable achievements and advancements include legislative and policy developments, such as the release of the Indigenous Justice Strategy, the creation of the Action Plan Advisory Committee (APAC), and ongoing implementation of *An Act respecting First Nations, Inuit and Métis children, youth and families*. The AFN's analysis supports Canada's own admission that while they have made achievements, their progress has at times been slow and uneven. Canada has also acknowledged in their fourth annual progress report on the UNDA that there has been a lack of transparency and follow-up to monitor implementation. This limited transparency makes it challenging for the AFN to offer a fully comprehensive assessment of Canada's progress. Despite this, the AFN applauds Canada's fourth annual progress report on the implementation of the UNDA, which turns a corner in providing improved clarity and detail on the steps Canada is taking across each APM. The AFN encourages Canada to deliver on its renewed commitment to continuously improve its reporting processes.

The power behind prioritizing key action plan measures

A small number of APMs are critical for fully affirming the UN Declaration in Canada. These key APMs focus on creating transformative change in the Nation-to-Nation relationship. Progress on these foundational APMs would accelerate Canada's ability to successfully implement the more technical and specific measures. However, Canada appears to remain in the initial planning stages of these crucial APMs, meaning most of the work needed for true transformation still lies ahead.



Shared Priorities, APMs 1-3:

Section 5 of the UNDA requires Canada, in consultation and cooperation with Indigenous Peoples, to take all measures necessary to ensure that federal laws are consistent with the UN Declaration. This means that new laws and regulations or updates to existing laws or regulations that impact the rights of Indigenous Peoples should contribute to achieving the objectives of the UN Declaration. Shared Priorities measures 1-3 commit Canada to updating its legislation that does not comply with or has the potential to conflict with the UN Declaration, as well as developing tools, guidance, and resources to inform Section 5 implementation.

APM # 1 (Shared Priorities) Develop and implement a process and further direction for federal government departments and agencies to ensure bills and proposed regulations are consistent with the UN Declaration...

Identify and prioritize existing federal statutes for review and possible amendment...

Where a statute requires periodic review, responsible departments will conduct that review in a manner that ensures consistency with the UN Declaration and meets applicable consultation and cooperation requirements in the UN Declaration Act.

In 2024, Canada released its [Interim Guide](#) ⁴ for officials on how to assess consistency with the UN Declaration, in particular, Section 5 of the UNDA. However, this guidance does not fully address distinctions-based obligations required to adequately consult or accommodate First Nations in the development and ongoing implementation of legislation, regulations or policies, using the standard articulated in the UN Declaration of free, prior, and informed consent (FPIC). Notably, Canada did not follow its own Section 5 measures when introducing Bill S-13 (The Interpretation Act), as it failed to include the UN Declaration within the updated Act (Shared Priorities measure 2.2). Recent federal legislation, such as Bill C-5, the Building Canada Act, make clear the failure of Canada in upholding its obligations under the UN Declaration. ⁵ Meaningful partnership envisioned in the UN Declaration is negatively impacted by tactics such as fast-tracking legislation, and invoking Parliamentary Privilege and Cabinet Confidence, which limit meaningful First Nations' participation.

The Interim Guide does require a UN Declaration consistency analysis for Memoranda to Cabinet (MC). This requirement is a positive step. However, there is no requirement to share such analyses with First Nations. The process of developing accurate legal opinions necessarily requires discussion and collaboration with First Nations and a sharing of the final analysis before decisions are made. Successful consultation and collaboration exercises and meeting FPIC require a sharing of information before

⁴ Department of Justice Canada. (2025, March 7). Interim guide for officials on how to assess consistency with the United Nations Declaration on the Rights of Indigenous Peoples. Justice Canada. Retrieved September 8, 2025, from <https://www.justice.gc.ca/eng/declaration/ap-pa/guide/index.html>

⁵ The AFN notes that the approach taken by Canada in developing Bill C-5, the Building Canada Act, lacked any consultation with rights holders prior to its passage. Further, there was no effort to meet the very clear and unambiguous free, prior and informed consent standard in Article 19 of the UN Declaration on matters impacting First Nations. This approach to the development and passage of Bill C-5 contradicts the stated goal in the Action Plan of ensuring Indigenous peoples enjoy an exercise the right to participate in decision-making in all matters that affect them. Many First Nations view this legislation as inconsistent with the UN Declaration and as demonstrating an inclination to downgrading environmental accountability and protection standards.



decisions are made. The Truth and Reconciliation Commission of Canada recognized this in Call to Action 51 respecting legal opinions on Aboriginal and Treaty rights: "We call upon the Government of Canada, as an obligation of its fiduciary responsibility, to develop a policy of transparency by publishing, legal opinions it develops, and upon which it acts or intends to act, in regard to the scope and extent of Aboriginal in Treaty rights."⁶

Moving forward, an opportunity exists to replace the Interim Guide with First Nations-led alternatives that allows Canada to engage with the substantial body of guidance from international human rights Treaty, bodies, advisory bodies, experts and rapporteurs. It is important that Canada identify international guidance as offering a potentially common and objective standard for rights-holders and Canada to employ in their discussions with each other; and further to explicitly accept such guidance in its policy statements and litigation directives following a joint policy review for this purpose with First Nations.

Parliamentary oversight is also hindered by Canada's lack of information. In June 2025, the Standing Senate Committee on National Finance released a [report⁷](#), indicating that the lack of information provided by the Treasury Board Secretariat officials regarding its own oversight rules, including its role in ensuring consistency of bills and regulations with Canada's obligations under the UN Declaration, limit effective accountability Parliamentarians have in adhering to Canada's own laws, including the UN Declaration.

APM #19 (Shared Priorities) Establish an independent Indigenous rights monitoring, oversight, recourse or remedy mechanism or mechanisms to provide Indigenous peoples with access to and prompt decision through just and fair procedures for dispute and conflict resolution and effective remedies for infringements/violations of their individual and collective rights.

Shared Priorities, APM 19:

In December 2024, the Standing Senate Committee on Indigenous Peoples issued a report, *Respected and Protected: Towards the establishment of an Indigenous human rights framework*, urging Canada to develop legislation to establish a new Indigenous human rights ombudsperson and tribunal focused on Indigenous rights. The Senate's findings echo the 2023 report of the Special Rapporteur on the Rights of Indigenous Peoples on his visit to Canada, in which called on Canada to establish an independent Indigenous-led human rights mechanism to monitor and enforce the implementation of the UN Declaration and the UNDA.⁸ Building off the work of the Special Rapporteur and the Senate Report, the AFN continues to advocate for the prioritization and advancement of this oversight mechanism to

6 Truth and Reconciliation Commission of Canada. (2015). Truth and Reconciliation Commission of Canada: Calls to action. Winnipeg, MB: Truth and Reconciliation Commission of Canada.

7 [Main Estimates 2025-2026](#)

8 United Nations Human Rights Council. (2023, July 24). *Visit to Canada – Report of the Special Rapporteur on the rights of Indigenous Peoples*, A/HRC/54/31/Add.2. United Nations.



ensure First Nations have a primary role in ensuring successful implementation of the UNDA. According to its latest Annual Report, Canada's work to advance on an oversight mechanism is in early stages of mapping out consultation and cooperation processes.

APM #66 (Shared Priorities) *Develop coordinated, whole-of-government approaches to the implementation of the right to participate in decision-making related to legislative, policy and program initiatives, consistent with the UN Declaration, including articles 18 and 19.*

Shared Priorities, APM 66:

Canada has yet to articulate or implement a whole of government approach to implementation. This approach is intended to enable First Nations to take part in decision-making, including respecting free, prior, and informed consent, removing barriers, exploring legislative and procedural reforms and identifying Indigenous representative institutions. Attention to whole-of-government approaches will reduce engagement fatigue, improve timelines, save money, and lead to effective policy change.

Shared Priorities, APM 68:

While Canada has made collaborative efforts throughout 2025 to co-develop and implement consultation protocols and resource centres, the Government must take further steps to strengthen First Nations' participation in decision-making through improved whole-of-government approaches to consultation and accommodation aligned with the UN Declaration and the right to free, prior, and informed consent. This includes co-developing First Nations agreed-to standards for consultation to explore considerations for an Indigenous-managed consultation capacity support fund.

Consultation alone and intentions to "seek" consent do not in themselves meet the UN Declaration's FPIC standards. Consultation can be a mechanism for ultimately meeting FPIC - but consultation alone or the action of "seeking" consent do not, in and of themselves, achieve consent or meet the Declaration's various FPIC standards.

APM #68 (Shared Priorities) *Strengthen Indigenous peoples' participation in decision-making through an improved whole-of-government approach to consultation and accommodation which is aligned with the UN Declaration...*



Shared Priorities, APM 22:

In April 2025, Canada announced the creation of the APAC made up of 10 independent Indigenous experts to provide advice to the Minister of Justice on oversight, implementation, FPIC and accountability relating to the UN Declaration. Prioritization and implementation of this APM is on track. Concerns remain over risks to a pan-Indigenous approach to implementation and a lack of clarity respecting accountability. It is also unclear how the APAC would interact with existing national, regional and local processes, although the Department of Justice has stressed that the APAC would not replace any existing process.

APM #22 (Shared Priorities) Establish an Action Plan Advisory Committee (APAC) that will include First Nations, Inuit, and Métis experts selected by First Nations governments and representative institutions, Métis governments and representative institutions and by Inuit Treaty Organizations, or their designates, to provide support and advice, upon request, related to the implementation of shared priorities included in this action plan.

Adequate funding is essential for implementation of the UN Declaration and the Action Plan.

Canada recognized in their fourth annual progress report on the UNDA that without adequate funding, the goals of the UN Declaration may remain out of reach. Sections 5 and 6 of UNDA makes clear that Canada must, in consultation and cooperation with Indigenous Peoples, take all measures necessary to implement the UN Declaration. Many First Nations have expressed concerns that they are not being adequately funded to work in partnership with Canada on the implementation of the APMs. In 2024, First Nations-in Assembly passed a [resolution](#), calling for increased funding to First Nations and their representative institutions to lead on UNDA work.

In the 2022 Federal Budget, Canada announced the creation of a 5-year Indigenous Partnership Fund, totaling \$68.5 million and managed by Department of Justice, to support ongoing consultation and cooperation with Indigenous Peoples to implement the UNDA. Federal departments have often identified the IPF as the primary vehicle to support UNDA implementation. Initial estimates indicate that for more than 46 Action Plan Measures (APMs), Canada has not demonstrated available or adequate funding to First Nations rights holders or their representative institutions to engage in implementation. To fulfill its commitments under the UNDA, Canada must unlock and allocate sufficient funding within its own departments to ensure meaningful participation of First Nations in these processes.

Canada must strengthen collaboration with provinces and territories.

Many APMs cannot be implemented without provincial or territorial cooperation. First Nations are relying on Canada to ensure provinces and territories are adequate partners in negotiation tables and are supported to exercise their rights and jurisdiction. First Nations and human rights experts, including in the 2023 report of the Special Rapporteur on the Rights of Indigenous Peoples, continue to call on Canada to encourage all provinces and territories to incorporate the provisions of the UN Declaration



into binding legislation⁹. Similarly, a report from the House of Commons Standing Committee on Indigenous and Northern Affairs, identified recommendations for Canada to develop a framework to support the implementation of historic treaties¹⁰. More recently, the Special Rapporteur stated the belief that the “current approach to federalism appears to prevent Canada from effectively fulfilling its human rights treaty obligations” and that the “current arrangements for responsibility-sharing between the Federal Government and the provincial and territorial governments systemically create situations of interjurisdictional neglect”¹¹. First Nations expect the Crown to do the work to collaborate amongst the federal, provincial, and territorial governments and take whole-of-government approaches to address national First Nations priorities.



A mechanism to amend or renew the Action Plan is required.

First Nations have been vocal that the Action Plan and its measures do not adequately capture the full scope of work required to implement the UN Declaration. The AFN will seek mandates from First Nations to call for a First Nations-led process to determine the future of an action plan beyond 2028.

Processes to amend/renew the action plan will require extensive consultation and cooperation with rights holders well in advance of the expiration of the plan.

APM #21 (Shared Priorities) Co-develop and implement a process to review and update the action plan every five years, and a process for making amendments to the action plan. (Justice Canada)

⁹ Office of the United Nations High Commissioner for Human Rights. (2023, July 24). *Report of the Special Rapporteur on the rights of Indigenous Peoples, José Francisco Calí Tzay: Visit to Canada* (A/HRC/54/31/Add.2). United Nations.

¹⁰ Standing Committee on Indigenous and Northern Affairs. (2024, May). *“We belong to the land”: The restitution of land to Indigenous Nations: Report of the Standing Committee on Indigenous and Northern Affairs* (44th Parliament, 1st Session). House of Commons.

¹¹ Special Rapporteur on Contemporary Forms of Slavery, including its Causes and Consequences. (2024, July 22). *Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on his visit to Canada: A/HRC/57/46/Add.1*. United Nations.



CONCLUSION

As Canada enters its third year since launching the UNDA Action Plan, this Progress Report offers a snapshot of what has been achieved and where critical improvements are needed in implementing the Action Plan Measures and the articles of the UN Declaration. While First Nations remain concerned—and in many cases dissatisfied—with the pace and scope of progress, the window for change is still open.

First Nations maintain that Canada's ongoing implementation of the UN Declaration must be rights-based and committed to respecting the Inherent nature of First Nations rights and title. Resolutions adopted by First Nations-in-Assembly are absolutely clear that any measures to implement the UN Declaration in Canada must build on, and in no way limit, the minimum standards set out in the UN Declaration itself or the rights of First Nations affirmed in our own laws and in Treaties and other agreements entered into with the Crown. Anything else is inconsistent with the requirements of the UN Declaration, the legal commitments set out in the UNDA, the Nation-to-Nation relationship between First Nations and the Crown, and the Honour of the Crown.

Canada has an opportunity to shift from incremental steps to bold, sustained action that delivers on its commitments. Meaningful implementation of the UNDA requires prioritizing transformative measures, ensuring adequate funding, and working in true partnership with First Nations as rights holders. With urgency, transparency, and genuine collaboration, Canada can still honour the spirit and intent of the UN Declaration and lay the groundwork for a stronger Nation-to-Nation relationship built on respect, justice, and shared prosperity.





ANNEX: PROGRESS ON IMPLEMENTING THE UNDA ACTION PLAN MEASURES

Moderate progress

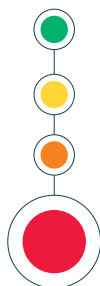


Implementation and redress (Articles 38, 39, 40, 41, 42, 46)

Canada has made some progress in this area. These legislated priority measures under the UNDA are supported by a funding envelope for First Nations consultation and cooperation. However, most measures remain incomplete, funding is inadequate, and Canada is not upholding the principles of free, prior, and informed consent (FPIC) or co-development needed to align its laws with the UN Declaration. While these measures have the potential to be transformative, they require substantial and dedicated resources to advance.

- **SP1 – Consistency of laws:** Canada has partially implemented this measure by releasing an Interim Guide for officials on assessing consistency with UNDRIIP. Further distinctions-based tools and Cabinet directives must be developed to support consistency of laws.
- **SP2 – Existing federal statutes for review:** Canada passed Bill S-13, the Interpretation Act, which addresses part of SP2 but does not fully meet requirements, as it omits reference to the UN Declaration (SP2.2).
- **SP20 – Annual report:** Canada has met its legislated requirement to release an annual report; however, sub-measures have seen little progress. Federal departments still lack a transparent, consistent, whole-of-government approach, and Canada retains control over the report's methodology and content.
- **SP22 – Action Plan Advisory Committee (APAC):** Canada has established the APAC, but the scope and priorities of the independent Indigenous experts are still under development.

Little/No Progress



Civil and political rights (Articles 6, 7, 9, 17, 33, 35, 36)

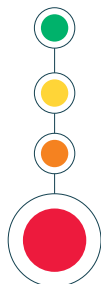
Canada has made little progress in this area. Advancing measures that protect and promote First Nations civil and political rights requires strong interjurisdictional cooperation and legislative change—neither of which have yet materialized, despite available models which Canada can draw upon, such as Bill C-92 and the recognition of First Nations jurisdiction over child welfare.

- **SP7 – Combatting anti-Indigenous racism in healthcare:** Canada has provided some funding for dialogue and consultation, but the amount is limited and lacks meaningful participation from provinces and territories.
- **SP9 – MMIWG Calls for Justice and SP10 – Ending gender-based violence:** These measures have mandates and funding in place to support work aligned with the needs and priorities of Indigenous women. For more detail, see the AFN's progress report [Progress on Breathing Life into the Calls for Justice](#).
- **FN7 and FN8 – Indian Act reforms:** These are critical to enabling First Nations to exercise self-determination and jurisdiction over their membership. However, there has been little movement in providing the funding and legislative changes necessary to support meaningful First Nations consultation and cooperation.
- **SP54 – Leveraging the First Nations and Inuit Policing Program (FNIPP):** In 2024, the Auditor General released a report finding Public Safety Canada mismanaged the FNIPP. Multiple First Nations police services are actively advancing complaints before the Canadian Human Rights Tribunal about discriminatory funding under the FNIPP. First Nations have not seen meaningful progress towards the expansion of culturally responsive policing or towards ensuring existing services have appropriate resources. In 2023, following his visit to Canada, the UN Special Rapporteur on Contemporary Forms of Slavery called for Canada to act upon the need for self-determination over, and equity in, policing services for Indigenous Peoples¹⁰. Recognizing First Nations self-determination over policing is consistent with First Nations jurisdiction over child welfare, and the minimum standard required by the UN Declaration.
- **SP65 – Firearms legislation:** Canada has backtracked on its commitment to collaborate with Indigenous partners on developing and implementing firearms legislation by passing Bill C-21 without adequate consultation with First Nations.

10 Ibid



Little/No Progress



Education, information and media (Articles 14, 15, 16)

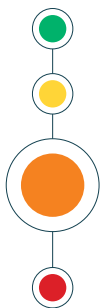
Canada has made little progress in this area. Measures under this theme are under-resourced in both funding and capacity, and they lack transparency and accountability.

Progress on mandates for APMs—particularly those involving commitments to work closely with Canada's own departments institutions—remains unclear uncoordinated.

- **SP14 – Training and education for the federal public service:** Canada's approach to engaging rights holders and representative organizations has lacked clear processes that respect consultation and cooperation aligned with the UN Declaration. Beyond engagement, plans to implement this measure have not been communicated and may lack adequate funding to develop new materials.
- **SP18 – Public education on the UN Declaration and Indigenous human rights:** The Department of Justice has reported little progress, with the majority of stated efforts focused on building relationships.
- **FN19 – First Nation education:** First Nations and Canada have been engaging in negotiations for the conclusion of Regional Educational Agreements (REAs), with 11 REAs signed. Funding and lack of communication from Canada have been cited as barriers to this process. Indigenous Services Canada has informed some First Nations that they are suspending Regional Education Agreement (REAs) negotiations or discussion tables.
- **SP103 – Developing the Indigenous Early Learning and Child Care Framework:** Bill C-35, *An Act respecting early learning and childcare in Canada*, commits Canada to working with Indigenous Peoples and to implement the UN Declaration. While the legislation affirms long-term funding for ELCC, it does not include statutory funding for First Nations. Implementation must address First Nations concerns that the inclusion of free, prior, and informed consent in the legislation is merely a check box.



Some Progress



Self-determination, self-government and recognition of treaties (Articles 3, 4, 37)

Canada has made some progress in this area. With the development of strategies and legislation under this theme, Canada must ensure they are fully implemented and respected. Outstanding land claims and inherent rights—a critical component for advancing this work—remain unresolved and were notably absent from Canada's 2024 UNDA annual report. For example, in February 2025, Canada and the Haida Nation signed the Chiixuujin/Chaaw Kaawgaa "Big Tide (Low Water)" Agreement. The agreement affirms Haida title to Haida Gwaii and provides a framework to respect Haida jurisdiction. The UN Special Rapporteur on the Rights of Indigenous Peoples' report calls for Treaty implementation to be fully aligned with the UN Declaration, and reported hearing from Nations that Treaties concluded with the Crown in the 1800s have never been fully honoured or implemented.¹¹

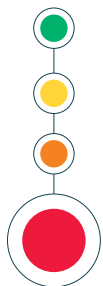
- **SP23 – Comprehensive Land Claims and Inherent Right Policies:** Canada has made little progress towards the withdrawal of the Comprehensive Land Claims Policy and the Inherent Right to Self-Government Policy. Canada has made little progress on the development of a public statement clarifying Canada's approach to rights recognition, however some Indigenous partners have begun to explore the development of a public statement on Canada's rights-based approach for the negotiation of treaties, agreements and other constructive arrangements.
- **SP28 – Indigenous Justice Strategy:** Canada released its strategy; however, in June 2025, the AFN developed a First Nations Justice Strategy informed through First Nations-led forums and expect it to be fully resourced as part of the broader approach. The Department of Justice indicates that work with Indigenous Peoples to advance implementation of the Strategy through tripartite tables and other mechanisms has not yet begun. In its 2025 report, the United Nations Working Group on Arbitrary Detention recommended that Canada ensure its new strategy incorporates clear timelines, specific targets, measurable indicators, and evaluation tools¹².
- **SP29 – Bill C-92 (*An Act respecting First Nations, Inuit and Métis children, youth and families*):** To date (as of April 2025), there have been 15 signed agreements and 83 First Nations bodies representing more than 100 communities have submitted a notice or request. Implementation has been slow, with jurisdictional barriers between Canada, provinces and territories, and a need for further capacity building.

11 United Nations Human Rights Council. (2023, July 24). *Report of the Special Rapporteur on the rights of Indigenous Peoples, José Francisco Calí Tzay: Visit to Canada* (March 1–10, 2023) (A/HRC/54/31/Add.2).

12 United Nations Human Rights Council. (n.d.). *Report of the Working Group on Arbitrary Detention: A/HRC/60/26*. Office of the United Nations High Commissioner for Human Rights.



Little/No Progress



Lands, territories and resources (Articles 10, 26, 27, 28, 30, 32)

Canada has made little progress on APMs relating to the protection of First Nations rights and lands due to a lack of consistent funding and amendments to federal legislation.

- **SP32 – Natural resource projects:** Canada provides funding through a range of programs, but much of the funding can only be accessed through program application such as the Indigenous Natural Resource Partnerships (INRP) Program. First Nations continue to express concerns about their exclusion from consultations on resource development projects and emphasized the need for strategies that ensure the safety of First Nations' women.
- **SP 38 and 39– Fisheries Act Renewal:** The Department of Fisheries and Oceans (DFO) has not yet proposed any changes to the *Fisheries Act* that could enable access to reliable funding for First Nations. Funding and adequate engagement for First Nations' to take part in the review has not been consistently provided and while some projects like the Indigenous Habitat Protection program has been consistent to support capacity-building, engagement, and collaboration with First Nations, the Atlantic Salmon Strategy funding has been consistently inadequate.
- **SP 42 – Advancing Marine Indigenous Protected and Conserved Areas (IPCAs):** While Canada has provided some funding, fragmented support, limited engagement, and rigid federal policies inconsistent with the UN Declaration continue to constrain progress on First Nations-led IPCAs and co-governance of marine areas.
- **FN3 – Reform of Specific Claims program:** Progress on the development of a fully independent specific claims process has stalled. There remains significant divergence between First Nations and Canada on several areas of reform, including the scope and quantum of compensation available through the specific claims process.
- **FN5 - Additions to Reserve (ATR) Policy redesign:** In 2024, Canada launched a Technical Advisory Committee on ATR Policy re-design. The TAC collaborated on nine interim changes to the ATR policy, which were approved by Canada. Despite this minor progress, Canada has not yet taken significant steps to work with First Nations to re-design the ATR Policy to ensure that it is consistent with the UN Declaration.

Moderate progress



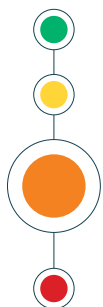
Environment (Article 29)

Canada has made moderate progress in this area. There are a number of bilateral discussions, committees, and working groups advancing the related measures with some funding commitments. However, Canada must act on the direction provided by First Nations to see substantive progress.

- **SP46 – Indigenous Climate Leadership Agenda:** Canada originally committed to co-develop the Memorandum to Cabinet (MC) with funded First Nations Regional Leads. Despite all efforts and advocacy for First Nations to be involved in this process, CIRNAC and ECCC did not follow through with this commitment, citing cabinet confidence of the federal Memorandum to Cabinet (MC).
- **SP47 – Indigenous leadership in conservation:** Canada has established various mechanisms to support Indigenous leadership in conservation. Canada has communicated that past levels of funding availability are unlikely to continue into the future, which will negatively impact programs.
- **SP49 – Canada Water Agency:** Canada passed Bill C-59, enacting the *Canada Water Agency Act*, implemented its pre-engagement strategy and are now piloting the Indigenous Grassroots Water Circle.
- **SP51 – Impact Assessment Act:** Canada has not made plans fully incorporate First Nations expectations for how the UN Declaration would be implemented in the federal impact assessment.



Some Progress

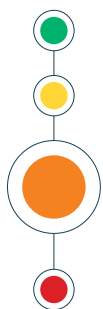


Participation in decision-making and Indigenous institutions (Articles 5, 18, 19, 34)

Canada has made little progress in this area. Little has been done to coordinate a whole-of-government effort to engage First Nations and Indigenous organizations in federal decision-making. Continuing to work in silos reduces the effectiveness in Canada's work with First Nations. Funding is limited, or in some instances, unavailable, to accomplish the APMs under this theme. This is especially problematic, considering that the majority of APMs in this theme deal with improving Indigenous peoples' participation in decision-making on a whole-of-government approach. Without proper funding available, First Nations will not be able to feedback on how Canada could best support participation in decision-making.

- **SP68 – Consultation and cooperation:** CIRNAC has begun work developing consultation and accommodation guidance tools for the federal government.
- **SP69 – Indigenous Women's Organizations:** Utilizing a gender lens, funding has been provided to national level Indigenous women's organizations but there is a lack funding for First Nations to participate as well as necessary accountability and monitoring mechanisms
- **SP71 – Bilateral Mechanisms:** Canada is empowered by the *Canada Health Act* to strengthen Indigenous engagement by improving bilateral mechanisms on health care matters, however, it does not provide First Nations a legislated mechanism for funding healthcare, as is the case with provinces.

Some Progress



Economic, health and social rights (Articles 20, 21, 22, 23, 24)

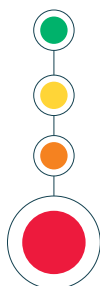
Canada has made some progress in this area. However, APMs affecting vulnerable First Nations' populations, such as Elders and those living-off reserve, are not being adequately advanced. Many existing laws and policies, such as those tied to the Indian Act or on-reserve funding models, fail to include non-status and off-reserve First Nations, leaving these populations without equitable access to services. Consultations are taking place at a regional level, without provincial and territorial participation for matters under provincial jurisdiction.

- **SP74 – Economic Reconciliation:** The Economic Reconciliation Roundtable was convened between government agencies and NIOs; however, the discussions largely focused on financial barriers rather than fulsome economic reconciliation that includes return of lands, capacity supports, and labour and employment support. Rights holders were not included in these discussions.
- **SP88, FN11, FN15 – Housing and Infrastructure:** Addressing the First Nations infrastructure gap lacks the necessary significant investments needed and is hampered by Cabinet confidence, leading to decisions that do not support First Nations led solutions.
- **FN16 – Drinking water advisories:** Canada introduced Bill C-61, *First Nations Clean Water Act* to repeal the Safe Drinking Water for First Nations Act and recognize and affirm First Nations' inherent right to govern water on-reserve and adjacent to reserves. This bill has not been reintroduced to Parliament, and some provinces are already opposing a planned reintroduction of the Bill. In 2024, the Special Rapporteur on the human rights to safe drinking water and sanitation, identified that fundamental reform in Canada is needed to ensure safe drinking water through the establishment of binding legal requirements to guarantee that the minimum national standards on drinking water and sanitation are applied in First Nations.¹³

13 Office of the United Nations High Commissioner for Human Rights. (2024, July 31). *Visit to Canada – Report of the Special Rapporteur on the human rights to safe drinking water and sanitation* (A/HRC/57/48/Add.1). United Nations.



Little/No Progress



Cultural, religious and linguistic rights (Articles 8, 11, 12, 13, 25, 31)

Canada has made little progress in this area. There is a lack of capacity from both First Nations, and the federal government, as inadequate funding and resources are being provided to support measures relating to cultural, religious and linguistic rights.

- **SP91 and 92 – Indigenous Languages Act:** Discussions continue on the strengthening and implementation of the Indigenous Languages Act, however, these measures are chronically underfunded, hampering First Nations capacity to see meaningful implementation.
- **SP95 – Heritage Places:** Parks Canada created a new Interim National Urban Parks Policy, guiding the designation and management of new national urban parks across Canada with management by Indigenous governments and organizations.
- **SP98 – Repatriation/rematriation:** Canada has promised to co-develop an approach to enable the repatriation and rematriation of Indigenous cultural belongings and ancestral remains, but it has not provided a clear guideline for how the approach should be developed and what the end outcome of the APM is expected to be.



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