



# Assembly of First Nations (AFN) National Justice Forum

## Revitalization of First Nations Laws and Legal Orders



April 2-3, 2025 | 9:00am-5:00pm PT | Westin Bayshore Vancouver and Online

### PROVISIONAL AGENDA

#### Day 1 – April 2, 2025

Time	Activity							
8:00am	Breakfast, Registration Opens							Bayshore Foyer
8:50am	Log-in to Virtual Session							
9:00am	Opening Prayer – Knowledge Keeper Sheryl Rivers							Salon ABC
9:05am	Co-Facilitator Introductions and Virtual Housekeeping							Salon ABC
9:10am	Host Welcome:							Salon ABC
	<ul style="list-style-type: none"> <li>Alec Dan, Xʷməθkʷəy̓əm (Musqueam Nation)</li> <li>TBC, Sk̓wx̓wú7mesh Úxwumixw (Squamish Nation)</li> <li>Deanna George, səliłwətaʔt (Tsleil-Waututh Nation)</li> </ul>							
9:25am	Calling of Witnesses							Salon ABC
	<ul style="list-style-type: none"> <li>Alec Dan, Xʷməθkʷəy̓əm (Musqueam Nation)</li> </ul>							
9:40am	AFN Welcoming Remarks:							Salon ABC
	<ul style="list-style-type: none"> <li>AFN BC Regional Chief Terry Teegee</li> </ul>							
9:45am	Keynote, with Q&A:							Salon ABC
	Kory Wilson (Kwakwaka'wakw), British Columbia First Nations Justice Council							
10:30am	Wellness Break							Bayshore Foyer
10:45am	Plenary Presentation, with Q&A:							Salon ABC
	Wahkohtowin Law and Governance Lodge							
12:00pm	Lunch Break							Bayshore Foyer
1:00pm	Concurrent Sessions							
	<b>Theme 1:</b>	<b>Salon D</b>	<b>Theme 2:</b>	<b>Salon E</b>	<b>Theme 3:</b>	<b>Salon F</b>	<b>Theme 4:</b>	<b>Seymour Room</b>
	<b>Jurisdiction</b>		<b>Drafting</b>		<b>Adjudicating</b>		<b>Enforcement</b>	
	<i>Revitalizing Indigenous Legal Orders – A Pathway to Justice Transformation</i>		<i>Wahkohtowin Law and Governance Lodge, Faculty of Law, University of Alberta</i>		<i>No Concurrent Session</i>		<i>Modern Treaty Self-Government Perspective – Dél̓iṇę Got'̓iṇę Government</i>	
	<b>Presenters:</b>		<b>Presenters:</b>				<b>Presenters:</b>	
	Drew Lafond, MLT Aikins LLP and President of Indigenous Bar Association		Koren Lightning, Legal Director				ʔekw'aht̓idé Danny Gaudet (Chief)	
	Racquel Fraser, Executive Director, Indigenous Bar Association		Siobhan Washburn, Student at Law				Stephanie Kearns, Legal Counsel	



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2:15pm	Wellness Break <span style="float: right;">Bayshore Foyer</span>																
2:30pm	Concurrent Sessions																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Theme 1: Jurisdiction</th> <th style="width: 10%;">Salon D</th> <th style="width: 25%;">Theme 2: Drafting</th> <th style="width: 10%;">Salon E</th> <th style="width: 25%;">Theme 3: Adjudicating</th> <th style="width: 10%;">Salon F</th> <th style="width: 25%;">Theme 4: Enforcement</th> <th style="width: 10%;">Seymour Room</th> </tr> </thead> <tbody> <tr> <td> <p><i>Modern Treaty Self-Government Perspective – Cree Nation Government</i></p> <p><b>Presenters:</b> Don Nicholls, Director of the Cree Nation Government, Department of Justice and Correctional Services</p> <p>Tim Parr, Writer and Researcher, Cree Nation Government, Department of Justice and Correctional Services</p> </td> <td></td> <td> <p><i>Development and Operationalization of Indigenous Child Wellbeing Laws</i></p> <p><b>Presenters:</b> Kukpi7 Helen Henderson Councillor Audra Root, Saugeen First Nation Alexandra Freed, Executive Director of Nigig Nibi Ki-win Gamik, Algonquins of Pikwakanagan First Nation's Child and Family Wellbeing Agency Katherine Hensel, Fogler, Rubinoff LLP</p> </td> <td></td> <td> <p><i>Mohawk Council of Kahnawake (Virtual)</i></p> <p><b>Presenter:</b> Tonya Perron, Council of Chiefs, Mohawk Council of Kahnawake, Justice Portfolio</p> </td> <td></td> <td> <p><i>Mississauga First Nation Community Protection Law &amp; Creating and Enforcing First Nations Laws</i></p> <p><b>Presenters:</b> Wilma Bissiallon, Chi-Naakinagewin Director, Mississaugas for the Credit First Nation, Laura Mayer Executive Director, National Council of Indigenous Midwives Jay Herbert, Partner, Falls Law Group Ogimaa (Chief) Brent Niganobe, Mississaugas of the Credit First Nation</p> </td> <td></td> </tr> </tbody> </table>	Theme 1: Jurisdiction	Salon D	Theme 2: Drafting	Salon E	Theme 3: Adjudicating	Salon F	Theme 4: Enforcement	Seymour Room	<p><i>Modern Treaty Self-Government Perspective – Cree Nation Government</i></p> <p><b>Presenters:</b> Don Nicholls, Director of the Cree Nation Government, Department of Justice and Correctional Services</p> <p>Tim Parr, Writer and Researcher, Cree Nation Government, Department of Justice and Correctional Services</p>		<p><i>Development and Operationalization of Indigenous Child Wellbeing Laws</i></p> <p><b>Presenters:</b> Kukpi7 Helen Henderson Councillor Audra Root, Saugeen First Nation Alexandra Freed, Executive Director of Nigig Nibi Ki-win Gamik, Algonquins of Pikwakanagan First Nation's Child and Family Wellbeing Agency Katherine Hensel, Fogler, Rubinoff LLP</p>		<p><i>Mohawk Council of Kahnawake (Virtual)</i></p> <p><b>Presenter:</b> Tonya Perron, Council of Chiefs, Mohawk Council of Kahnawake, Justice Portfolio</p>		<p><i>Mississauga First Nation Community Protection Law &amp; Creating and Enforcing First Nations Laws</i></p> <p><b>Presenters:</b> Wilma Bissiallon, Chi-Naakinagewin Director, Mississaugas for the Credit First Nation, Laura Mayer Executive Director, National Council of Indigenous Midwives Jay Herbert, Partner, Falls Law Group Ogimaa (Chief) Brent Niganobe, Mississaugas of the Credit First Nation</p>	
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3:45pm	Wellness Break <span style="float: right;">Bayshore Foyer</span>																
3:55pm	Plenary: Boyd Peters, Kwikwèxwelhp Healing Village <span style="float: right;">Salon ABC</span>																
4:45pm	Co-Facilitator Day 1 Closing Comments <span style="float: right;">Salon ABC</span>																
4:55pm	Closing Prayer – Knowledge Keeper Sheryl Rivers <span style="float: right;">Salon ABC</span>																
5:00pm	End of Day 1 <span style="float: right;">Bayshore Foyer</span>																
6:30pm	Reception Dinner (Salon A, B, & C) Coastal Wolf Pack (Traditional Coast Sailish Performance) <span style="float: right;">Salon ABC</span>																



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Day 2 – April 3, 2025							
Time	Activity						
8:00am	Breakfast, Registration Opens						Bayshore Foyer
8:50am	Log-in to Virtual Session						
9:00am	Opening Prayer – Knowledge Keeper Sheryl Rivers						Salon ABC
9:05am	Co-Facilitator Introductions and Virtual Housekeeping						Salon ABC
9:10am	Host Welcome:						Salon ABC
	<ul style="list-style-type: none"> <li>Alec Dan, X<sup>w</sup>məθk<sup>wə</sup>yəm (Musqueam Nation)</li> <li>Sheryl Rivers, Sk̓wx̓wú7mesh Úxwumixw (Squamish Nation)</li> <li>Deanna George, səlilwətał (Tseil-Waututh Nation)</li> </ul>						
9:30am	Keynote/Presentation:						Salon ABC
	<ul style="list-style-type: none"> <li>Loretta Jeff-Combs, Toosey (Tlesqox) First Nation</li> </ul>						
9:45am	Keynote, with Q&A:						Salon ABC
	Dr. Darcy Lindberg, Assistant Professor, University of Victoria, Faculty of Law						
10:30am	Wellness Break						Bayshore Foyer
10:45am	Concurrent Sessions						
	<b>Theme 1:</b>	<b>Salon D</b>	<b>Theme 2:</b>	<b>Salon E</b>	<b>Theme 3:</b>	<b>Salon F</b>	<b>Theme 4:</b>
	<b>Jurisdiction</b>		<b>Drafting</b>		<b>Adjudicating</b>		<b>Enforcement</b>
	<i>Treaty Perspective on First Nations Laws and Legal Orders</i> <b>Presenters:</b> Teddy Manywounds, G4 Justice Director, Tsuut'ina Nation, Treaty 7 Territory Gregory White, G4 Treaty 7 Kristol Manywounds, G4 Treaty 7 Nicole Robertson, Muskwa Productions, G4 Support (TBC)		<i>Lower Fraser Fisheries Alliance</i> <b>Presenters:</b> Leah Ballantyne, Legal Counsel		<i>Tsawwassen First Nation Tribunal</i> <b>Presenter:</b> Joven Narwal, Barrister & Solicitor, Narwal Litigation LLP		<i>Mohawk Council of Akwesasne "Couple Property" Law</i> <b>Presenters:</b> Rosebud Cook, Court Administrator Bonnie Cole, Legal Counsel
							<b>Seymour Room</b>



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	<i>Modern Treaty Self-Government Perspective – Déljñę Got'jñę Government</i> <b>Presenters:</b> ʔekw'ahtjǰé Danny Gaudet (Chief) Stephanie Kearns, Legal Counsel		<i>Akwesasne Justice System – Enactment, Adjudication and Enforcement of Laws</i> <b>Presenters:</b> Bonnie Cole, Legal Counsel Rosebud Cook, Court Administrator		<i>Adjudication of First Nations Laws</i> <b>Presenter:</b> Robert Morales, Chair, First Nations Summit Chief Negotiators Forum, Negotiator/Lawyer		<i>The MKO By-Law Pilot Project</i> <b>Presenters:</b> Michael Anderson, MKO Policing & Public Safety Advisor Victoria Cloutis, Public Interest Law Centre A/DM Owen Fergusson Deputy Minister Jeremy Akerstream	
2:15pm	Wellness Break						Bayshore Foyer	
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	<i>Water Legislation (Virtual)</i> <b>Presenters:</b> James MacKinnon, Director of Engagement and Government Relations, Atlantic First Nations Water Authority		<i>No Concurrent Session</i>		<i>No Concurrent Session</i>		<i>Policing Perspective on Enforcement</i> <b>Presenters:</b> Teddy Manywounds, G4 Justice Director, Tsuut'ina Nation, Treaty 7 Territory Chief Jerry Jack, Mowachaht/ Muchlaht First Nation	



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3:45pm	Wellness Break	Bayshore Foyer
3:55pm	Co-Facilitator Day 2 Final Reflections	Salon ABC
4:00pm	Closing Remarks Witnesses Report • Alec Dan, X <sup>w</sup> məθk <sup>w</sup> əy <sup>ə</sup> m (Musqueam Nation)	Salon ABC
4:55pm	Closing Prayer – Knowledge Keeper Sheryl Rivers	Salon ABC
5:00pm	End of Day 2	

### THEME DESCRIPTIONS

#### *Theme 1: Jurisdiction for First Nations Laws*

Traditional laws are integral to First Nations relationships to the earth, culture, language, ceremonies, customs, ways of being/knowing and captured in treaties. First Nations have an inherent right to self-determination and self-government which extends to revitalization and law-making, adjudication and enforcement of laws. The right to self-government is recognized in Canada and international law and conventions. For instance, the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA) which was adopted by Canada on June 21, 2021, creates a lasting framework to advance the implementation of the UN Declaration at the federal level. Canada later released a National Action Plan to guide implementation of UNDA along the path towards reconciliation. The goal of the first set of shared priorities in the UNDA National Action Plan is, "Respect for Indigenous rights is systematically embedded in federal laws and policies developed in consultation and corporation with Indigenous peoples affected by them." The Concurrent Sessions within Theme 1 seek to highlight pathways to assert jurisdiction over laws and ensure existing federal legislation and proposed bills that are a First Nations priority for review are consistent with the UN Declaration.

#### *Theme 2: Legislative Drafting and Revitalizing Legal Traditions*

First Nations create laws as an exercise of self-governance. A distinction is needed between First Nations Traditional Laws and Aboriginal law. First Nations Traditional Law may be ancient, deeply rooted, sourced in sacred or the earth. Aboriginal law is state law applied to First Nations people. First Nations have enacted both First Nations Traditional Laws under inherent rights, Aboriginal laws enacted under enabling federal legislation, or through self-government agreements negotiated with the federal government. The Concurrent Sessions within Theme 2 seek to highlight the process to develop First Nations Traditional Law and Aboriginal law, First Nations considerations in drafting local laws, and demonstrate First Nations engagement methods and processes.



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### *Theme 3: Adjudication of First Nations Laws*

Laws require adjudication processes or mechanisms, which may involve courts, dispute resolution processes, or other First Nations decision making bodies. First Nations Traditional Laws are inherent to First Nations and their history, culture, stories, practices, languages, lands and waters, ways of being and knowing, are infinite and unique to each First Nations. Adjudication must also be culturally relevant. The Concurrent Sessions within Theme 3 seek to highlight examples of adjudication processes or mechanisms designed by First Nations in relation to both First Nation Traditional Law and Aboriginal law.

### *Theme 4: Enforcement of First Nations Laws and Legal Orders*

Under the Indian Act, enforcement of First Nation laws is not assigned to a specific state actor, creating gaps in the ability of First Nations to enforce laws. Decades of this enforcement gap results in federal, provincial/territorial, and municipal police agencies refusal to enforce First Nations laws. Refusal to enforce First Nations laws came to the forefront during the COVID-19 pandemic, when the safety and health of First Nations was at risk due to the inability to enforce First Nations laws. The Concurrent Sessions within Theme 4 seeks to understand the enforcement challenges faced by First Nations and highlight First Nations-led solutions.