



AFN National Forum on the

# **United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)**

Summary Report



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Key Themes from the Forum:

1. **Historical Advocacy and Recognition:** Indigenous leaders have a long history of advocating for their rights at international forums, starting from the League of Nations in the 1920s to the United Nations. The importance of recognizing and implementing treaties in accordance with their true spirit and intent was emphasized.
2. **Sovereignty, Self-Determination and Nation Building:** The forum highlighted the inherent rights to self-determination, self-government, and the right to maintain and strengthen spiritual relationships with lands and resources. The ongoing struggle to gain recognition as “peoples” with the right to self-determination was also discussed. The right to self-determination was emphasized as a foundational principle, ensuring Indigenous peoples freely determine their political status and pursue economic, social, and cultural development. The importance of designing governance systems that reflect Indigenous values, traditions, and priorities, blending traditional knowledge with modern structures, was also highlighted.
3. **Implementation of the UN Declaration:** The UN Declaration serves as a remedial document to correct state actions of discrimination and guide policy development. Efforts are needed at local, subnational, national, and global levels, with Indigenous-led implementation and monitoring.
4. **Legal Pluralism and Cultural Revitalization:** The significance of revitalizing Indigenous laws and ensuring they coexist with common and civil law orders was highlighted. The critical role of language revitalization and embedding cultural traditions into policies and programs was also discussed.
5. **Collaboration and Consultation:** The need for meaningful collaboration and consultation between Indigenous communities and government bodies, ensuring that Indigenous voices are heard and respected, was emphasized. The necessity of independent mechanisms to monitor progress and ensure accountability in the implementation of the UN Declaration was also discussed.
6. **Economic Independence:** Recognizing rights to natural resources and establishing revenue-sharing agreements to support economic independence was discussed. Empowering First Nations to take control of their fiscal future including developing tools to access capital and building capacity for economic opportunities. Supporting Indigenous-owned enterprises, such as fisheries, tourism, and renewable energy initiatives, to foster community-driven growth was also emphasized.
7. **Challenges and Opportunities:** Overcoming resistance from states and industries in recognizing and implementing Indigenous rights was addressed. The importance of adequate funding and capacity building to support Indigenous participation and implementation efforts was also highlighted including a needed focus on youth and 2SLGBTQIA+.
8. **Accountability and Monitoring:** Establishing independent mechanisms to monitor progress and ensure accountability in the implementation of the UN Declaration was emphasized. The need for improved reporting processes and a whole-of-government approach to monitor and evaluate progress was also discussed.





# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### TABLE OF CONTENTS

|  |           |
|--|-----------|
| <b>Executive Summary .....</b>   | <b>2</b>  |
| <b>Day One: Summary of Proceedings (February 4, 2025)</b>  |           |
| • Opening Ceremony and Welcoming Remarks.....  | 5         |
| • Setting the Context: History of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) .....        | 6         |
| • Assembly of First Nations Presentation on <i>United Nations Declaration on the Rights of Indigenous Peoples Act</i> (UNDA) ..... | 7         |
| • Highlights of Concurrent Sessions (#1-#4).....   | 7         |
| ◦ Session 1a: Navigating Indigenous Rights and Case Law.....   | 8         |
| ◦ Session 1b: Beyond the <i>Indian Act</i> .....   | 8         |
| ◦ Session 2: Gender, Sexuality, and Sovereignty .....  | 8         |
| ◦ Session 3: Land Restitution and the UN Declaration .....   | 8         |
| ◦ Session 4: Protecting and Revitalizing Pacific Salmon .....  | 9         |
| • Final Panel Presentation on Day One: Self Determination and Nation Building.....   | 9         |
| <b>Day Two: Summary of Proceedings (February 5, 2025)</b>  |           |
| • Opening Keynote Address, Nation Chief Cindy Woodhouse Nepinak .....  | 10        |
| • Panel Presentation: Advancing Indigenous Laws .....  | 11        |
| • Highlights of Concurrent Sessions (#5-#8) .....  | 12        |
| ◦ Session 5: Enhanced Participation of First Nations at the United Nations.....  | 12        |
| ◦ Session 6: Economic Reconciliation .....   | 12        |
| ◦ Session 7: Building Connected Futures .....  | 12        |
| ◦ Session 8: Strengthening First Nations Leadership in Marine Conservation .....   | 13        |
| • Keynote: The Honourable David Eby, Premier of British Columbia.....  | 13        |
| • Panel Presentation: DRIPA, Lessons Learned from BC's Implementation of the UN Declaration.....                                   | 14        |
| • Highlights of Concurrent Sessions (#9-#12) .....   | 15        |
| ◦ Session 9: Modern Treaty Perspectives on UNDRIP Implementation.....  | 15        |
| ◦ Session 10: Exploring the Interface between First Nations Rights and Environmental Health.....                                   | 15        |
| ◦ Session 11: First Nations Data Sovereignty.....  | 15        |
| ◦ Session 12: Successes, Challenges, Opportunities in Federal UNDA Implementation .....  | 16        |
| <b>Closing Plenary: BC RC Teegee, Conclusion of the 2025 UNDA Forum .....</b>  | <b>16</b> |
| <b>Conclusion/ Next Steps.....</b>   | <b>17</b> |



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Executive Summary of the 2025 United Declaration on the Rights of Indigenous Peoples Act (UNDA) Forum

#### Introduction

The Assembly of First Nations (AFN) 2025 *United Declaration on the Rights of Indigenous Peoples Act* (UNDA) Forum was held on the unceded and ancestral territories of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and səliwətał (Tsleil-Waututh) Nations. The forum focused on the implementation of the UN Declaration on the Rights of Indigenous Peoples Act (UNDA) and featured welcome ceremonies, panel discussions, plenary sessions, and concurrent side sessions over two days. The forum highlighted the importance of First Nations rights, self-determination, and collaboration with government bodies.

The forum underscored the complexities and challenges of implementing the United Declaration on the Rights of Indigenous Peoples (UN Declaration) in Canada and showcased the resilience and determination of First Nations leaders. Discussions highlighted the ongoing need for collaboration, adequate funding, and prioritizing First Nations voices and leadership. The insights and lessons shared provide a strong foundation for advancing the implementation of the UNDA and achieving meaningful progress in the recognition and protection of First Nations rights.

#### Day One Plenary Highlights

The forum opened with a welcome ceremony led by Elders Alec Dan, Simple Yan, and Dr. Gwendolyn Point, emphasizing the spiritual and cultural significance of the gathering. Facilitator Kory Wilson delivered opening remarks to ground the participants with the broader purpose of the forum. British Columbia AFN Regional Chief Terry Teegee spoke about the opportunities the implementation of the *UN Declaration Act* presents and the need for government partnerships to uphold Indigenous rights. Edward John highlighted the spiritual relationship with land and resources and stressed the need to uphold responsibilities to future generations.

A panel on the international history of the UN Declaration featured Dr. Wilton Littlechild, Dr. Kenneth Deer, and Dr. Sheryl Lightfoot, who discussed the long journey of Indigenous advocacy, the significance of treaties, and the importance of self-determination. Dr. Lightfoot emphasized the need for Indigenous-led implementation of the *UN Declaration Act* and the role of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) in supporting this process.

The plenary session focused on the key provisions of the UNDA and the challenges of its implementation, including inadequate funding and lack of consultation. Key themes from Day One included historical advocacy and recognition, sovereignty and self-determination, implementation of the UN Declaration, cultural revitalization, collaboration and consultation, legal and political resistance, and accountability and monitoring.



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Day One Concurrent Side Sessions

**Day One** sessions included **1(a) Navigating Indigenous Rights and Case Law: Duty to Consult, Free Prior and Informed Consent**, where Lacey Kassis discussed the Crown's duty to consult and accommodate First Nations, emphasizing meaningful consultation and key legal cases. The session highlighted the need for reforms to strengthen consultation processes and integrate Free, Prior, and Informed Consent (FPIC) into law.

**Session 1(b) Beyond the Indian Act: Advancing Citizenship and Nationhood**, led by Natasha Beedie and Alisha Carter, addressed the discrimination of the Indian Act, particularly the second-generation cut-off, and the need for funding and legislative reforms to support First Nations' self-determination and citizenship.

Subsequent sessions covered **(2) Gender, Sexuality, and Sovereignty**, focusing on the role of 2SLGBTQIA+ peoples in advocacy, and **(3) Land Restitution**, discussing opportunities and challenges in implementing the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). The day concluded with Session **(4) on Protecting and Revitalizing Pacific Salmon**, highlighting jurisdictional challenges, funding disparities, and the importance of First Nations leadership in conservation.

### Day Two Plenary Highlights

Day Two opened with a keynote address by National Chief Cindy Woodhouse Nepinak, who emphasized the importance of protecting First Nations' rights and the need for strategic use of the UN Declaration to safeguard against economic instability and foreign interference. She called for a "Team Canada" approach that includes First Nations leadership.

A panel on advancing Indigenous laws featured Stephen Augustine, Dr. Darcy Lindberg, Bruce McIvor, and Kathleen Lickers. They discussed the integration of Indigenous legal orders into common law, the importance of recognizing Indigenous laws, and the need for independent forums to support this work. The panel emphasized the need for meaningful consultation and cooperation in implementing the UNDA.

The forum concluded with reflections on the lessons learned from B.C.'s implementation of the UN Declaration. Discussions highlighted the importance of capacity building, legal pluralism, and the need for consistent and transparent engagement with Indigenous communities.

### Day Two Concurrent Side Sessions

**Day Two** featured a session on **(5) Enhanced Participation of First Nations at the United Nations**, where Dr. Sheryl Lightfoot and Dr. Kenneth Deer discussed efforts to secure permanent observer status for Indigenous peoples at the UN. The session emphasized the need for Indigenous governments to be recognized and included in international decision-making.

The forum also explored **(6) Building Economic Pathways and (7) Indigenous Youth and Rights**, focusing on economic development and the future of Indigenous youth. A session on **(8) Marine Conservation** highlighted the role of Indigenous Protected and Conserved Areas (IPCAs) and the need for sustainable funding and co-management models.



## AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

### SUMMARY REPORT

**Session (9) *Modern Treaty Perspectives*** on UN Implementation were discussed by Regional Chief Kluane Adamek, Matthew Coon Come, Charles Morven and Mary Jane Jim, addressing the challenges in treaty implementation and the need for a Modern Treaties Commissioner to ensure accountability. The day concluded with a session on **(10) *Environmental Health***, where Dr. Gwendolyn Point and others discussed the right to a healthy environment, the impact of environmental racism, and the need for legal reforms to protect First Nations lands. A session on **(11) *First Nations Data Sovereignty*** and Session **(12) *Successes, Challenges, Opportunities in UNDA Implementation***.

The concurrent sessions underscored the importance of integrating Indigenous knowledge into governance, ensuring meaningful consultation, and advancing the rights and well-being of First Nations through legislative and policy reforms.





# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Assembly of First Nations (AFN) 2025 United Nations on the Right of Indigenous Peoples Declaration Act (UNDA) Forum Summary of Proceedings

#### Day One: Summary of Proceedings (February 4, 2025)

*Keynotes, Plenary Panels, Side-Sessions*

#### **Opening Ceremony and Welcoming Remarks**

The 2025 UNDA Forum, held on the unceded and ancestral territories of the xʷməθkʷəyəm (Musqueam), Skwxwú7mesh (Squamish), and səliwətał (Tsleil-Waututh) Nations, opened with a deeply spiritual and culturally significant opening ceremony. Elder Alec Dan from Musqueam performed a welcome song, setting a respectful and solemn tone for the event. Simple Yan from Squamish sang a song from Squamish ancestor Chief Joe Capilano Sapinuk, who shared this song during an audience with King Edward VII in 1907. Dr. Gwendolyn Point offered a prayer of strength and hope, emphasizing the spiritual significance of the gathering.

**Facilitator Kory Wilson** provided opening remarks on the purpose of the forum, focusing on the use of the UN Declaration to continue to fight for the rights our peoples and improve the lives of our children. Kory urged the participants to look at UN Declaration in a different way and consider how we ensure its implementation and how it can be actioned in the various spaces that First Nations' occupy.

**BC AFN Regional Chief Teegee, Takla Nation**, highlighted the new opportunities presented by the implementation of the UNDA in Canada and B.C. He honoured the late Bill Wilson, a prolific speaker for First Nations in B.C., whose advocacy in the 1960s-80s led to constitutional talks and the adoption of Section 35. Regional Chief Teegee emphasized the need for partnerships with government to uphold Indigenous rights, title, and interests in British Columbia, noting the province's adoption of the UN Declaration into provincial law as a significant step forward.

***"We have a new opportunity," – BCAFN Regional Chief Teegee***

**Edward John, Hereditary Chief of the Tl'azt'en Nation**, spoke about the spiritual and cultural significance of the opening ceremony, highlighting the sacredness of longhouse floors and the revival of Indigenous ceremonies. He reminded attendees of the historical struggles of First Nations against government and industry, particularly in the context of mineral exploration and development. Ed John emphasized the importance of the UN Declaration and the UN Sustainable Development Goals 2030, particularly the principles of leaving no one behind and reaching those furthest behind. He discussed the spiritual relationship Indigenous peoples have with their lands, territories, and resources, as articulated in Articles 25 and 43 of the UN Declaration, and the responsibilities to future generations.

This opening set a powerful and reflective tone for the forum, grounding the discussions in the spiritual, cultural, and historical contexts of Indigenous rights and advocacy.

***"The most sacred space is the floor of our longhouse," Ed John***



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Setting the Context

#### The History of the United Nations Declaration on the Rights of Indigenous Peoples

*Panel Presentation of Dr. Wilton Littlechild, Honorary Chief and Lawyer, Dr. Kenneth Deer, Haudenosaunee External Relations Taskforce, and Dr. Sheryl Lightfoot, Expert Mechanism on the Rights of Indigenous Peoples*

**Dr. Wilton Littlechild** began by reflecting on the long journey of Indigenous advocacy at the international level, starting with the League of Nations in the 1920s. Dr. Wilton Littlechild shared that his journey in advocating for Indigenous rights began with the guidance of his Elders. The Elders instructed him to go to the original site of Treaty #6 and remind the authorities of their sacred agreement. They provided him with four key principles to present in the international arena:

1. **Inherent Right to Self-Determination and Cree Government (Kikpaktinkosowin):** Emphasizing the inherent right of Indigenous peoples to self-determination and self-government.
2. **Original Spirit and Intent of Treaties (Ketchi Oyichikaywina):** Treaties should be honored based on their true spirit and intent, as understood by Indigenous peoples.
3. **Mutual Consent (Taypihmowin):** The importance of mutual consent in agreements and relationships between Indigenous peoples and the state.
4. **Peaceful Coexistence and Mutual Responsibility (Wetaskiwin):** Advocating for peaceful coexistence and mutual responsibility to honor international treaties.

These principles guided Dr. Littlechild's advocacy efforts and underscored the importance of treaties as sacred agreements that must be respected and implemented in accordance with their true spirit and intent. Dr. Littlechild highlighted the significance of the UN Declaration as a remedial document intended to correct state actions of discrimination and guide policy development. He stressed the need for Indigenous-led implementation and monitoring of the UN Declaration, noting that it serves as a starting point for setting standards and guiding law, policy, and decision-making processes.

**Dr. Kenneth Deer** shared the historical struggles of the Haudenosaunee people, particularly the efforts of Deskaheh, who sought recognition and membership in the League of Nations in the 1920s. Despite being denied, Deskaheh's journey laid the groundwork for future advocacy. Dr. Deer emphasized the importance of self-determination and the right of Indigenous peoples to freely determine their political status and pursue their economic, social, and cultural development. He discussed the resistance faced from states in recognizing Indigenous rights and the ongoing struggle to gain recognition as "peoples" with the right to self-determination. Dr. Deer highlighted the role of the Indigenous caucus in achieving consensus and advancing the UN Declaration.

**Dr. Sheryl Lightfoot** focused on the practical implications of the UN Declaration, describing it as a standard-setting device that must be monitored domestically and globally. She emphasized the need for Indigenous-led implementation and the importance of "living the Declaration" through norm socialization. Dr. Lightfoot discussed the pathways for implementing the UN Declaration, including its use by governments to guide law and policy, its application in court decisions, and its role in constitutional change. She highlighted the need for independent mechanisms to monitor progress and ensure accountability, noting that governments should not be reporting on themselves. Dr. Lightfoot





# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

also stressed the importance of educating legal counsel on the significance of the UN Declaration in interpreting Indigenous rights.

Together, these remarks set the context for the forum by highlighting the historical advocacy for Indigenous rights, the significance of treaties and self-determination, and the practical steps needed for the effective implementation and monitoring of the UN Declaration.

### AFN Presentation on UNDA

*Presenters Natasha Beedie, Director of Rights and Governance, AFN, Randall Kahgee, Senior Counsel, Olthius Kleer Townshend LLP*

**Natasha Beedie**, AFN Director of Rights and Governance, and **Randall Kahgee**, Senior Counsel, Olthius Kleer Townshend, provided a presentation on the UNDA to emphasize the Declaration's role as a framework for recognizing and affirming the inherent rights of Indigenous peoples. The presentation highlighted that the UN Declaration does not create new rights but elaborates on pre-existing rights, affirming the human rights of Indigenous peoples, including self-determination and self-government. The AFN underscored the importance of meaningful First Nations participation in the implementation of the UNDA, noting challenges such as inadequate funding, lack of consultation, and the need for a whole-of-government approach.

The presentation outlined the key provisions of the UNDA, which include ensuring that federal laws are consistent with the UN Declaration and developing a National Action Plan (NAP) in consultation with Indigenous peoples. The AFN expressed concerns about the alignment of Action Plan Measures (APMs) with the UN Declaration and the lack of consultation in their development. The presentation also highlighted the need for independent mechanisms to monitor progress and ensure accountability, as well as the importance of capacity building and adequate funding to support Indigenous participation.

The AFN called for a collaborative approach to implementing the UNDA, emphasizing the need for federal, provincial, and territorial governments to engage with First Nations in a meaningful way. The presentation stressed the importance of recognizing and implementing treaties, supporting Indigenous governance systems, and ensuring economic independence through revenue-sharing agreements and support for Indigenous-owned enterprises. The AFN also highlighted the significance of cultural revitalization, including language preservation and the integration of Indigenous legal orders with common law.

Overall, the AFN presentation on the UNDA underscored the need for a comprehensive and collaborative approach to implementing the UN Declaration, with a focus on meaningful consultation, adequate funding, and independent monitoring to ensure the effective recognition and protection of Indigenous rights.

### Highlights of Concurrent Sessions (#1-#4)

Following the morning panel sessions held in plenary, a block of concurrent sessions were held during the afternoon. This approach allowed for more detailed discussions concerning the issues of Free, Prior, and Informed Consent (FPIC), citizenship, the role of 2SLGBTQQIA+ individuals in international advocacy, land restitution, and revitalizing Pacific salmon. The following summary captures key themes and highlights from each session.



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

***Session 1a, titled "Navigating Indigenous Rights and Case Law: Duty to Consult, Free, Prior and Informed Consent,"*** was presented by Lacey Kassis and focused on the Crown's duty to consult and accommodate First Nations. The session emphasized the importance of meaningful consultation, grounded in the honour of the Crown, which must be fulfilled before taking actions that may affect First Nations' rights. Key legal cases such as *Tsleil-Waututh Nation v. Canada*, *Haida Nation v. BC*, and *Mikisew Cree First Nation v. Canada* were discussed to illustrate the evolving legal principles surrounding the duty to consult. The session highlighted the need for reforms to strengthen consultation processes and integrate FPIC into law, addressing shortcomings such as superficial consultations, lack of decision-making power, and inconsistent implementation. The discussion also covered the duty to accommodate, which requires serious consideration of potential accommodations revealed through good faith consultation. The session concluded with a call for updating federal guidelines to better reflect Indigenous rights and commitments to reconciliation, ensuring consultations are more meaningful, transparent, and respectful of Indigenous peoples' rights.

***Session 1b, titled "Beyond the Indian Act: Advancing Citizenship and Nationhood,"*** was presented by AFN staff Natasha Beedie and Alisha Carter. This session addressed the discriminatory aspects of the Indian Act, particularly the second-generation cut-off, which limits who can be registered as a status Indian and conflicts with the UN Declaration's recognition of First Nations' right to define citizenship. The presenters emphasized the need for funding and legislative reforms to support First Nations' self-determination and citizenship. They discussed the immediate need for resources to assist First Nations in developing their own citizenship laws and governance structures, free from the constraints of the Indian Act. The session also highlighted the importance of removing sex-based inequities and discrimination from the registration provisions of the Indian Act, advocating for the removal of sections 6(1) and 6(2) to allow Nations to determine their own membership. Participants shared concerns about Canada's role in determining membership and the need for First Nations to have full authority over their citizenship, ensuring that membership decisions are made based on traditional governance structures and community values.

***Session 2, titled "Gender, Sexuality, and Sovereignty: The Role of 2SLGBTQQIA+ People in International Advocacy and Policy,"*** featured presenters Paulete Poitras, Bren Henderson, and Marissa Moar from the 2 Spirits in Motion Society. The session emphasized the importance of Two Spirit inclusion and intersectionality in understanding the unique experiences of oppression and privilege faced by 2SLGBTQQIA+ people. The presenters discussed the challenges in advocating for 2SLGBTQQIA+ rights at the UN, including language and cultural barriers, and the lack of specific articles in UN Declaration, UNDA, or the UNDA Action Plan addressing their needs. They highlighted ongoing efforts to align their work with UNDRIP articles, create resources for self-advocacy, and advocate for formal recognition and additional funding for a 2SIQTIP (Two Spirit, Indigiqueer, Queer, and Trans Indigenous People) caucus within the UN Permanent Forum on Indigenous Issues. The session underscored the need to bridge gaps between inherent rights, Two Spirit rights, Indigenous rights, and human rights, and to reclaim and decolonize leadership spaces for 2SLGBTQQIA+ people.

***Session 3, titled "Land Restitution and the UN Declaration: Historic Opportunities and Enduring Challenges,"*** featured presenters Branden Trochymchuk, Lindsey Louis, Gwendolyn Point, and Chief Dalton Silver, Sumas First Nation. The session focused on the enduring challenges and opportunities in achieving land restitution for First Nations, emphasizing the need for independent processes and fair compensation as outlined in UN Declaration, Article 28. Presenters discussed the limitations of the Specific Claims and Additions to Reserve (ATR) policies, highlighting bureaucratic challenges, lack of



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

resources, and systemic barriers that hinder land restitution efforts. They stressed the importance of recognizing First Nations' inherent rights to land, addressing Eurocentric concepts of land value, and ensuring political will to fundamentally reassess and improve land restitution approaches. The session underscored the critical connection between land, cultural practices, and the well-being of future generations, advocating for a shift from mere restitution to "Land Back" initiatives.

**Session 4, titled "Implementing the UN Declaration: Protecting and Revitalizing Pacific Salmon and their Habitats,"** featured presenters John Henderson, Stephanie Lyons, and Steve Gotch, who discussed the critical role of First Nations leadership in the conservation and governance of Pacific salmon. The session highlighted the jurisdictional challenges and funding disparities faced by First Nations in implementing the Pacific Salmon Strategy Initiative (PSSI). Despite an allocation of \$647 million, Yukon First Nations were excluded from funding, underscoring systemic inequities. The presenters emphasized the importance of tripartite agreements and co-management models to ensure sustainable fisheries programs that recognize First Nations' jurisdiction. They also addressed the impact of the seven-year fishing closure on First Nations' rights and the need for meaningful consultation. The session concluded with calls for reforms to enable Indigenous-led governance, secure long-term conservation funding, and promote co-management of fisheries resources, stressing that First Nations must have a decisive role in protecting and revitalizing Pacific salmon and their habitats.

### Final Panel Presentation on Day One: Self Determination and Nation Building

The panel on self-determination and nation building, featuring *Cheryl Knockwood, Director of Governance Membertou First Nation, Dr. Brenda Gunn, Professor, Faculty of Law, University of Manitoba, and Lori Mishibinjima, Indigenous and Reconciliation Initiatives, York University*, provided a comprehensive exploration of the principles and practical steps needed to advance Indigenous governance.

**Cheryl Knockwood** emphasized the critical importance of Indigenous peoples' right to self-determination, which empowers First Nations to design governance systems that reflect their unique values, traditions, and priorities. She highlighted the need for flexible governance frameworks that enable Indigenous nations to determine their own structures, blending traditional knowledge with modern systems. Knockwood also underscored the importance of economic independence, advocating for the recognition of rights to natural resources and the establishment of revenue-sharing agreements to support community-driven growth.

**Dr. Brenda Gunn** discussed the human rights perspective of self-determination, emphasizing that it allows Indigenous peoples to freely determine their futures, including economic, social, and cultural development. She highlighted the significance of revitalizing Indigenous languages as a foundation for self-determination and governance. Gunn also pointed out the need for ongoing relationships between Indigenous peoples and other governments, whether they be federal, provincial, or municipal, to ensure that self-determination is respected and upheld. She stressed that self-determination is not an endpoint but a beginning, serving as the basis from which all other rights flow.

**Lori Mishibinjima** focused on the diversity among Indigenous communities and the inherent rights that underpin their governance systems. She emphasized the importance of legal pluralism, advocating for the revitalization of Indigenous laws and ensuring they coexist with common and civil law orders. Mishibinjima also highlighted the critical role of community and family in Indigenous identity and governance, stressing the need to share stories and traditions to understand and negotiate for





# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

Indigenous rights. She pointed out that Indigenous laws are adaptable and have life, and it is essential to embed these laws into policies and programs to enhance community buy-in and foster long-term success.

Overall, the panel underscored the foundational principle of self-determination and the practical steps needed to advance Indigenous governance. The speakers highlighted the importance of economic independence, legal pluralism, cultural revitalization, and meaningful collaboration with government bodies. The discussions showcased the resilience and determination of Indigenous leaders to build a future grounded in self-determination, cultural traditions, and mutual respect.

### Day Two: Summary of Proceedings (February 5, 2025)

#### ***Opening of Day Two Keynote Address, National Chief Cindy Woodhouse Nepinak***

National Chief Cindy Woodhouse Nepinak's keynote address at the 2025 UNDA Forum emphasized the critical importance of protecting First Nations rights amidst global upheaval. She began by honoring the legacy of Chief Bill Wilson, whose advocacy in the 1980s paved the way for the UN Declaration. The National Chief highlighted the ongoing need for strategic use of the UN Declaration to safeguard against economic instability and foreign interference, particularly in the face of threats from United States (U.S.) administrations rhetoric.

The National Chief stressed that First Nations rights cannot be negotiated away and called for a "Team Canada" approach that includes First Nations leadership. She emphasized the importance of investing in First Nations as a means of investing in Canada, noting that strong, thriving First Nations benefit the entire country. "First Nations have inhabited these lands long before colonial borders," she stated, underscoring the deep-rooted connection of Indigenous peoples to their territories.

The National Chief also addressed the shortcomings of the National Action Plan (NAP), describing it as incomplete and lacking consultation. She called for improvements to the NAP to better reflect First Nations priorities, including police reform, child welfare reform, climate action, and water protection. "Water is not merely a resource or commodity to be traded and sold; it is essential for life," Nepinak emphasized, highlighting the need to protect water as a vital element for all living beings.

In conclusion, the National Chief's address was a powerful call to action, urging continued collaboration and strategic use of the UN Declaration to protect and advance First Nations rights. Her emphasis on the importance of First Nations leadership and the need for meaningful consultation set a strong tone for the forum's discussions on self-determination and nation building.

*"The UN Declaration affirms our rights to maintain cross-border relations for cultural, social, political, trade, and economic purposes. It also recognizes our right to meaningfully participate in decision-making at the highest level." National Chief Cindy Woodhouse Nepinak*



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Panel Presentation: Advancing Indigenous Laws

The panel featuring *Stephen Augustine, AFN Council of Experts on Indigenous Laws (CEIL), Dr. Darcy Lindberg, CEIL member, Bruce McIvor First Peoples Law and Kathleen Lickers, External Legal Counsel, AFN* focused on advancing Indigenous laws and integrating them with common law.

**Stephen Augustine** opened with a video prayer, emphasizing the spiritual connection Indigenous peoples have with the land. He discussed the historical and ongoing cultural harm caused by colonial tools like the doctrine of terra nullius and residential schools. Augustine highlighted the importance of reconnecting with Indigenous laws and ceremonies to restore harmony with nature and sustain humanity. He called for the creation of an independent permanent forum on Indigenous laws to ensure stability and continuity in the face of changing political landscapes.

*"Law often becomes spiritualized for First Nations. We learned how to live in harmony with the land, animals, and spirits, and from these teachings, we can create that harmony once again," Stephen Augustine*

**Dr. Darcy Lindberg** reflected on the challenges of working with common law structures while implementing Indigenous legal orders. He emphasized the need to consider Indigenous law alongside Indigenous culture, advocating for an instrumental approach to deal with these challenges. Lindberg highlighted the importance of leveraging existing knowledge from Elders and integrating it into contemporary legal frameworks to support the implementation of the UN Declaration.

**Bruce McIvor** spoke about the transition from recognition to diligent implementation of Indigenous rights. He emphasized the strengthening agency of Indigenous peoples to hold Canada accountable for upholding their rights. McIvor discussed the need for tools to re-implement suppressed Indigenous laws and the importance of creating laws that bind the Crown. He highlighted the role of the courts in supporting the enforcement of Indigenous rights and the necessity of creating laws to give the courts a basis for their decisions.

**Kathleen Lickers** discussed the legitimacy of Indigenous knowledge systems and the need for structures that uphold this legitimacy. She emphasized the importance of meaningful consultation and cooperation, advocating for a holistic approach to engagement that incorporates Indigenous legal orders. Lickers highlighted the work of the AFN's Council of Experts in Indigenous Laws (CEIL) and the need for frameworks that incorporate Indigenous thought leadership. She called for improved processes to ensure that consultation is not a one-time event but an ongoing, meaningful dialogue.

Overall, the panel underscored the importance of integrating Indigenous laws with common law, the need for independent forums to support this work, and the critical role of meaningful consultation and cooperation. The discussions highlighted the resilience and determination of Indigenous leaders to advance their legal systems and ensure the effective implementation of the UN Declaration.



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Highlights of Concurrent Sessions (#5-8)

Following the morning panel, a block of concurrent sessions were held to discuss in greater detail the subject of enhanced participation at the UN, building economic pathways, building connected futures, leadership in marine conservation. The following is a summary of key themes and highlights.

**Session 5, titled "Enhanced Participation of First Nations at the United Nations,"** featured presenters Dr. Sheryl Lightfoot and Dr. Kenneth Deer, who discussed ongoing efforts to secure permanent observer status for Indigenous peoples at the UN. The session highlighted the historical struggle for recognition and the importance of Indigenous governments being included in international decision-making processes. Dr. Deer recounted the challenges faced by Indigenous representatives in gaining access to the UN and the need for a General Assembly Resolution sponsored by multiple states to achieve this status. Dr. Lightfoot emphasized the expanded mandate of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) to support the implementation of the UN Declaration and the importance of Indigenous-led governance in these efforts. The session underscored the need for a coordinated lobbying effort, the significance of maintaining pressure on supportive states, and the potential impact of achieving enhanced participation on the global stage. The presenters called for continued advocacy, education, and collaboration among Indigenous peoples to advance their rights and secure a meaningful role in international forums.

**Session 6, titled "Economic Reconciliation,"** featured presenters Harold Calla, Shayla Point, Chief Crystal Smith, Haisla Nation, and Scott Munroe. The session focused on the financial challenges faced by First Nations and the need to develop tools to access capital and build capacity for economic opportunities. Harold discussed the impact of colonization on Indigenous economies and the importance of relationships and capacity building in protecting and managing rights and title. Shayla highlighted the evolution of Aboriginal rights and title in Canada, emphasizing the role of the First Nations Fiscal Management Act (FMA) in empowering First Nations to take control of their fiscal future. Chief Crystal Smith shared the success story of the Haisla Nation's Cedar LNG facility, the first Indigenous-owned export facility in the world, which supports cultural and infrastructure development. Scott Munroe discussed the development of the New Fiscal Relationship (NFR) grant and the need for fiscal autonomy to achieve better governance results. The session underscored the importance of economic reconciliation, fiscal autonomy, and the opportunities provided by the FMA to support First Nations' economic development and self-determination.

**Session 7, titled "Building Connected Futures: Indigenous Youth, Rights, and the UNDA,"** was presented by Megan Lewis from Indigenous Youth Roots. The session focused on a large-scale research project about youth futures and the importance of engaging Indigenous youth in policy and research. Megan highlighted the principles guiding their work, such as reciprocity, advocacy, resurgence, and accountability. Initiatives like the Indigenous Youth Policy School and advocacy week aim to empower youth by teaching practical tools for policy engagement and advocacy. The session also discussed the Indigenous Youth Reconciliation Barometer, which gathers data on youth priorities and needs, emphasizing cultural teachings, on-the-land learning, and youth-elder programs. Key findings showed that Indigenous youth value education through lived experiences and seek systemic policy changes to support their well-being and cultural connections. The session underscored the need for youth-led solutions, safe and welcoming spaces for Two-Spirit and LGBTQQIA+ youth, and the importance of amplifying youth voices in decision-making processes.





# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

**Session 8, titled “Strengthening First Nations Leadership in Marine Conservation: Advancing UNDA Action Plan Measures 38 and 42,”** focused on the critical role of First Nations governance in marine protection, particularly through Indigenous Protected and Conserved Areas (IPCAs) and co-management models. Presenters Wanli Ou, Magena Warrior, Angela Stadel, and Chief John Powell discussed the importance of centering First Nations legal traditions and long-term conservation commitments in marine stewardship. The session highlighted successful case studies, such as the Great Bear Sea Project, which uses a sustainable financing model to ensure stable, long-term funding for conservation efforts, and the Mamalilikulla First Nation’s rapid establishment of a marine refuge under Indigenous law. Key challenges identified included the misalignment between federal environmental policies and Indigenous laws, funding disparities, and the need for stronger Indigenous participation in marine spatial planning. The presenters called for reforms to recognize IPCAs as permanent parts of Canada’s conservation framework, ensure equitable funding distribution, and integrate Indigenous knowledge into environmental governance to protect marine ecosystems effectively.

### **Keynote: The Honourable David Eby, Premier of British Columbia**

**Premier David Eby** delivered a keynote address at the UNDA Forum, reflecting on the progress and challenges of implementing the Declaration on the Rights of Indigenous Peoples Act (DRIPA), B.C.’s provincial legislation on the UN Declaration. He began by acknowledging the significant contributions of the late Chief Bill Wilson, the late Honorable Murray Sinclair, and former B.C. Premier John Horgan, whose efforts have paved the way for the current work on Indigenous rights.

Eby highlighted that British Columbia adopted the UN Declaration unanimously, with the intention of charting a new path forward. He emphasized that this was not just about words but about taking deliberate actions to ensure that the principles of the Declaration are visible in communities. To date, 60 of the 89 Action Plan Measures have been completed or are underway, focusing on areas such as housing, economic development, health, and language. Eby noted the creation of a Secretariat to lead and advance the alignment of provincial laws with the UN Declaration, as well as a \$200 million implementation fund to support Indigenous participation.

The Premier acknowledged the challenges that remain, particularly in areas related to resources, mining, and forestry, where alignment with the Declaration has been difficult. He emphasized the need for a whole-of-government approach and the importance of consistent and transparent engagement with Indigenous communities. Eby also addressed the current political climate, including threats from U.S. President Trump, and stressed that crisis issues should not be an opportunity to depart from reconciliation. Instead, he called for Indigenous leadership to be included at all tables, including those of business and labor, to ensure success.

In conclusion, he emphasized that reconciliation requires great courage and hope, but the benefits of being highly integrated lift everybody’s boat. Eby’s address underscored the importance of continued collaboration, meaningful consultation, and the need for a coordinated approach to implementing the UN Declaration in British Columbia.

*Eby quoted Grand Chief Stuart Phillip, stating, “Reconciliation is not for wimps.”*



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Panel Presentation: DRIPA, Lessons Learned from BC's Implementation of the UN Declaration

The plenary session on lessons learned from British Columbia's implementation of the UN Declaration featured insights from *Minister Christine Boyle, BC Minister of Indigenous Relations and Reconciliation, Hugh Braker, First Nations Leadership Council (BC), Chief Dom Tom, Tsartlip First Nation and Vice President, Union of British Columbia Indian Chiefs, and Stacey Edzerza-Fox, Legal Counsel to the First Nations Leadership Council (BC).*

**Minister Christine Boyle** highlighted that British Columbia became the first province to pass legislation adopting the UN Declaration into provincial law in 2019. She emphasized the collaborative approach taken to develop the action plan, which includes 89 measures, 60 of which are either underway or completed. Boyle noted the creation of a \$200 million implementation fund to support Indigenous participation and capacity building. She acknowledged the challenges faced, particularly in ensuring meaningful consultation and cooperation, and emphasized the importance of ongoing learning and adaptation.

**Hugh Braker**, representing the BC First Nations Leadership Council, discussed the collaborative efforts of the BC AFN, Union of British Columbia Indian Chiefs (UBCIC), and the First Nations Summit. He highlighted the importance of joint exercises in developing the action plan and the establishment of tables with specific ministries to address issues such as child welfare. Braker noted the challenges in aligning provincial legislation with the UN Declaration, particularly in areas related to mining and resource management. He emphasized the need for continued dialogue and collaboration with the provincial government.

**Chief Dom Tom**, Tsartlip First Nation, emphasized the need for clearer processes and expectations for engaging First Nations. He highlighted the importance of non-disclosure agreements in facilitating transparent discussions and the need for a whole-of-government approach to ensure consistency across ministries. Chief Tom acknowledged the progress made but stressed the need for further efforts to address issues related to lands and minerals.

*"The BC Declaration Act raised the ceiling, but we also need to raise the floor. We need clearer processes and expectations for engaging First Nations and ensuring that our voices are heard." Chief Dom Tom*

**Stacey Edzerza-Fox** provided a technical perspective, emphasizing the importance of not conflating s. 35 jurisprudence with the UN Declaration. Section 35 is how the courts have interpreted rights but the Declaration allows us to evolve past the limitations of the common law. She highlighted the need for legal pluralism and the recognition of Indigenous laws alongside common law. Edzerza-Fox discussed the challenges of educating the public service and the importance of consistent relationships from the ministerial level down to bureaucrats. She called for creative thinking and the development of new tools to support the implementation of the UN Declaration.

Overall, the plenary session underscored the importance of collaboration, meaningful consultation, and capacity building in implementing the UN Declaration. The speakers highlighted the progress made in British Columbia while acknowledging the ongoing challenges and the need for continued efforts to ensure the effective recognition and protection of Indigenous rights.



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

### Highlights of Concurrent Sessions (#9-#12)

The afternoon block of concurrent sessions discussed in greater detail modern treaty perspectives, environmental health, data sovereignty, and the successes and challenges in the implementation of the UNDA. The following is a summary of highlights and key themes.

**Session 9, titled "Modern Treaty Perspectives on UNDRIP Implementation,"** featured presenters Yukon Regional Chief Kluane Adamek, Matthew Coon Come, Charles Morven, and Mary Jane Jim, who discussed the challenges and opportunities in implementing modern treaties in alignment with the UN Declaration. The session highlighted the need for a Modern Treaties Commissioner to ensure accountability and address the systemic issues within government bureaucracies that hinder treaty implementation. The presenters emphasized the importance of recognizing modern treaties as Nation-to-Nation agreements with the Crown, not merely departmental responsibilities. They discussed the historical and ongoing struggles for self-determination, the necessity of political will, and the role of Indigenous laws and customs in governance. The session also underscored the importance of long-term, sustainable funding and the need for federal departments to coordinate their efforts to support modern treaty rights. The presenters called for continued advocacy, education, and collaboration to enhance modern treaty rights and ensure their full implementation, reflecting the enduring nature of these agreements beyond political cycles.

**Session 10, titled "Exploring the Interface between First Nations Rights and Environmental Health,"** featured presenters Dr. Gwendolyn Point, Andrea Lesbrands, Peyton Petawanaquid, Faye De Leon, and Amanda Bucha, who discussed the critical need for legal protections against industrial pollution and environmental degradation affecting First Nations communities. The session emphasized the right to a healthy environment, as affirmed by the UN Declaration and highlighted the disproportionate exposure to environmental harm faced by First Nations due to gaps in the *Canadian Environmental Protection Act* (CEPA). Presenters called for amendments to CEPA to ensure First Nations-led environmental governance, the creation of a Bilateral Environmental Health Table, and the integration of Indigenous knowledge into environmental decision-making. They also addressed the impact of environmental racism and the need for a First Nations-specific environmental justice strategy. The session underscored the importance of recognizing Indigenous laws and traditions in environmental governance and ensuring that polluting industries are held accountable for the harm they cause to First Nations lands and communities.

**Session 11, titled "First Nations Data Sovereignty,"** was presented by Erin Corston and Gonzague Guéranger from the First Nations Information Governance Centre (FNIGC). The session focused on the development of a First Nations Data Governance Strategy (FNDGS) to support data sovereignty. Erin and Gonzague discussed the challenges First Nations face in accessing and managing data due to systemic inequities and colonization. They emphasized the importance of community-driven data centres and capacity building to ensure First Nations can control their data on their own terms. The strategy aims to address barriers such as lack of access to data, capacity issues, and the need for data quality agreements. The presenters highlighted the connection between OCAP principles, UN Declaration, and FNDGS, and the importance of funding and support for Indigenous-led data governance strategies. They also discussed the broader federal initiative called the Transformational Approach to Indigenous Data (TAID) and the need for technical capacity to exercise data sovereignty rights. The session underscored the critical role of data sovereignty in preserving knowledge, supporting governance, and advancing First Nations' rights.





# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

**Session 12, titled “Successes, Challenges, Opportunities in Federal UNDA Implementation,”** featured presenters from Assembly of First Nations and the Department of Justice, including Amber Potts, Laurie Sargent, Loretta Landmesser, Thomas Joe, Uzma Ihsanullah, and Cynthia Pye. The session focused on the continuous learning process of integrating justice reforms and recognizing inherent jurisdiction within federal policies. Presenters discussed the structural resistance within government and the challenges in coordinating efforts across departments to educate public servants about the UNDA. Key initiatives included the establishment of a Director General network to build capacity and support implementation, the co-development of a policy position paper with First Nations partners, and the drafting of an interim guide on Section 5 of the UNDA. The session also highlighted the importance of creating feedback loops with First Nations to monitor progress and the practical approaches to Free, Prior, and Informed Consent (FPIC) through co-mitigation strategies and joint assessment committees. The presenters emphasized the need for durable and early engagement with First Nations in project development and the importance of addressing systemic challenges to build better relationships and advance the implementation of the UNDA.

### Closing Plenary: BC Regional Chief Teegee, Conclusion of the 2025 UNDA Forum

The 2025 UNDA Forum brought together First Nations leaders, government representatives, and advocates to discuss the implementation of the UNDA. Over two days, the forum highlighted the historical advocacy for First Nations rights, the significance of treaties, and the practical steps needed for effective implementation and monitoring of the UN Declaration.

Key themes emerged from the discussions, including the importance of self-determination, economic independence, legal pluralism, cultural revitalization, and meaningful collaboration with government bodies. The speakers underscored the need for independent mechanisms to monitor progress and ensure accountability, as well as the necessity of adequate funding and capacity building to support First Nations participation.

The forum showcased the resilience and determination of First Nations leaders to advance their rights and self-determination. It emphasized the critical role of community and family in First Nations identity and governance, and the importance of sharing stories and traditions to understand and negotiate for First Nations rights.

In his closing remarks, BC AFN Regional Chief Terry Teegee reflected on the progress made during the forum and the ongoing challenges ahead. He emphasized the need for continued collaboration and meaningful consultation between First Nations communities and government bodies. Chief Teegee highlighted the importance of building on the lessons learned from British Columbia’s implementation of the UN Declaration and called for a coordinated, whole-of-government approach to ensure the effective recognition and protection of First Nations rights.

Chief Teegee concluded by stating, “The journey ahead requires ongoing dedication, courage, and hope. We must continue to work together to uphold the rights, dignity, and well-being of Indigenous peoples. The insights and lessons learned from this forum provide a strong foundation for advancing the implementation of the UN Declaration and achieving meaningful progress in the recognition and protection of Indigenous rights.”

The 2025 UNDA Forum reaffirmed the commitment to uphold the rights of First Nations peoples and to work collaboratively towards a future where these rights are fully realized and respected. The discussions



# AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

## SUMMARY REPORT

and reflections from the forum will guide future efforts to ensure that the principles of the UN Declaration are translated into tangible actions that benefit First Nations communities.

### Conclusion/ Next Steps

The 2025 AFN UNDA Forum highlighted both the progress First Nations have made and the structural challenges that remain. Participants emphasized the long history of First Nations advocating internationally for recognition of their rights and called for the implementation of Treaties in accordance with their true spirit and intent.

Discussions reinforced that self-determination, including self-government and spiritual connection to land, is central to advancing First Nations priorities. There was strong support for governance systems grounded in Indigenous values and laws, and for using the UN Declaration as a framework to support this work.

Economic independence was also a key theme, with calls for revenue-sharing, access to capital, and support for Indigenous enterprises in areas like tourism, fisheries, and renewable energy.

Throughout the two-day forum, First Nations offered several recommendations to the Government of Canada to support the full and effective implementation of the UNDA:

#### 1. Ensure the Action Plan complies with the UN Declaration

First Nations expressed concerns that the UNDA Action Plan Measures (APMs) were misaligned with the UN Declaration. Current reporting focuses on Canada's progress its commitments in the Action Plan, rather than measuring whether Canada has met its obligations under the UNDA or the UN Declaration. First Nations reiterated that the Action Plan and its measures do not capture the full scope of work required to implement the UN Declaration.

In accordance with APM 21, First Nations called on Canada to begin meaningful consultations immediately and to develop a process to amend the Action Plan. This would enable First Nations to provide input on how existing APMs align with the UN Declaration's articles and to identify their own self-determined priorities. Without this, the Action Plan risks becoming a missed opportunity for meaningful reconciliation.

#### 2. Canada must allocate sufficient funding for UNDA implementation

First Nations stressed that funding for First Nations and First Nations organizations to participate in UNDA implementation must be sufficient, long-term, and not dependent on available departmental funding. First Nations must have sustainable resources to advance their own priorities under the UNDA.



## AFN National Forum on the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)

### SUMMARY REPORT

#### **3. Canada must collaborate with provinces and territories in support of First Nations' rights**

First Nations discussed consultation and collaboration on implementing the Action Plan and that the UNDA may start with engaging First Nations and First Nations organizations, but it should not end there. For true implementation of the UN Declaration and the UNDA, Canada must encourage provinces and territories to come to the negotiation tables and engage in their own consultation processes. While not all provinces and territories have adopted the UN Declaration in its own legislation, Canadian courts have acknowledged that international treaties and declarations are adopted into domestic law by principle.

Given that many of the APMs and the UN Declaration articles cannot be implemented without provincial or territorial cooperation, First Nations continued to call on Canada to work meaningfully with all provinces and territories to participate in discussions and implementation of the UN Declaration.

#### **4. Canada must work with First Nations on developing guidance on the application of s. 5 of the UNDA**

Many APMs have not resulted in widespread updates in federal law, contrary to Canada's obligation under s. 5 of the UNDA. With only three years remaining in the Action Plan, however, the lack of movement in amending or passing legislation has been a source of frustration for First Nations.

First Nations discussed the need for Canada to work meaningfully with First Nations to develop guidance to replace Canada's Interim Guidance on the application of Section 5 of the UNDA that is reflective of Canada's duty to consult, the Honour of the Crown, and clearly articulates what First Nations define as meaningful engagement based on their unique laws, traditions, and jurisdictions. First Nations throughout the Forum called on Canada to work with First Nations to amend existing legislation and introduce new legislation, where necessary, to ensure the effective and timely implementation of the UN Declaration.

In conclusion, we are in a moment of change and uncertainty. A new government in the United States threatens Canada's economic and political sovereignty, and by extension, First Nations economic and political sovereignty. Within Canada, there will be a new federal government, and a need for renewed partnerships.

First Nations expect all levels of government to uphold First Nations rights, as affirmed in the UN Declaration, ensuring our lands, laws, cultures, languages, and ways of being are respected across Canadian society.

True reconciliation must reflect the minimum standards set out in the UN Declaration, including the need for meaningful engagement and consultation with First Nations rights holders on policies and laws that may impact their inherent and Treaty rights, as well the recognition of our rights to develop and manage our own economies. When First Nations succeed, all of Canada benefits. The path forward must be one of partnership, respect, and shared opportunity.





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