



ASSEMBLY OF FIRST NATIONS  
**33<sup>rd</sup> Annual General Assembly**



**“HONOURING OUR TRADITIONS – Achieving Action for our Future”**

**ASSEMBLY OF FIRST NATIONS  
ANNUAL REPORT 2011-2012**

*The AFN Annual General Assembly artwork and the Host Committee logo feature the Silver Covenant Chain of Peace and Friendship Belt. The Covenant Chain belt represents one of the earliest treaties between the Crown and First Nations peoples and established the foundation for First Nations - Crown relationships for generations thereafter.*

*The belt shows that the Crown is linked by a chain to the First Nations peoples of this land. The three links of the chain represent a covenant of friendship, good minds and the peace which shall always remain between us. The Covenant Chain is made of silver symbolizing that the relationship will be polished from time to time to keep it from tarnishing. This was the basis of the Nation to Nation relationship between the British Crown and the First Nations who became their allies in the formation of early Canada.*

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## NATIONAL CHIEF SHAWN A-IN-CHUT ATLEO



Welcome to our 2012 Annual General Assembly in the territory of the Mississaugas!

I would like to begin with a heartfelt *kleco, kleco* – thank you in my language – to all of you who have welcomed me into your communities. It has been a deep honour and a privilege to spend time with you, with the Elders, with the youth, the women and the men in all of our communities. I have been inspired by the strength of our people and believe we must be unrelenting in our advocacy and support for one another.

The past year has certainly been an incredibly busy one. I would like to thank all of you and your citizens who participated in the thousands at the nine national forums hosted by the Assembly of First Nations (AFN) this last year, as well as the many working groups, committees and special meetings.

This, in my view is essential to our work, finding new ways to be inclusive and bring forward all of the important voices, experience and expertise of our peoples. First Nations have the solutions and AFN can and must play a central role in facilitating the exchange of information, supporting every First Nation in their pursuit of change and facilitating access to decision-makers and Parliamentarians.

The national forums have been designed to profile First Nation driven success and provide tools and opportunities for discussion among all First Nations. We've taken the time to reflect together on our strategic interests and how best to drive forward our rights into action to achieve change for our peoples. We know that one-size will never fit all but we also know that by supporting one another, learning from one another we all benefit.

As you'll see in all of the information provided for you at this Annual General Assembly, our work together is resulting in real progress achieved together. We've worked together to achieve greater focus on all of our issues. It is equally clear that we have much work ahead.

On education, treaties, comprehensive claims reform, health, water, children, ending violence against women, residential schools, housing and our paramount interests to protect our lands and resources – we have been unequivocal. First Nations must and will resume our rightful place in the economy and reality of our lands, territories and communities. Stronger First Nations are needed for a stronger Canada. The way forward is based on the affirmation and implementation of our rights and our responsibilities.

Having had the tremendous privilege to travel throughout First Nation territories this past year and since 2009, I am excited and confident in our potential. Our leadership is well equipped and dedicated to achieve change for our people. Women, men and Elders are all playing a key role in this transformation.

Furthermore, I see tremendous hope and potential in our astounding youth citizens. Youth are stepping into leadership positions right now – they are armed with their language, culture and identity and they will succeed with our help and encouragement.

I am tremendously proud and inspired by the work of our peoples in every region of the country every day. The AFN will remain focused on its role of national advocacy and providing tools and supports that equip First Nations to achieve the change they desire on their own terms. Through improved communications, parliamentary relations and ensuring up-to-date information, the AFN has expanded its role and relevance for all First Nations. We know we can and must do more. We look to all of you to suggest new mechanisms and ways in which the AFN can continue to support improved coordination and support for all First Nations and their citizens.

The AFN's work is guided by national resolutions going back over our 40 year history – this is central to every action – to every initiative. Equally paramount is the fact that the AFN's role is to facilitate change while always fully respecting that it is every First Nation that must decide its path forward.

I wish to extend my personal thanks to members of the National Executive. We've worked together since 2009 on the basis of a clear national strategic plan developed together and organizing our work under the themes and priorities of:

- **Supporting Families and Communities** – including education, health, justice, child welfare, youth and sport.
- **Exercising and Implementing Rights** – including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Treaty implementation, comprehensive claims, and resource revenue sharing.
- **Advancing Economic and Environmental Interests** – economic partnerships, climate change, green economic development, natural resources, fisheries and the environment.
- **Supporting First Nation Governments** including institutional capacity, governance & accountability, citizenship, elections, urban strategy, housing and infrastructure; and,
- **Advocating for Change within our Communities and Organizations** including advancing new ways to increase independence of AFN and ensure sustainability and efficiency of all operations.

I'd also like to point out again the important discussions we've had at each of the last Assemblies on self-determination and how we support our respective journeys. In advancing the Crown-First Nation Gathering – we developed the 2012 First Nations Plan that builds on key First Nation direction – such as the AFN Declaration, resolutions, previous efforts and studies (Penner, RCAP, Recognition and Implementation of First Nation Governments, and UNDRIP) – this Plan shared with all First Nations was tabled with the Federal Crown. Overarching elements included First Nation-Crown Relationship, New Fiscal Relationships, Implementation of First Nation governments and Structural Change and set out specific First Nation direction for change in all areas.

Looking forward we see First Nations affirming priority and directing action on Treaty Implementation, Advancing Claims Resolution, First Nation Education, Fiscal Relations, Nation-Building, Responsible Resource Development and sustainable approaches recognizing First Nation rights and jurisdiction and specific strategies on First Nation justice, housing and water.

We will continue to be unrelenting and unequivocal in our support of First Nations rights and responsibilities. We are disappointed in the lack of progress achieved – now 30 years after the recognition and affirmation of our rights in the *Constitution*, 16 years after the Royal Commission on Aboriginal Peoples, 4 years after the apology offered to our survivors of residential schools and now 2 years after Canada endorsed the UN Declaration of the Rights of Indigenous Peoples. We must stand firm on all of these accomplishments and look to the future where we will achieve a better day for our peoples. I believe that together, we will continue our move forward. By supporting one another, we will achieve the vision of our ancestors and deliver on the promise for our children.

Respectfully,

Shawn A-in-chut Atleo

## REGIONAL CHIEF ROGER AUGUSTINE NEW BRUNSWICK AND PRINCE EDWARD ISLAND

Pjila'si. It is my great honour to welcome the Elders, Chiefs and delegates from across Canada to the Assembly of First Nations' 33rd Annual General Assembly.

### **Fishermen's Pow Wow-“Spirit of Peace and Friendship”**

On June 30 and July 1, 2012, I have the great honour of hosting the 1st Annual Fishermen's Pow Wow – “Spirit of Peace and Friendship” to be held at the Waterford Green Park, Miramichi, NB. The Fishermen's Pow Wow will honour our First Nation fishermen as well as non-Native fishermen. The focus is to acknowledge and respect our Aboriginal and Treaty rights and to learn to unite, respect and work together. There will be a parade of 50-60 commercial boats sailing side by side with “Spirit of Peace and Friendship” flags to the front of the Rodd Hotel where they will form a circle to show unity. National Chief Shawn Atleo and Premier David Alward will welcome our fishermen and their families.



Another objective of the Fishermen's Pow Wow is to acknowledge our youth and help to instil pride and strength in them as our future leaders. The Fishermen's Pow Wow is the first of its kind in that we will be acknowledging and celebrating not only our fishers but also the four founding cultures of the Miramichi – First Nation, Irish, Scottish, and Acadian.

I have been working with a team in organizing this amazing event, including leaders from our First Nation communities, the Maritime Fishermen Union, Irish Society, Scottish Society, and the Acadian groups, as well as the City of Miramichi.

Information on the Fishermen's Pow Wow can be found online at [xchief.net](http://xchief.net) or [fishermenspowwow.com](http://fishermenspowwow.com).

### **Youth**

In the spring, I hired Darren Augustine, a young man from Eel Ground to help educate our youth about alcohol awareness. He has been working with our two local high schools (Miramichi Valley High School and North and South Esk Regional High School) and our two local elementary schools (Eel Ground School and Metepenagiag School).

He has been working with the kids to develop a logo for them to raise awareness among their friends and community. He has been meeting with the students once a week to help them with their project and to discuss the effects of alcohol in a manner that is non-intimidating. Two logos were developed – one for the



high school level and one for the elementary level. The Regional Office ordered t-shirts featuring the logos which the students will be able to sell to fundraise for alcohol awareness activities.

I was able to solicit support from NB Liquor to help support this program for our youth.

### **Operation Black Bear**

My office has also take an interest in helping our youth enter a military program called Operation Black Bear which focuses on Aboriginal culture and military training. We have helped with the information sessions and recruiting component.

### **Scholarships**

I have been able to secure \$5,000 worth of scholarships this year to be awarded to our First Nation youth.

### **Health**

***Gitpo Place:*** I have celebrated the first anniversary of my Men's Wellness Centre. Gitpo Place is a personal initiative that is near and dear to my Spirit. Gitpo Place is a place where men of all ages and youth can come and join together to share their stories, seek friendships and advice, but also renew their mind, body and spirit. It's a private setting where an individual is free to come and go as they wish. There is a pipe ceremony that occurs at every full moon and men gather to share stories. I have held information sessions on men's wellness such as diabetes, meditation, and physical fitness.

***Gitpo Lodge:*** This is an extension of Gitpo Place. I have been working on establishing a place close to the river where four teepees will be erected and a sweat lodge. The main goal behind Gitpo Lodge is the connection to Mother Nature and her surroundings and healing powers. We are preparing the walking trails and the grounds and hope to be operational by the middle of July.

### **Economic Development**

I have been working with various businesses and the federal and provincial governments in helping sustain our local economy, especially in fields of lumber and dredging. I have taken the lead by bringing together First Nations, local businesses and government to work together.

### **Crisis Response**

I have been asked by the City of Miramichi to be vice-chair of the Search and Rescue Committee. My plan is to develop a First Nation Crisis Response plan and centre in the near future.

Welalin,

Regional Chief Roger Augustine

## REGIONAL CHIEF GHISLAIN PICARD

### QUEBEC AND LABRADOR



Relations between the Crown and First Nations are a major issue, and will remain so. Since the arrival of Europeans on our lands, our Chiefs have tried through various means to establish and maintain respectful and productive relationships from nation to nation and government to government. Despite the signing of treaties and our constant affirmation of our rights, relations between our nations and the Crown (federal and provincial governments alike) remain a significant and daily challenge. Not a single day – I would even say not a single hour – goes by without a Crown representative somewhere on our lands exceeding their rights and abusing ours.

The AFNQL Chiefs attended the January 24, 2012 meeting between the Crown and First Nations with great interest, in the hope that its ceremonies and solemn commitments would signal a difference. On the previous evening they had been pleased to note the presence of Chiefs from all our territories and their strong determination to be heard.

The AFNQL Chiefs are realists. They understand the reality of the modern world and the need to work in respectful partnership with other occupants of the land.

Without questioning the sincerity of Crown representatives at the January 24, 2012 meeting, the AFNQL Chiefs are now entitled to demand results – first and foremost regarding the attitude of the government and its representatives. For instance, is there more openness and less paternalism (if not outright contempt)? Can we verify that words are followed up by action? A federal budget has been tabled since the January meeting: are the meeting's discussions reflected in its content?

If the answer to these questions is no (which is for our Chiefs to determine), what are we to do? In my view – and I have proposed this to the AFNQL Chiefs – we must do what our predecessors have always done, i.e., insist that we be fully respected.

I believe we did what had to be done, and in good faith. We can neither dwell on the past nor cast mutual blame for the failures of others. We must now require that the other party respect its commitment without delay – as we have always done with the treaties, agreements and commitments we have signed. If the other party has a short memory, it is (and will always be) our duty to respectfully but firmly remind him.

### Health and Social Services

The First Nations of Quebec and Labrador Health and Social Services Commission is continuing to support communities with the implementation of the 2007-2017 *Plan directeur en santé et services sociaux* (Health and Social Services Master Plan). This year's priorities are more concerned with developing and implementing

large projects where the main goal is governance and self-determination in the health, social services, early childhood, social development and research fields. Here are some examples:

1. Health and social services governance project;
2. Development of a research plan;
3. Implementation of an information resource action plan;
4. Pilot projects to establish active measures within communities;
5. Development of structural projects related to the Initiative Against Poverty;
6. Implementation of a Quebec / First Nations bilateral agreement to delegate powers in the area of child care services;
7. Development of protocols to ensure a continuum of mental health services;
8. Operationalizing of the New Paths Foundation;
9. Development of a regional action plan on access to services;
10. Implementation of a health monitoring plan for First Nations.

Partnership-strengthening efforts will continue. Despite the impact of the recently unveiled 2012 federal budget, the FNQLHSSC will continue activities to support First Nation communities and organizations based on established priorities. This work will require some adjustments, leading us to place higher priority on actions with the greatest impact in improving health and living conditions for our populations.

## EDUCATION

### **National Panel on First Nations Education (Primary and Secondary) & Parallel Report**

The First Nations Education Council (FNEC) Chiefs decided nearly unanimously to submit a parallel report rather than take part in the National Panel on First Nations Education process. Accordingly, the FNEC General Assembly adopted a motion to this effect on April 5, 2011. The FNEC worked together with the Nishnawbe Aski Nation and the Federation of Saskatchewan Indian Nations to prepare and submit a “Report on Priority Actions in View of Improving First Nations Education” to the AFN Executive, which welcomed it as a valuable and positive contribution to this important issue.

### **Kiuna Institution**

On August 20, 2011, the Kiuna Institution (Kiuna means *Ours* in Abenaki) officially opened its doors on the Odanak First Nation territory. This project is the end result of more than a decade of effort by the FNEC, with AFNQL support, to establish a post-secondary institution run by and for First Nations. Developing our own learning institutions to ensure the survival of our culture and knowledge is an effective way to promote citizen participation, a sense of pride in our identity as First Nations, and the intellectual vitality that comes with higher learning. This two-year college program in First Nations Social Science was prepared by a committee of experts including representatives from *Ministère de l'Éducation, du Loisir et du Sport* (MELS), FNEC and partner colleges (Dawson College and Cégep de l'Abitibi-Témiscamingue).

### **First Nations School Funding Formula**

Our comparative cost analysis showed that there is still a large discrepancy compared to funding for provincial schools, despite the new amounts announced in the 2012 federal budget. It has long been known that the federal funding formula for our schools is out of date. The First Nations Education Council

developed a new funding formula that addresses the discrepancy by taking the specific needs of our schools into account. The new formula was presented to federal authorities, and we are still hoping for a favourable reply.

### **Tripartite Agreement**

The FNEC's Education Partnerships Program initiative led to the negotiation of a model tripartite agreement, which 10 of 19 eligible communities have so far accepted. The agreement was to have been signed on March 1, 2012 but was deferred to the next fiscal year to ensure all parties could attend the signing ceremony.

### **Canadian Human Rights Commission Complaint**

The First Nations Child and Family Caring Society of Canada (FNCFCSC) has offered the FNEC its support to file a Canadian Human Rights Commission complaint about discrimination in educational services for First Nations children. It is also supported by a coalition of several FNEC member communities, and both the Nishnawbe Aski Nation and the Federation of Saskatchewan Indian Nations have been invited to join the initiative.

### **Human Resources**

During 2011-2012, the First Nations Human Resources Development Commission of Quebec (FNHRDCQ) – which is involved in employment and training on behalf of 29 First Nation communities and all urban Aboriginal populations in Quebec – proceeded with the implementation of the second year of the five-year agreement between the AFNQL and Human Resources and Skills Development Canada (HRSDC).

During this first full year under the Aboriginal Skills and Employment Training Strategy (ASETS), the efforts of FNHRDCQ focused on advising its 33 service centres with the new requirements of the agreement. The reviewed Goodwill Agreements, which define the financial and accountability relations between the service centres and the Regional Office, were implemented and a new Annual Operational Plan was developed for the 2012-2013 financial year, ensuring a better integration of local, urban and regional activities.

The ALMASS (the computer tool used for client assistance and accountability results tracking) was modified to incorporate the new requirements of the ASETS agreement. Training on this new version as well as on the new client action plans based on interventions was given to service centres. The new version was also made to meet certain specifications in terms of data format and collection. Each client has to be identified as a First Nation individual with status, a First Nation individual without status, Inuit or Métis, as all agreement holders are now required to provide minimal services to clients from all constituencies and regions.

The Labour Market Information (LMI) Aboriginal Skills and Training Strategic Investment Fund (ASTSIF) project in Listuguj demonstrated the importance of better knowing our population to better plan interventions, training and employability measures, so as to be more in line with the labour demand. The LMI tools which were developed are being provided to all other service centres. Similar projects have been initiated in Matimekush and Kawawachikamach.

In terms of adult education, the First Nation Adult Education Council identified the sites for the two Regional Adult Education Centres. One francophone centre will open in September 2012 in the community of Lac Simon and the anglophone centre will open in September 2013 in the communities of Listuguj and Kahnawake. Meetings were held with the *Ministère de l'Éducation, du Loisir et du Sport du Québec* (MELSQ) and Aboriginal Affairs and Northern Development Canada (AANDC) to secure additional funding beyond the original MELSQ commitment announced at the Socioeconomic Forum of 2006.

The FNHRDCQ continues to work toward greater employment integration of First Nation citizens. However, the *Plan Nord* announcement by the Quebec government contains few major commitments toward FNHRDCQ member communities in terms of employment.

The lack of increase in funding, plus the impact of inflation and demographics are making it increasingly difficult to maintain the same level of service year after year. Analysis shows that, all amounts considered between 1999 and 2012, the FNHRDCQ had lost \$23 million in purchasing power, and that at March 31, 2012, its per capita capacity was down to 51% of what it was in 1999.

## ECONOMIC DEVELOPMENT

### First Nations of Quebec Business Network

In 2010 the First Nations of Quebec and Labrador Economic Development Commission launched the First Nations of Quebec Business Network (FNQBN), an initiative stemming from the First Nations Socio-Economic Forum held at Mashteuiatsh in 2006. The FNQBN has 39 member businesses in a range of sectors. Its mandate is to inform, train and support entrepreneurs, and to represent and defend their interests before two levels of government. The FNQBN also offers members a legal aid service through the firm Neashish & Champoux.

Activities organized by the FNQBN include the bi-annual Nature, Trade and Industry Conference devoted to the development of Quebec's First Nations businesses. The Conference's next editions will take place in fall 2012 (Val-d'Or) and winter 2013 (Sept-Îles).

### Taxation

In recent years, the Supreme Court has issued several decisions under the *Indian Act* that have affected the tax status of First Nations people. As these decisions and changes are sometimes hard to understand, the FNQLEDC held three information sessions on taxation in winter and spring 2012. Three taxation experts attended the sessions, to help simplify and explain the issues and to answer questions.

In the coming months, the FNQLEDC plans to hire an expert in Aboriginal taxation to address the many queries from First Nation entrepreneurs and band councils.

Lastly, in conjunction with *Revenu Québec*, the FNQLEDC will soon conduct an information tour in some Quebec Aboriginal communities regarding the Aboriginal fuel tax exemption. Among other things, the tour will allow *Revenu Québec* to present a new computer system to help interested gasoline retailers manage the exemption.

For more information on FNQLEDC activities, visit [www.cdepnql.org](http://www.cdepnql.org).

### **Sustainable Development**

The First Nations of Quebec and Labrador Sustainable Development Institute helps First Nations implement the Sustainable Development Strategy, specifically by creating effective tools for communities, supporting First Nations in the management of their resources, and advising Chiefs and communities as needed.

This year the FNQLSDI has continued its projects under the 2010-2014 action plan, and actively worked to establish a First Nations sustainable development fund to ensure the organization's long-term viability. It has also organized several natural resource networking workshops, and a forum on issues surrounding the Quebec government's proposed *Plan Nord*.

The FNQLSDI team has also played an active role in fighting against and adapting to climate change, by emphasizing land use planning and management. This project is of great importance to the development of our communities.

### **First Nations Youth Network**

The First Nations Youth Network has existed for more than five years. Its main purpose is to inform young people aged 15 to 35 of the various opportunities available to them (programs, services, projects, activities, events, training, jobs, etc.). The Network can easily reach 2,500 young people by e-mail and through Facebook. The Youth Network will soon open a Twitter account to diversify its sources of information, communication and exchange. Our organization held its initial First Nations Youth Forum in August 2011 (report available on request), and is preparing for a second Forum in August 2012 at Mont-Sainte-Anne near Quebec City. The Youth Network can also count on the involvement of its four spokespeople and alternate members, namely Caitlin Tolley (Kitigan Zibi), Langis Fortin (Matimekush/Lac-John), Suzie O'Bomsawin (Odanak) and Tommy Awashish (Wemotaci). For information please contact Mr. Serge Rock, AFNQL Regional Youth Coordinator, by telephone at (418) 842-5020 or by e-mail at [jeunes.youth@apnql-afnql.com](mailto:jeunes.youth@apnql-afnql.com).

*I am,*

Regional Chief Ghislain Picard

## REGIONAL CHIEF ANGUS TOULOUSE ONTARIO

Ahnee, and welcome to the 2012 Assembly of First Nations (AFN) Annual General Assembly (AGA). The First Nations in Ontario are pleased and honoured to host the AGA this year and welcome all Chiefs and delegates to Toronto. I join with Chief Bryan Laforme and the citizens of the Mississaugas of New Credit in welcoming you to their traditional territory.

Over the past year, the First Nations in Ontario have remained focused on Treaty implementation as the priority driving our collective efforts. We believe that the full implementation of our Treaties is the key to lifting our Nations out of poverty and onto a path of prosperity. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) affirmed the inherent rights of Indigenous Peoples, including the “right to the recognition, observance and enforcement of treaties, agreements, and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.” The First Nations in Ontario will continue to push both levels of government to demonstrate respect for the standards set out in the UNDRIP – which both the provincial and federal governments have publicly endorsed.



When we met with Prime Minister Harper during the Crown-First Nations Gathering on January 24, 2012, the First Nations in Ontario were clear that the foundation of the relationship with governments must be based on the Treaties and our inherent jurisdiction as self-determining Nations. Asserting our jurisdiction and continuing our work toward the full implementation of our Treaties will remain the primary objectives in the year ahead.

The First Nations in Ontario produced a parallel report on education, *Our Children, Our Future, Our Vision: First Nation Jurisdiction over Education in Ontario*, as an alternative to the AFN-federal government National Panel initiative. First Nations leadership in Ontario felt it was vitally important to ensure that the unique challenges and priorities in relation to education in First Nations communities in Ontario was captured and believed that the best way to do this was to produce our own report. This report was submitted to the National Chief and the Minister of Aboriginal Affairs and Northern Development Canada in February 2012 to coincide with the release of the National Panel Report. We will continue to advocate that the report produced by our First Nations is given equal weight and consideration as the follow-up work to the National Panel process evolves.

May 31, 2012, marked the fifth anniversary of the release of the Final Report of the Ipperwash Inquiry. This inquiry was established by the Ontario government in November 2003 to review the events surrounding the death of Dudley George at Ipperwash Park in September 1995 and to make recommendations focused on the avoidance of violence in similar circumstances. The Final Report resulted in 100 recommendations

outlining actions that can be taken to address fundamental issues that impact the state of the First Nation-Government relationship. Some key recommendations included the following:

- The provincial government should work with First Nations to develop policies setting out how the government can meet its duty to consult and accommodate;
- The provincial government should work with First Nations to develop co-management arrangements and resource-sharing initiatives;
- The provincial government should create a Ministry of Aboriginal Affairs with a dedicated Minister and its own Deputy Minister;
- The provincial government should work with First Nations to develop policies that acknowledge the uniqueness of First Nation burial and heritage sites, and promote First Nation participation in decision-making;
- The provincial government should work with First Nations to develop a comprehensive plan to promote general public education about Treaties in Ontario.

In the 2007 Speech from the Throne, the Ontario government called the Ipperwash Inquiry Report “a positive road map for progress” and committed to work with First Nations to act on the Report’s recommendations. The bottom line to-date is that progress in implementing the recommendations has been slow and those issues that are at the heart of whether we are in conflict or truly moving forward together have not been addressed.

The issue of jurisdiction remains a major stumbling block. The current policy of the provincial government is that they will not deal with the issue of jurisdiction or fiscal changes. Yet the fact of the matter is that we run up against jurisdictional barriers on every issue that is a priority –health, education, child welfare, forestry, water, and resource development. I and my colleagues on the Political Confederacy (representing the 133 First Nations in Ontario) have strongly advocated the need to move forward with a dialogue on jurisdiction. Unfortunately the provincial government continues to stall and resist any movement on this; however, we remain committed to realizing progress in this area.

Resource development projects are moving at a rapid pace in Ontario. Many of these projects, such as those under development in the Ring of Fire area in northern Ontario, impact the traditional territories of many First Nations. I believe it is the right of each First Nation to determine how they will proceed with respect to resource development activities. They must be directly engaged in all development plans that may impact their lands and their citizens and must have decision-making authority in their dealings with government and industry. Governments must understand that development will not occur on First Nation lands without the free, prior and informed consent of the affected First Nations.

The First Nations in Ontario are very concerned about the implications of federal Bill C-38, the Budget Implementation Bill, specifically in relation to a new *Canadian Environmental Assessment Act* and the changes planned to the *Fisheries Act*. The federal and provincial governments are focused on streamlining environmental assessment processes for large development projects which could potentially weaken those environmental protections necessary to mitigate environmental degradation and harm to wildlife. There is a need for all First Nations in Ontario and across the country to ensure that governments are held accountable for the protection of the lands and waters, and that First Nations Treaty and Aboriginal rights are respected.



In April 2012, the Chiefs of Ontario office coordinated a Nation-Building forum to provide a venue for a discussion on nationhood, including an exploration of measures to assert nationhood and to focus our collective efforts to moving beyond the limitations imposed by the *Indian Act* and the ineffective government structures and policies that maintain the status quo. In 2011, the Ontario Chiefs in Assembly mandated the establishment of a Nation-Building Task Force to review all of the tools currently available to First Nations to move forward on nation building as a matter of priority. The First Nations in Ontario recognize that we must act to assert our nationhood and right to self-determination. It is not in the interest of the Crown to help us assert our nationhood; it is very much to their benefit to keep us administering our own poverty within the confines of the *Indian Act*. The First Nations in Ontario recognize that we must act to move out from under government-imposed restrictions and arrangements that do not reflect the spirit and intent of the Treaties. As a result we have initiated the work and dialogue that will lead us on a path to implementing a government-to-government relationship with the Crown that accurately reflects our original relationship with colonial governments when we entered into Treaties as Nations.

In closing, I again want to take this opportunity to welcome you all to Toronto and to reiterate that the First Nations in Ontario are honoured to host the AFN AGA 2012. I am confident that we will have a productive discussion over the three days we are together. There is no doubt that we are confronted with many challenges, however, this is nothing new to our people. We are resilient, strong and resourceful. I believe that together we will prevail and we will be successful in realizing a brighter future for our children and youth and the generations to come.

Miigwetch,

Regional Chief Angus Toulouse

## REGIONAL CHIEF BILL TRAVERSE

### MANITOBA



Greetings from the Manitoba Regional Office and welcome to the 2012 Assembly of First Nations Annual General Assembly!

The Manitoba Chiefs recently re-elected me as the AFN Regional Chief. I am honoured and humbled by their confidence in me and look forward to working with all of you. I would like to congratulate Grand Chief Derek Nepinak who was elected by the Assembly of Manitoba Chiefs (AMC) in August 2011, and all other new leaders. I wish you all success in your tenures.

The “Flood of the Century” has consumed much of my time since May 2011. Nineteen First Nations have been affected by this man-made disaster and many are still unable to return to their homes. I have assisted these First Nations with issues arising from the flood and will continue to work with them to resolve outstanding issues with Manitoba and Canada. The flood continues to cause devastation for too many of our Manitoba First Nations members.

As you aware, a joint announcement was made by the AFN and Canada on December 1, 2011 that the Crown-First Nations Gathering would take place on January 24, 2012 in Ottawa, Ontario.

A flurry of meetings occurred in preparation of the Gathering, including:

- A number of AMC Executive meetings.
- A number of AFN Executive and teleconference meetings.
- AMC Grand Chief Nepinak and I attended the Grand Chiefs of Treaty 6, 7 & 8 meeting in Calgary, Alberta.
- Grand Chief Nepinak hosted a “Common Front Strategy” gathering in Winnipeg, which was attended by the Treaty 1-11 Regions, Alberta, Saskatchewan, Northwestern Ontario and the Northwest Territories.

As a result of all this the Manitoba Regional Chief election was rescheduled to a later date in the New Year as preparations for the Crown-First Nations Gathering preoccupied all of our time.

Delegate selections had to be confirmed before Christmas break, which was extremely difficult as each Region was allowed 25 Chiefs. Unfortunately not all of our Grand Chiefs and Chiefs could attend the Gathering even though Manitoba had 40 Chiefs attend the pre-meeting.

The *2012 First Nations Plan: Honouring our Past, Affirming our Rights, Seizing our Future* was tabled at the Crown-First Nations Gathering. The 2012 Federal Budget was tabled two months after the Gathering. This Budget included cuts to First Nation programming which was a disappointment, considering the purpose and intent of the Gathering.

## Other Regional and National Activities

- Attended the AMC Executive meeting on January 20, 2012 at the South Beach Resort at Brokenhead Ojibway Nation.
- The election of Manitoba AFN Regional Chief was during the AMC Assembly at Long Plain First Nation, February 21-23, 2012. Successfully re-elected and sworn in as Regional Chief for a second term on February 22, 2012.
- Travelled with Anna Fontaine, Regional Director General for Manitoba Region, Aboriginal Affairs and Northern Development Canada, and senior staff to Manto Sipi Cree Nation at the request of Chief Michael Yellowback for a community progress visit from the previous year.
- Participated in numerous AFN Executive meetings and teleconferences.
- Ongoing involvement in working to get the flood-related evacuees home, many whom are still living in hotels i.e., community members from Lake St. Martin, Little Saskatchewan First Nations and the Interlake Tribal Council Region.

The Federal Budget and budget implementation Bill C-38 remain an ongoing issue at this time. Bill C-38 is an omnibus bill amending 70 pieces of legislation that will have direct impacts on First Nations. Other legislation of concern is in the areas of accountability, matrimonial real property, water and First Nation elections.

In closing, with the introduction of new legislation, the Duty to Consult is a primary concern for all First Nations across the country. This issue will need to be resolved with a mechanism that allows for meaningful consultation with First Nations before any new project development or initiatives that will impact our communities.

In the next year I will be working with the Manitoba leadership on the fallout of this year's federal budget and ongoing related issues.

Respectfully,

Bill Traverse  
Manitoba Regional Chief  
Assembly of First Nations

## REGIONAL CHIEF MORLEY WATSON SASKATCHEWAN



Greetings,

As an elected Federation of Saskatchewan Indian Nations (FSIN) Executive member and a member of the Assembly of First Nations (AFN) Executive, I have been directed by the Chiefs and Councils to forcefully emphasize TREATY RIGHTS and the TREATY OBLIGATIONS of the CROWN in all intergovernmental meetings and forums. To ensure this is done, the Treaty provisions and First Nations' position has been given particular focus in my portfolio responsibilities. Our Federation is now 65 years old and we have seen tremendous growth in our people and our communities as well as our institutions. This was done with very limited help from any other government. Since the signing of Treaty and joining Confederation, other governments have marginalized us and used us to their advantage and development. There can be no more important issue to confront than focusing on how to repair, restructure and refocus our relations with the

Crown. The mandate of the Federation is the protection, promotion and recognition of Treaty. As First Nations we all share the common frustration of not being able to fully implement those Treaties according to their original spirit and intent, and all involved share the historic humiliation of being told that policy or the *Indian Act* legally trumps Treaty. Since taking on the responsibilities of the AFN Executive member representing the Saskatchewan Region, the priorities and work that we have been actively pursuing consist of the following:

### **Chief and Headmen Salaries**

Annuity provisions in all of the Treaty agreements clearly express a commitment by the Crown to recognize – and finance – the political representatives of First Nations. Separate funding for First Nations leadership and political institutions is essential to effective governance. The FSIN with the assistance of the AFN will design and advance a plan for secure political funding for First Nations leadership which is separate from the current inadequate resources provided by the Crown, and which is not based on “administrative arrangements”.

### **Agriculture – “Cows and Plows”**

In the Treaties it is stated...“as the tribe advances, all agriculture implements shall be provided.” The present-day position of First Nations is that agricultural assistance be provided to allow full participation in the agriculture sector of the economy – with up-to-date equipment, technology and financial resources required in agricultural industries today.

Our immediate objective would be the re-establishment of a First Nations agricultural financial and business support program that sees the development of an agricultural “safety net” assistance program for First Nation farmers, ranchers and processing businesses.

To guide this work we would look to develop a First Nations Agricultural Advisory Council to be composed of active First Nation farmers, ranchers, managers, and agronomy professionals. It is anticipated the Advisory Council will hold its initial meeting in June of 2012 with meetings to take place on a regular basis thereafter.

Through this Council we will develop direct representation/relationships with federal and provincial Departments of Agriculture and post-secondary agricultural institutions and extension services. This Council will identify the problems, issues and challenges facing the First Nations Agriculture sector and recommend to the FSIN a suitable membership composition for the establishment of a permanent First Nations Agriculture Advisory Council.

### **Treaty Right to Tax Exemption**

The provincial budget of 2010-11 included items which directly affect the First Nation Treaty Right to Tax Exemption. In particular the budget proposed reducing the quotas on the amount of tobacco purchased by First Nation citizens on reserve under their tax exempt status. Under the previous agreement appendices First Nations people were allowed to purchase three cartons of cigarettes per week without paying provincial sales tax. Under the provincial changes First Nations people are allowed to purchase only one carton per week without paying tax. The Province introduced legislation to enforce these changes in July of 2010. Meetings with the Province were held to request that the proposed legislation be held in abeyance until such time that the legal advisors on both sides had a chance to meet and discuss the Fuel & Tobacco Tax agreements. First Nations have always asserted the inherent right to determine and define our own laws and believe this right was confirmed through our Treaty process. Today is a chance to examine various ways to bring back the right of tax exemption under our own governance processes, instead of imposed amendments and legislation.

A legal team has been established and options have been developed for First Nations review, including:

- Muskoday First Nation Legal Action
- Small Claims Court
- Commence Legal Action Challenging the New Legislation and Changes to the Allowable Quotas on the basis of s.87 of the Indian Act
- Legal Action Based Upon the Treaty Right to Tax Exemption and/or the Treaty Right to Tobacco
- Legal Action Based upon Breach of the Existing Agreements

The Federation along with First Nations continues to explore the above areas. Although we have experienced setbacks with the courts, the Onion Lake and Muskoday First Nations continue to appeal the judge’s decision. The Federation will support the First Nations in advancing these processes for the benefit of all First Nations of Saskatchewan.

## Crown-First Nations Gathering

On January 24, 2012, First Nations leaders participated in what some call a historic gathering with Prime Minister Stephen Harper.

Although we are optimistic about Prime Minister Harper's statement about increasing First Nations participation in the economy, a pass/fail relationship has tainted the image of the government and left our people skeptical of the current system. There have been dark periods in our relationship, including the imposition of assimilation policies in the *Indian Act* and residential schools, as well as the attempt to eliminate the constitutional status of Indians in the 1969 White Paper and broken promises of Treaty Implementation.

In his address to our leaders, the Prime Minister noted the low points of our past relationship that has eroded trust and blocked ways for us to move forward. Other points included the commitment to ensure that First Nations women and children are protected when relationships end, strengthening First Nations governance with 21st century rules and endorsing the United Nations Declaration on the Rights of Indigenous Peoples. The government's support of self-sufficiency and self-governing First Nation communities and increased Aboriginal participation in the economy remains to be seen.

Many challenges lie before us but we must remind ourselves that we are survivors of the many injustices and poverty in this great country they call Canada. A commitment for a renewed relationship would provide our struggling communities with hope for our children. This relationship should be based on respect, accountability and support. We also need to be cautious when dealing with the government because of past experiences.

Our leaders require a commitment for immediate steps to deal with housing, education and health.

The role of the AFN will be to continue to facilitate this dialogue and to help create the space and momentum so that every First Nation can decide on appropriate and effective steps. But most importantly, it is the work happening by First Nations, Treaty groups and regions that is central and required to drive the change needed.

The FSIN will be involved in assisting First Nations with creating solutions. Our role at the FSIN level is to facilitate and support this change. Our first step was to host a regional Treaty Forum to review the history of Treaty Implementation from the First Nations perspective and to develop a set of guidelines based on those principles. The forum was held March 29-30, 2012 in Saskatoon.

A key strategic objective in advancing the Crown-First Nations Gathering was to ensure ongoing and meaningful engagement at the most senior levels of Government. With this in mind, FSIN will continue to advocate for ongoing and regular engagement with the Crown with the assistance of AFN. The purpose of this function would be to ensure a comprehensive approach to the Crown-First Nations relationship reflecting core principles, to support ongoing relationship-building, to monitor and oversee progress, to address problems or impasses that may arise, and to direct preparation of the report and next steps required by January 2013.

## SK Treaty Implementation Forum Report

A total of 205 delegates registered for the Chiefs' Forum on Treaty Implementation, March 29 & 30, 2012 at the Dakota Dunes Casino. The general objective of the Forum was to promote dialogue on Treaty and inherent rights and to provide direction to the FSIN on moving forward on Treaty implementation.

Specific objectives included:

- A review of the history of Treaties and the Treaty relationship in Saskatchewan;
- A clarification of the roles and responsibilities of First Nations and representative organizations in Treaty implementation;
- A clarification of the role of Office of the Treaty Commissioner of Saskatchewan;
- A review of the working relationship with the Crown in right of Canada and Crown in right of Saskatchewan;
- A look at how the inherent right to self-determination impacts on Treaty implementation; and,
- A beginning of a strategic plan for Treaty implementation in Saskatchewan.

## Inherent Rights and Jurisdiction in Gaming

The gaming industry in Saskatchewan started in 1992 when the Whitebear First Nation created and opened Bear Claw Casino. In 1993, criminal charges were laid against White Bear First Nation which precipitated the discussions between the FSIN and the Province of Saskatchewan leading to the 1994 Gaming Agreement. In 1995, the Gaming Agreement was revisited and, as a result, the Saskatchewan Indian Gaming Authority was created.

In 2002, negotiations resulted in a long-term 25-year agreement and the 2002 Gaming Framework Agreement (GFA) that sets out a five-year review period of gaming issues for the parties. In 2007, a proposal was submitted to the province whereby it could lead to a joint proposal to be submitted to Canada regarding jurisdiction and amendments to the *Criminal Code*.

With the five-year review in progress for 2012, FSIN is strategizing on options for assuming jurisdiction for gaming operations in the province, which will include Internet gaming.

Respectfully,

Morley Watson

## REGIONAL CHIEF GEORGE STANLEY

### ALBERTA



As we look back on 2012, the Crown Gathering is foremost in my mind. I brought the news back to Alberta and as has been customary, brought the proposed agenda back to Alberta. In my consultations with the Chiefs of Alberta the topic in the forefront was the agenda and what we felt it should contain. With trepidation and apprehension, the Chiefs of Alberta from Treaty 6, 7 & 8 decided to take part in the Crown Gathering and prepared a position paper. The agenda was amended numerous times and the number of seats per region did not satisfy our expectations. The three Grand Chiefs of Treaties 6, 7 and 8 attended as did many other Chiefs representing their respective First Nations.

As we prepared to attend the Crown Gathering the three Treaty areas expressed their concern as to the meaning of Crown Gathering. The *Indian Act* was mentioned and that it would be abolished. It is the opinion of the Treaty Indians that the *Indian Act* cannot be abolished because of the issue of lands. What will replace the *Indian Act* and ensure that Indian Lands and Lands set aside for Indians would remain intact? Treaty Indians have special status as a result of our Treaties and as Treaty Indians we at least have a land base for the time being. Without a proper land base, the process of assimilation would be complete. In spite of all the social problems associated with reserves and many attribute these social ills to reserves and the creation of reserves, the fact remains that Indian people have a special relationship to the land. We are keepers of Mother Earth and must ensure that the land is intact for our future generations. The medicine chest clause in Treaty 6 states our right to Health. The sacred Treaty Bundle used to ensure this right is 137 years old and remains in my family. As keepers of this sacred bundle, the protocols associated with this bundle is diligently adhered to for the sake of all First Nations peoples in Canada so that we may all have access to Health.

It is our belief that the Treaties are non-negotiable and the whole process should be a continued relationship rather than a renewed relationship. The Chiefs and leaders of Alberta prepared to attend the Crown Gathering in the hopes that we would be moving forward and towards a relationship of how we would implement Treaties. On the other hand, the renewed relationship was an indent on the relationship between First Nations and government as it is seen as a step backward rather than a move forward.

I believe we must continue the relationship and abolishing the *Indian Act* at this point would be premature before the issue of Lands has been resolved. Land is a Treaty Right and First Nations' relationship to the land as stewards of the land is not to be taken lightly. Furthermore, the misguided notion that we are using taxpayers' dollars is a misconception. Canada is still paying for our lands and this is lands as negotiated through Treaty. Ottawa merely holds funds, our funds in trust and turns around and provides piecemeal funding to First Nations under the guise of funding arrangements.

Bill C-38 made unilateral amendments to legislation that impacts our Nations in marathon sessions in the House of Commons. We have become mere policy amendments – where is the renewed relationship as



previously proposed by the federal government? Chiefs, I urge you to be mindful and cognizant as to how we are going to deal with the majority government of Canada. I attended this gathering with a heavy heart as I listened to the proceedings and felt it was my duty to speak up and point out as to what it really was—a photo opportunity so that the Canadian government could set itself up on the international stage as doing right by the Native people of Canada.

## **KEY ISSUES AND ACTIVITIES**

### **Justice**

During the 2011 Special Chiefs Assembly a resolution was passed resulting in a National Justice Forum. In addition to this forum, I continue dialogue on the case files of missing and murdered women. In spite of the continued efforts our women are still being victimized. I continue to receive regular reports. During the forum in Vancouver, the discussion included case files of missing and murdered women as well as Indian Residential Schools. Very strong messages were echoed by our leaders and the women's advocate groups such as the Native Women's Association of Canada (NWAC) which presented a report on murdered and missing women to international instruments. I have not received any funding to pursue this cause including the Justice Forum. In spite of the lack of funding, we continue to reach out across Canada to the families of missing and murdered women.

### **Governance**

Two First Nations have taken their election codes and they are in their final reading. Due to lack of funding, no additional work has been done in other areas.

### **Framework on Wastewater & Drinking Water**

I hosted a conference in Edmonton, Alberta as directed by resolution. The topic of discussion on the first day of the conference was the Treaty right to water. Elders presented a clear message that the federal government has consistently enacted legislation as if water is not a Treaty right. We believe that water is one of our basic Treaty rights and must be put into that empty box, the box that we as leaders need to push forward and fill. The government continues to deny that First Nations have a Treaty right to water. The last two days of the conference provided information for technicians. No additional funding has been provided to First Nations while boil water advisories continue to rise. First Nations people are denied what other Canadians take for granted: clean drinking water. First Nations drink pink or orange colored water. We had over 400 participants registered in the conference.

The federal government continues with policy development with very little involvement with leadership across Canada. Again, we were not part of the discussion when Bill C-38 was passed in a marathon session.

## **Economic Summit**

I hosted an economic summit in Alberta which was attended by 250 registered participants. During my tour to the United States I saw the closing of the bell ceremony hosted by the Navajo Nation at the New York Stock Exchange. If the Native Americans can become full participants in the economy and be self-sustaining why are we not furthering our opportunities as well? We as Indians in Canada are not full participants in the energy sector of Alberta – the hub of energy activity – and we still look on from the sidelines in many areas. We must promote and engage the business community to form partnerships, joint ventures or otherwise. NativeOne Financial sends a clear message that we have distinct opportunities to participate in the oil, gas and mining sector however the restrictions of the *Indian Act* impedes our growth. Hosting the economic summit made us realize that First Nations can be true players in the economy and not rely on the nickels and dimes that are dished out intermittently by the federal government. First Nations have the opportunity to move forward. Key sponsors have already taken the opportunity with joint ventures and are realizing success.

Due to the high volume of oil that is being pushed in Alberta, two major oil spills have been reported recently. The remnants of last year's oil spill in Little Buffalo is still being cleaned up with the most recent spill going into the Red Deer River. I receive regular reports, with the most recent spill being reported by Plainsmen Energy. The Assembly of First Nations, Northwest Territories and Alberta government have all reported on the environmental effects on First Nations and on First Nations traditional territories.

I have met with the leader of the Alberta opposition – the Wildrose Party – in order to create and strengthen dialogue with First Nations. The intent is to bring forth consultation with First Nations and I continue to encourage the American government that they must consult with First Nations.

Other work includes the initiative of the Alberta Chiefs continue to work toward establishing a Treaty Commission being careful as to how they want to proceed. I believe we can promote the preservation of our language and our identities.

## **Conclusion**

As the Regional Chief of Alberta, I work very hard to create dialogue with all the Chiefs of my region. The only way we can move forward is to understand the direction we must take. We have understandably had learning curves. I have reached out to schools. I recently visited a school in the north with actor Adam Beach, not with a political agenda but as a means to bring Treaty awareness and education to the youth. The intent was to bring awareness of Treaty Rights and my role was in bringing the message forward. We were treated with utmost respect and courtesy during our visit.

Other work has not been mentioned here however I have made every effort to reach the Chiefs of Alberta. I feel very fortunate to work with them and they have echoed their concerns. I work closely with Elders as I am a traditional person; furthermore I work with youth and women's groups as well. I look forward to finishing my term.

It is truly a pleasure to work in a national organization and as a member of the Executive I place myself forward as a candidate. I am only one voice as the Regional Chief of Alberta however; I ask that we unite towards the preservation of our Treaties.

Regional Chief George Stanley

## REGIONAL CHIEF JODY WILSON-RAYBOULD

### BRITISH COLUMBIA



Elders, Chiefs, youth representatives, delegates, and guests, it is my pleasure to join you in Toronto for the 33rd Annual General Assembly of the Assembly of First Nations (AFN) and, on behalf of the Chiefs of BC, to provide an update on some of the many initiatives our Nations are engaged in during this exciting period of Nation building or Nation rebuilding. The work of the BCAFN continues under our *Building on OUR Success* action plan which focusses on four interrelated pillars: 1) **strong and appropriate governance**, 2) **fair land and resource settlements**, 3) **improved education**, and 4) **individual health**.

#### Strong and Appropriate Governance

***BCAFN Governance Toolkit: A Guide to Nation Building:*** As mentioned in my 2010-2011 AFN report, the BCAFN launched our *Governance Toolkit: A Guide to Nation Building* and released Part 1 of the Toolkit, *The Governance Report*, at our 2011 Annual General Meeting (AGM). The Toolkit draws upon the collective experiences of BC First Nations and best practices in governance, creating a comprehensive resource to assist our Nations in exploring the options to move out from under the *Indian Act* at their own pace and based upon their own priorities.

Recently, at our June 2012 Special Chiefs Assembly, we launched Part 3 of our Toolkit: *A Guide to Community Engagement – Navigating Our Way Through the Post-Colonial Door*. Part 3 was developed to assist our Nations in encouraging the discussion of strong and appropriate governance amongst our citizens. It reflects the importance of ensuring all our citizens are truly engaged as the ultimate “directors” of change within our communities.

We continue to refine Part 2: *The Governance Self-Assessment* which can and is being used by communities to assess the current effectiveness of their governing bodies and administrations. The BCAFN and Accreditation Canada have agreed to work jointly on further development of the self-assessment. For the Toolkit to remain most useful, we will be continually updating and building upon the work, based on the successes and lessons learned from our Nations. The Toolkit is available on the BCAFN website, [www.bcafn.ca](http://www.bcafn.ca).

***Proposed First Nations self-government recognition act:*** When developing the Toolkit it became very clear to us that for those Nations ready, willing and able to move beyond the *Indian Act*, there needs to be a better mechanism to facilitate the transition based on recognition of the right of self-government. Today, to achieve legal certainty, our Nations either have to go to court to have the right of self-government recognized, or line up with other First Nations to try and negotiate an agreement with Canada. This is neither practical nor efficient and certainly does not respect our governance rights as recognized in section 35 of the *Constitution Act*, 1982 and upheld by the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP).

Accordingly, the BCAFN, building on a mandate established at our June 2011 AGM, is working with our friends in the Senate to develop a private member's bill, a First Nations self-government recognition act, to potentially be introduced this fall. Our initiative is not connected in any way to private member's Bill C-428: *Indian Act Amendment and Replacement Act*. Our bill would not amend the *Indian Act* but would provide an alternative based on recognition. Recognition legislation, of course, is not a new idea and was recommended in the Penner Report and the Royal Commission on Aboriginal Peoples. The legislation would provide the legal mechanism for Canada to "recognize" a First Nation (or a group of First Nations) as self-governing where the community (or communities) has developed and ratified its own constitution and would as a consequence remove the application of certain sections of the *Indian Act* to that Nation(s). The bill would also include provisions for a new fiscal relationship. The legislation would not change the legal status of lands and would be entirely optional. While there is no guarantee that the federal government will support the bill, we will, nevertheless, keep pushing for it until it ultimately becomes law. Proper recognition legislation is long overdue and certainly necessary after the UNDRIP was endorsed by Canada.

**Canada's legislative agenda:** The need for recognition legislation and our Nation building approach stands in contrast to the approach favoured by Canada; that is, to develop and impose on us their legislative solutions to our governance issues (e.g., matrimonial real property, water, accountability etc.). As I indicated during my remarks at the Crown-First Nations Gathering in January, this is an exercise in "neo-colonialism" and as history has shown will not work however well intentioned. The approach is fraught with legal and political problems at many levels. The process of change has to be led by our people to be legitimate.

During the Crown-First Nations Gathering the Prime Minister referred to the *Indian Act* as a tree with deep roots that "blowing up the stump would just leave a big hole." What we are proposing with our recognition legislation would get at the roots of the tree and rather than leaving a "big hole", it would be replaced with strong and appropriate governance. Core governance reform is key to local accountability, creating the right climate for economic development and, in the long run, helping to build sustainable and healthy communities with practicing and thriving cultures.

## Fair Land and Resource Settlements

**Major Development Projects:** One of the biggest issues facing First Nations in BC, and indeed all of Canada, is the Enbridge Northern Gateway pipeline proposal. Our First Nations' leadership in BC is front and center in the organizing efforts to oppose the Gateway proposal among many others. I think it is safe to say that whatever happens with Enbridge over the next few years it will be one of the most divisive and controversial issues facing this country. While the vast majority of our First Nations do not support the pipeline, there will inevitably be some First Nations that do and have, for their own reasons, agreed to an equity stake in the project. We will know which First Nations in due course and it will be important that we maintain a level of respect for one another despite our polarized views.

Enbridge is, of course, only one of a number of proposed major development projects in BC (e.g., the Site C Dam on the Peace River, the Prosperity Mine, and the Kinder Morgan pipeline expansion). These projects are front and center in BC politics. BC politics, being what they are, if an election were called tomorrow, Premier Clark's Liberals, after 11 years in power, would be voted out by a very strong NDP majority. Our Nations look to the next government in BC, whomever it might be, to build on previous governments'

commitments for resolving the land question and addressing our Aboriginal title and rights in a more expedient manner.

**Legal Developments:** Future provincial and federal responses to the land question in BC will, undoubtedly, be impacted by a number of court decisions that are expected soon; in particular the Tsilhqot'in case (*William*) which seeks a declaration of title over a significant portion of their traditional territory. There are many court cases that, at any given time, our Nations are advancing to press the issue of our Aboriginal title and rights, including treaty rights. Also of note, the Hul'qumi'num Treaty Group (HTG) is still awaiting a decision from the Inter-American Commission on Human Rights following their October 2011 hearing in Washington DC, where they argued that the federal Crown by allowing the granting of private property rights over their traditional lands has infringed their Indigenous human rights.

**BCAFN Legal/political Strategy:** While each Nation is, naturally, free to pursue any and all avenues available to it in order to advance its respective title and rights, it is, nevertheless, in the interests of all First Nations that we have a collective and coordinated legal/political strategy. As mandated by the Chiefs, in March of this year, the BCAFN co-hosted a legal/political strategy session in Westbank, BC. Our Nations' leadership reviewed recent court decisions respecting Aboriginal title and rights and strategized on approaches to litigation, including class action suits and addressing infringements of rights as well as considered a draft legal/political strategy. From the input gathered we have refined this strategy. A copy of the strategy is on our website.

**Comprehensive Claims:** During the First Nations/Crown Gathering commitments were made to review the comprehensive claims policy. In our province, the BC treaty process, while expecting a handful more treaties, has essentially atrophied for the majority of First Nations that had such high hopes for the process. In response to growing concerns with the process and the potential opportunities presented by the "common table" (where our Nations came together to address the "too tough" issues from their individual tables with Canada and BC), Minister Duncan commissioned the former Mayor of Campbell River, Jim Lornie, to report back to him with recommendations on improving the process. The Lornie Report has been released and made nine recommendations covering issues around own source revenues, loan funding, the Cohen Commission, shared territory issues and looking at options for engagement in reconciliation measures outside of the treaty process, among others. The report is available on our website. Working with the First Nations Leadership Council and the AFN Comprehensive Claims working group, we will continue to demand that Canada, and in our case BC, open the doors to establishing meaningful negotiation tables with all our Nations that desire such tables, whether inside or outside of the treaty process.

## Improved Education

Education is the national priority for the AFN. Having well-educated citizens is fundamental to having a healthy and thriving community. In BC we support the work of the National Panel on Education and other regional initiatives, recognizing work is well underway with our own BC education initiatives.

**BC Tripartite Education Framework Agreement:** In January of this year, BC, Canada and the First Nations Educations Steering Committee signed an important Tripartite Education Framework Agreement which addresses the funding gap between First Nations schools and BC public schools. Of the 86 First Nations

in BC with band operated schools, 85 have opted into the new framework. Starting in September, those schools will receive funding comparable to other BC public schools. While a significant advancement, access to quality lifelong learning is not just a question of vision and financial resources, it is also a question of ‘jurisdiction’. In our province this is being addressed through the BC Education initiative which, as reported last December, is still not being implemented due to issues with the application of Canada’s approach to our “own source revenues”. Basically, to exercise jurisdiction over education our Nations have to agree to the federal government’s approach to own source revenue and our Nations will not.

## Individual Health

“Healthy minds, healthy bodies, healthy lifestyles and a healthy future” – this is what we all want for our children, our elders and ourselves. It is this thinking that is leading to tremendous changes to the way health care programs and services will be delivered by our Nations to our citizens in BC.

***Tripartite Framework Agreement on First Nations Health Governance:*** Under the Tripartite Framework Agreement on First Nations Health Governance, there will be a transfer of health programs and services to a BC First Nations Health Authority by 2013. At the 5th Annual *Gathering Our Wisdom* conference held this May in Vancouver, over 800 delegates came together to discuss the standards, timeframes and accountability measures necessary for the transition from our interim First Nations Health Authority to the permanent First Nations Health Authority. The terms were set out in a “Consensus Paper” that was adopted by the chiefs at the conference. The work of the BC First Nations Health Council and our interim First Nations Health Authority truly represents a new era for First Nations’ health in BC. We appreciate, of course, that governance and administration of health is complex and the costs are significant. There will be many difficult decisions to be made in the future. However, seeing how our leadership is embracing the challenge with a renewed sense of optimism and hope, we can be confident in the knowledge that we will be making them.

## Some reflections on the past year

In reflecting on this past year, there have been notable shifts and challenges in the First Nations-Crown relationship. All eyes were on the Crown-First Nations Gathering and whether the symbolic commitments made would be acted upon on the ground. While individual BC First Nations have achieved many successes in gaining fair access to lands and resources, strengthening governance and improving education and health, our Nations remain fundamentally challenged by both federal and provincial policy and proposed legislative changes. Changes that have the potential to seriously impact our ability to develop our own solutions at the very time we are finally beginning to rebuild our Nations. Bill C-38, *Jobs, Growth and Long-term Prosperity Act*, also known as the Budget Implementation Act, for one, has raised grave concerns among First Nations across the country given the consequential impacts on Aboriginal title and rights, including treaty rights, and the duty to consult and accommodate.

Despite any short-term political challenges, there is no question that our Nations are in a period of profound transition. For me, this transition is evidenced by the numbers of our Nations that are actively moving away from the *Indian Act* either through sectoral self-government initiatives or, in many cases, simply exercising their rights of self-government. I strongly believe that the groundwork that was laid by our past leaders and

their vision for our eventual emancipation from our colonial servitude is finally coming to pass. While it may not have been possible to implement the recommendations of the Penner Report on self-government in 1983 or the recommendations of RCAP in 1996, it should be possible today. This reality is due to our increased political and economic power and influence in Canada bolstered by our strengthened Aboriginal title and rights, including treaty rights. During this period of transition we need strong leadership with a plan that supports our Nations in their individual Nation rebuilding efforts; a plan that recognizes the need to share our experiences and to support one another.

I look forward to the year ahead. *Gilakas'la*.

Puglaas (Jody Wilson-Raybould)

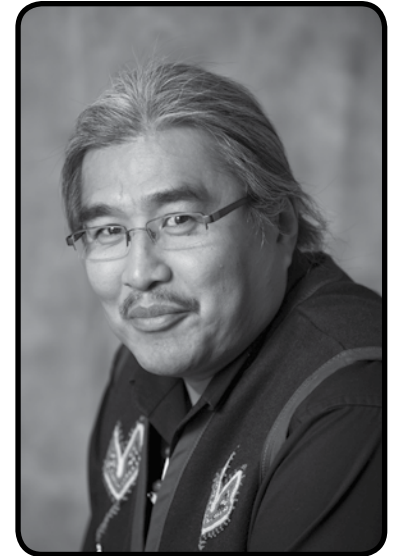


## REGIONAL CHIEF ERIC MORRIS

### YUKON

On behalf of Yukon First Nations Chiefs and their citizens I bring you greetings.

I would like to acknowledge the late Robert Lee Jackson and his contribution to our work and his commitment to the Assembly of First Nations (AFN) over past eight years. I thank his wife Cheryl and his children, Roberta and Craig for allowing him to share his time with us at the Assembly. Robert Lee was a past Chief for Teslin Tlingit Council and also served as one of their Land Claim Negotiators. He worked with past Regional Chief Rick O'Brien and continued his work with me. His experience and knowledge lent a lot to the work that we did. He provided us with the assurance that we needed to stay focused and to keep on the right track. He will be greatly missed and dearly remembered for his gentleness and his great kindness.



Implementation of Self-Government Agreements and Land Claim Agreements continue to be a priority for 11 of the 14 First Nations in Yukon. The three First Nations that are without agreements continue to pursue economic partnerships that lend to building capacity within their communities. Resource development that includes adequate consultation and accommodation is the highest priority. In terms of mining, exploration in Yukon is at an all time record high. Issues with staking claims in the traditional territories of some of our First Nations is a significant issue that is currently being dealt with.

Respectfully, whether our Yukon First Nations have a Final Agreement in place or not should not be an issue because of recent court decisions that require that any proposed resource development, acts or regulations require that consultation occur and accommodations be made and where it warranted, that free prior and informed consent be achieved.

In Yukon, one of the economic drivers of our economy will be our natural resources. What will lead to positive growth in this area will be dependant on how well potential developers, industry and governments choose to work with our Yukon First Nations. As one of my leaders from my home community always states "it can be pure hell or a bed of roses – you choose".

Although we did not get to participate in a manner which suited us in the National Education Panel, we see education as a priority at every level. Since we don't have reserves in the Yukon and therefore no schools on reserve we feel that this opportunity could not be fully realized for our Yukon First Nations. We fully support the work of the Assembly in this regard but further consideration must be given to the North. Education will continue to be a focus for our region and maintaining our focus on what our First Nation Governments see as a priority for their citizens.

The focus for our National Chief and Regional Chief is education, economic opportunities, effective implementation of treaties and modern day agreements, and our missing and murdered women. From a

regional perspective this is also the focus for Yukon First Nations and will continue to be for the next few years. As we move forward to implement our Agreements and build capacity in our governments we see education as one of our key priorities. Having the capacity to effectively implement our agreements is essential and building strong economies to sustain our governments is critical. We will work to ensure that the initiatives like the fiscal harmonization policy proposed by the federal government does not negatively impact us and impede our progress.

Within our Final Agreements there are specific processes identified as to how proposed new legislation or acts by any government are to unfold in the Yukon. There appears to be a lack of knowledge of these processes or attempts to work around those requirements. What remains a priority for our Chiefs and their governments is the importance of the federal and territorial governments 'living up' to the spirit and intent of our Yukon Agreements.

Over the past months the Environmental Stewardship Unit (ESU) at the AFN has worked hard to fulfill its requirements set out in the work plan for this past year. Much like the impacts that have come by way of the federal governments cuts to health, the cuts in the area of environment are felt by the ESU as well. There is a need for us to really look at how we must position ourselves to deal with the shortfalls we will face in relation to the work we set out to do at the beginning of the fiscal year.

Environmental protection will require us to be diligent in insuring that we exercise measures that will protect the sovereignty of our traditional territories. This I believe will require the regions to collaborate and support each other.

My portfolio responsibilities over the past year have focused on fisheries, forestry, water, climate change, trade, and economic opportunities. Each of these areas will continue over the months ahead.

The National Aboriginal Council on Species at Risk was able to meet with the Minister of Environment, Peter Kent. Although brief, we were able to update him on the work we have done and share with him our plan for the work we intend to do. One of the priorities that we see for our council is to be able to meet with the Minister on regular basis. Since we are to provide advice directly to him we need to insure that we achieve this through regular meetings.

In closing I would like to thank Kim Blake for her work in my regional office and wish her well in her new job. I would also like to express my gratitude to the National Chief and the Regional Chiefs for the great privilege of working with each of them. I've learnt a lot from their great leadership. I want acknowledge the hard work of the AFN staff and the importance of their work.

Gunalcheesh,

Regional Chief Eric Morris

## REGIONAL CHIEF BILL ERASMUS

### NORTHWEST TERRITORIES

There are many issues that are before the Dene of the Northwest Territories. It has been a difficult year with the territorial government challenging and competing for authority and control over our lands and resources. The federal government is in a state of change and is not easy to work with, however we must continue to support our communities that are either implementing their Treaties, self-government agreements or still in the process of negotiating new arrangements with the Crown. We have a unique relationship with the Crown based on our Treaties, rights and interests. Canada is legally obligated to provide financial security to our nations by virtue of the *Canadian Constitution Act, 1982* and that must continue into the future. The United Nations Declaration on the Rights of Indigenous Peoples that was endorsed by Canada must continue to be the basis for implementing our rights which are recognized as human rights.



### KEY ISSUES AND ACTIVITIES IN DENENDEH

- On behalf of the Dene Nation and Assembly of First Nations Regional Office, NWT we would like to congratulate Leonard Kenny of the Deline First Nation, Chief Wayne Sabourin of the Deh Gah Got'ie First Nation in Fort Providence, Chief Dora Enzo of the Lutsel K'e First Nation, and David Poitras of the Salt River First Nation in Fort Smith on being elected as Chiefs of their communities.
- We would like to welcome Chief Alan Adam and the Athabasca Chipewyan First Nation in Fort Chipewyan, Alberta as new members to the Dene Nation. Chief Adam's people are of Dene descent and are official members.
- The Dene Nation will be 42 years old in July 2012 and will be meeting in Whati, Denendeh. The theme of the celebration is "The Truth: Treaties, Arrangements and Constructive Arrangements". The date of the great gathering will be from July 2 - 6, 2012. Please visit [www.denenation.com](http://www.denenation.com) for more details or go to [www.facebook.com/DeneNation](http://www.facebook.com/DeneNation).
- The Dene Nation hosted its 41st Dene National Assembly in the community of Fort Providence. The community did an excellent job in hosting this event coordinated by Chief Joachim Bonnetrouge. We thank the many volunteers who worked tirelessly to raise funds for this event. A special thanks to the Dehcho Territory for a warm welcome into their region.

### Devolution of Lands and Resources and Water in the Northwest Territories

Devolution and Resource Revenue Sharing Agreement is the proposed transfer of authority from the Government of Canada to the Government of the Northwest Territories. The Devolution Agreement in Principle (AIP) between the federal and territorial government was signed in January 2011 and the Dene are strongly opposed to the agreement. A formal process is now underway to negotiate the devolution

of Northwest Territories public lands and resources and rights in respect to water from the Government of Canada to the Government of the Northwest Territories (GNWT). The agreement proposes a one-time \$23 million grant to the GNWT to cover the transition of powers, as well as a \$4 million grant to Aboriginal governments for transitional expenses they may incur. The agreement proposes an annual transfer to the NWT to cover the costs of administering oil, gas, land, water and other resources. That transfer would amount to just over \$65.3 million a year, which is roughly how much the federal government currently spends to perform those same functions. At the same time, the agreement would reduce the federal governments operating grant to the territory by 50 cents for every dollar in resource revenues the territorial government earns. The agreement will not serve to make the NWT more financially independent from Ottawa. And most importantly, it goes against the principle of the Dene controlling their land and resources for future generations as protected in the *Constitution Act*, 1982. The Gwich'in Tribal Council will be going to court over the proposed devolution deal in the very near future.

### **Enbridge Northern Gateway Pipeline Project**

The Northern Gateway project is a proposal by Canadian oil and gas company Enbridge to build two pipelines stretching 1,177 km between the Alberta oil sands and the West Coast. The Northern Gateway would have the capacity to transport 525,000 barrels of oil per day. Chiefs from Alberta and the Northwest Territories signed a declaration which opposes the proposed Northern Gateway pipeline. The “Save the Fraser Declaration” was started by the Yinka Dene Alliance in British Columbia and states that the undersigned First Nations will not allow Northern Gateway or any oil sands project to cross traditional lands, territories, and watersheds, or the ocean migration routes of Fraser River salmon. The \$5.5-billion project would consist of two pipelines: one transporting oil in a westerly direction from Bruderheim, Alberta to the port of Kitimat, BC, from where it would be shipped to international markets in Asia and the northwestern United States; the other carrying imported natural gas condensate in the opposite direction. The condensate is a toxic mix of liquid hydrocarbons chemicals that form during the extraction of natural gas and are used as a thinning agent to dilute and help transport heavy oils like bitumen. The project has been opposed by BC First Nations who worry a pipeline leak or tanker spill could adversely affect land, water and wildlife in their territory. Northern First Nations have their own concerns about the project. We believe the pipeline will lead to an expansion of oil sands mining in northern Alberta, impacting the quality and quantity of water in the Mackenzie River Basin. We also believe the diluted bitumen will weaken pipelines at a faster rate than conventional oil due to its acidic, sulphuric, abrasive and viscous nature. There are additional concerns that if a spill were to occur it would be especially hazardous due to the explosive properties of diluted bitumen and the concentration of toxins that would get into the Mackenzie, Fraser and Skeena watersheds. Dene Chiefs made presentations to the National Energy Board joint review panel on the Northern Gateway pipeline and made their concerns very clear.

### **Site “C” Dam**

On May 27, 2011, the Assembly of First Nations (AFN) expressed support for First Nations working to raise awareness of the implications of hydro-electric dam developments in BC including calls for a full review for the forthcoming environmental assessment of the Site C project on the Peace River. The BC government endorsed BC Hydro’s proposed Site C hydroelectric dam project, triggering the next stage of development (environmental assessment) for a proposed 1100MW hydroelectric generating station on the Peace River in northeast BC. The proposed Site C project would be the third dam and hydroelectric generating station on the Peace River.

In 2008 Chiefs from across Canada supported a resolution calling for comprehensive and meaningful consultations with all impacted First Nations, with specific respect to the Treaty and Aboriginal title, rights and jurisdictions of the Treaty 8 First Nations and other First Nations within the Peace Athabasca and Mackenzie watersheds including Treaty #11 in our territory. At that time, Chiefs-in-Assembly also called on the governments of Canada, British Columbia, Alberta and the Northwest Territories to engage in a comprehensive joint planning process with the affected First Nations in connection with the operation of the W.A.C Bennett and Peace Canyon dams and the proposed construction of the Site C dam or any other proposed hydro-electric or energy projects within the traditional territories of the affected First Nations. This includes the review and revision of the federal and provincial environmental assessment legislation to ensure the review processes include the Crown's obligations to impacted First Nations.

Following the April 2010 announcement by the Government of BC to move forward with the Site C Hydroelectric Project, the Chiefs-in-Assembly reiterated their call for a full consultation and accommodation of impacted Treaty First Nations through a fair, open and transparent process – a process that would include sufficient resources to ensure potential impacts to the traditional, environmental, social and economic interests of Treaty First Nations are considered and/or mitigated to ensure Aboriginal and Treaty rights are protected.

First Nations Elders, youth and elected officials along with non-Native farmers and ranchers travelled to Victoria, BC to present the Premier with a historic declaration opposing the dam. The document was signed by 23 First Nations from across BC, Alberta, and the Northwest Territories. In the Northwest Territories we have felt major impacts from damming the Peace River over the years. For example, the Mackenzie Delta some 2,000 kilometers downstream once had the greatest muskrat population in the country. Today, because of the low and fluctuating water levels muskrats are seldom seen. We must continue to work together to oppose this massive project and focus on development that makes sense to us. We must also develop long-term land use plans that are connected to economic security.

### **Final Reflections**

It is important for all First Nations in Canada to work together to have a strong AFN political organization. Collectively the AFN must work for our communities while we continue to pursue self-determination and express our sovereignty. Our Elders are telling us to be strong and to be more aggressive so we are not left behind and unable to move forward as we wish.

And finally, we thank our leadership and staff in our communities and regions for their hard work and efforts. We cannot move forward as a strong nation unless we are strong at all levels. Thanks to Dene Nation and AFN staff for their contributions throughout the year, they have shown consistent commitment and hard work. Thank you all for attending this AFN Assembly in Toronto, Ontario. We wish you all the best in your respective communities and regions.

Bill Erasmus, AFN Regional Chief, NWT

## AFN ELDERS COUNCIL

Since the inception of the National Indian Brotherhood/Assembly of First Nations, there has always been a place of honour and distinction for the Elders. Elders provided both spiritual and political guidance in the formation of the organization, its structures and its Charter. The Elders helped to shape AFN policies and the relationship with the federal government and other national and international organizations. During the past 33 years, the AFN's leadership has relied upon the historical and cultural knowledge of its Elders, especially in matters relating to Treaty rights and First Nation governance.

This role continues today. The AFN Elders Council includes representatives from each of AFN's 10 regions, as well as two Resident Elders appointed by the National Chief. The Elders Council continues to play an important role in all facets of the AFN and its daily operations.

### KEY ISSUES AND ACTIVITIES

The AFN Elders Council continues to meet bi-annually at Annual General Assemblies and Special Chiefs Assemblies to discuss issues and challenges facing the Council and to bring together new ideas. Resident Elders Barney Taa-eee-sim-chilth Williams of Tla-o-qui-aht First Nations and Bertha Commonda of Kitigan Zibi Anishinabeg First Nation continue to support and provide guidance and knowledge at meetings and gatherings throughout the year.

The AFN Elders Council is imperative in the day-to-day business of our lives. They are the keepers of our traditions, values, languages and history. Elders are our guides to our future. They are leaders in our community; they speak with honour and with a great deal of pride. Elders are our teachers. The Elders will always encourage First Nation leaders and champions to continue to enlighten and inform forums such as the Chiefs Assemblies on their experiences, issues, successes and challenges. It is all of our responsibilities to ensure prosperity and the safety of the little ones, just as our ancestors did for us. The AFN continues efforts to acquire funds to fully integrate the input and participation of the Elders Council into all work.

#### **AFN Council of Elders Guidelines and Protocols**

The AFN Elders Council continued to meet as a group to discuss guidelines and protocol and continuing issues. The "Assembly of First Nations Elders and Elders Council Guidelines and Protocols – Draft: July 29, 2005", was updated throughout the year.

The AFN Elders Council recommends that the Chiefs-in-Assembly adopt the "Assembly of First Nations Elders and Elders Council Guidelines and Protocols".

#### **AFN Health Secretariat**

The AFN Elders Council Chair remains integral in meetings related to Health providing guidance and vision. The AFN Elders Council Chair and Co-Chair participated in numerous meetings pertaining to First Nations health including: the National First Nations Health Technicians Network, National Native Alcohol and Drug Abuse Program, and eHealth.

**NEXT STEPS - MOVING FORWARD**

- The Elders Council will continue to seek additional financial support from the federal government and alternative sources, to ensure First Nations cultures and perspectives are reflected in the work conducted regionally and nationally. AFN staff will continue to provide administrative support, and champion the issues facing the Elders Council.
- The Elders Council will continue to support the activities of the Tri-Councils consisting of the Youth, Women's and Elders Councils.

## AFN WOMEN'S COUNCIL

The AFN Women's Council works with the AFN Secretariat to ensure that the concerns and perspectives of First Nation women inform the work of the AFN. Council members hold portfolio responsibilities, which include participating in a wide range of panels, presentations and forums that are relevant to First Nation women.

### KEY ISSUES AND ACTIVITIES

Since the Annual General Assembly in July, the Women's Council has been working with the Youth and Elders Councils to implement Resolution 01/2011: *Coordination and Support for the Youth, Women's and Elders Councils*. Since July 2011, all three Councils have met in person on two separate occasions to review their strategic plans, and strategize on ways to partner and develop a Tri-Council Strategic Plan. Work on this plan is ongoing.

In January 2011, the Council appointed a new Chair, Adeline Webber of the Yukon region, and Co-Chair Therese Villeneuve of the Northwest Territories region. The Chairs have been actively engaged in various meetings, forums and conferences that address matters of concern to First Nation women and their families. Also, the Council Chair and Co-Chair have actively participated on the Executive Committee, and as such, have kept the Council apprised of Executive activities and discussions.

In January 2012, the Women's Council Chair attended the United Nations Expert Group Meeting on Violence Against Indigenous Women and Girls, and contributed to dialogue and discussion on preventing violence in First Nation communities and missing and murdered First Nations women in Canada.

Members of the Women's Council attended the AFN National Justice Forum in February 2012, to contribute to dialogue, discussion and strategic planning regarding a national action plan to end violence against Indigenous women and girls in Canada. The Women's Council also coordinated a caucus meeting with partners from the Native Women's Association of Canada (NWAC) on ways to partner on a national action plan.

In addition to the above mentioned initiatives, the Council has also participated in national meetings, such as the First Nations Tobacco Strategy meeting, the AFN National Health Forum and the National Forum on First Nation Citizenship.

### NEXT STEPS - MOVING FORWARD

- The Council is looking forward to assisting with implementation of the Statement of Partnership signed by the AFN and Native Women's Association of Canada at the December 2011 Special Chiefs Assembly.



- The Council will be working on ways to promote the Indigenous Women in Community Leadership program at St. Francis Xavier University through their networks to ensure First Nations women are aware of this special opportunity.
- The Council will also continue to work with the Youth and Elders Councils to continue to implement Resolution 01/2011 as well as the Tri-Council Strategic Plan.

## AFN NATIONAL YOUTH COUNCIL

The AFN National Youth Council (AFN NYC) operates as a 20-member council with First Nation youth from each of the 10 AFN regions (each region has one male and one female representative). This national body, based within the structure of the AFN, represents First Nation youth across the country on issues that impact them on a daily basis. The Council provides insight to the many committees and working groups, as well as the AFN Secretariat.

### KEY ISSUES AND ACTIVITIES

The AFN NYC has had an active year. Youth participation has ensured that AFN's efforts are more reflective of youth values and perspectives.

#### **IndigenACTION**

The AFN NYC continues to play a key role in this initiative. The AFN NYC has participated in the planning and delivery of each of the roundtables that have taken place. The Council is eager to continue working on IndigenACTION as it moves into the next phase of working towards implementation of the recommendations made in the report from the roundtable dialogues.

#### **Income Assistance – Active Measures**

The AFN NYC was integral in the development of a toolkit that aims to decrease the number of First Nation youth who are overly dependent on income assistance as a means of financial stability. The AFN NYC provided input through two focus groups as well as in the development and promotion of the toolkit. The AFN NYC is now exploring approaches that will enhance the engagement of the targeted audience for the toolkit.

#### **Citizenship**

The AFN NYC has made a significant contribution to the ongoing discussion of citizenship within our First Nation communities. They have participated in the planning of the virtual forums that have taken place as well as lending a strong voice to discussions, including the National Forum on First Nation Citizenship, that demonstrates the interest and role that First Nation youth across the country have on this issue.

#### **Tri-Council**

The AFN NYC has been engaged with both the Women's and Elders Councils in developing a Tri-Council Strategy that will enhance the ability of the Councils to offer their advice and insight on the various issues addressed by the AFN. The work on this strategy is ongoing and will be presented at the Annual General Assembly.

To better facilitate this endeavor, Resolution 01/2011: *Coordination and Support for the Youth, Women's and Elders Councils* looks to secure consistent and increased funding as well as a common point of coordination for the Councils within the AFN Secretariat.

### **Youth Summit**

A request for proposals was sent out nationally for a host and coordination of the 4th National First Nations Youth Summit. Saskatoon has been selected as the host city and work has begun on planning and fundraising for the summit.

### **NEXT STEPS - MOVING FORWARD**

- Successful delivery of the 4th National First Nations Youth Summit which is scheduled for October 2012, in Saskatoon, Saskatchewan.
- Implementing the recommendations made in the IndigenACTION report from the concluded roundtables.
- Continuing the implementation of the Tri-Council Strategic Plan.
- Continuing to engage First Nation youth who are affected by income assistance and moving towards the goal of vastly decreasing the numbers of First Nation youth who are dependent on income assistance as a means of financial stability.

## CHIEF EXECUTIVE OFFICER



I am very pleased to present the Annual Report of the Assembly of First Nations (AFN) to the 33rd Annual General Assembly. As an organization, we have consistently strived to work more effectively and efficiently in advancing the priorities of First Nations. We have had an exceptionally busy year in which the AFN was able to move forward and support work in many areas of vital concern to First Nations.

Over the last year, the AFN coordinated a wide range of important national events on issues of importance to First Nations. Starting with the International Indigenous Summit on Energy and Mining in June 2011 in Niagara Falls, Ontario followed quickly by our Annual General Assembly for last year in Moncton, New Brunswick, the AFN continued to coordinate and facilitate opportunities for dialogue and discussion among all First Nations across the country.

Some highlights include the following:

### **AFN National Health Forum**

The AFN National Health Forum, *Taking Action to Move Forward*, took place in Ottawa, on November 7-9, 2011. The National Health Forum brought together First Nation Health Directors, Technicians, Health Experts, and First Nation Leaders to discuss the sustainable delivery of First Nation health services that improves health and respects First Nation jurisdiction and traditional knowledge.

### **AFN National Forum on First Nation Citizenship**

The AFN hosted a National Forum on First Nation Citizenship in Enoch, Alberta on November 15-16, 2011. The National Forum on Citizenship continued and expanded an inclusive national dialogue on ways to restore First Nations' decision-making and jurisdiction over citizenship. First Nation leaders, scholars, artists, and citizens contributed to the Forum and created recommendations for further action.

### **The Ka Na Ta Conversations**

The initial forum of the Ka Na Ta Conversations was held at the University of Winnipeg on October 5, 2011. It was designed to inspire and encourage new conversations among all Canadians through embracing an Indigenous worldview. One of the intended outcomes of the Ka Na Ta Conversations is the consideration and development of a virtual think tank to host events and prepare research and analysis on emerging matters, with the goal of maximizing access for First Nations, governments and the general public.

### **AFN Youth Mental Wellness Forum**

The National Youth Mental Wellness Forum was aimed at supporting and enhancing youth empowerment and resiliency. It took place in Winnipeg from October 4-6, 2011, and provided training and practical

tools to support First Nation youth and their peers. The Forum highlighted the important roles and responsibilities of First Nation youth as peer counsellors, leaders and role models for one another.

### **AFN Water Conference**

The AFN hosted a Water Rights Conference and a Technical Water Conference in Edmonton on March 5-7, 2012. The two components of the conference focused on First Nations water rights and the technical element of delivering safe drinking water to First Nation communities, respectively. The conference provided an opportunity for First Nation leaders, administrators, technicians, and activists to bring forward ideas, profile various strategies, and share expertise in the area of water rights and jurisdiction.

### **AFN National Justice Forum**

On February 21-23, 2012, the AFN convened a National Justice Forum in Vancouver to bring together First Nation leadership, citizens, community justice workers, activists, and Elders with federal and provincial policy makers, and police representatives to critically discuss the current relationship of First Nations with the justice system, and reflect on developing a National First Nation Justice Strategy to achieve change.

The Crown-First Nations Gathering in January 2012 was an important event that required an immense amount of preparation and coordination by AFN staff. In particular, I would like to highlight the *2012 First Nations Plan: Honouring our Past, Affirming our Rights, Seizing our Future*, outlining a detailed plan based on First Nation direction to renew the Crown-First Nations relationship on the basis of respect, recognition and reconciliation. In addition, there was a lot of support provided by our staff on site for the First Nation leaders who attended and the hundreds more who participated in the Gathering through 10 videoconferencing sites and watching the live webcast. The Outcome Statement issued following the Crown-First Nations Gathering commits to key principles and sets out immediate steps for action. Specific work, building on and advancing the Joint Action Plan is also referenced. The Crown-First Nations Gathering was an important first step in renewing the relationship between First Nations and the Crown, but a lot of work remains ahead of us.

The AFN has also remained very active in the area of Parliamentary Affairs. This included advocacy on legislation, including Bill C-38, *Jobs, Growth and Long-term Prosperity Act*, Bill S-8, *Safe Drinking Water for First Nations Act*, and Bill C-10, *Safe Streets and Communities Act*, as well advocacy and analysis on the Budget. We also created opportunities for First Nation leaders to engage directly with Parliamentarians during National Advocacy Days in September 2011. An important part of our ongoing work consists of keeping First Nation leaders and technicians informed by providing weekly parliamentary and legislative updates when Parliament is sitting.

Our efforts to reach out to different audiences continue, especially with respect to maximizing our social media potential. The AFN website was updated, with links to webcasts, Twitter, Facebook, and YouTube. In May 2012, the AFN Communications Unit celebrated their 5000th follower on Facebook. In addition to increasing our use of social media, the Communications Unit produced over 150 press releases and 11 communiqués in the last fiscal year.

Indeed, the AFN has not only continued to facilitate national dialogue on the priorities identified by Chiefs, but we have intensified our efforts on all fronts.

Given our increased activity levels and the simultaneous decrease in funding, we continue to experience financial challenges. The current fiscal environment and funding cuts to the AFN are a serious concern and challenges our capacity as an organization that seeks to advance First Nation rights and interests through advocacy, communications, research, and policy development. The AFN is responding to the challenges by continuing to improve efficiencies within the organization and strengthening our fundraising efforts. The Management team has been carefully monitoring our expenditures and worked very hard to reduce overall expenses. As much as possible, the AFN is relying on our in-house expertise and much less on external consultants. To increase our own source revenues, we are expanding fundraising activities. We also continue to build alliances and foster partnerships with organizations that have similar interests and priorities, in an effort to create a stronger voice for First Nation needs, rights, and jurisdiction.

I would like to thank the National Chief and Executive Committee, as well as the Chiefs-in-Assembly, for their commitment and leadership. I look forward to your input and direction at this year's Annual General Assembly.

Richard Jock  
Chief Executive Officer

## CHIEF OPERATING OFFICER

I am pleased to provide a report to the Chiefs-in-Assembly on my activities as Chief Operating Officer of the Assembly of First Nations (AFN).

My responsibilities at the AFN include overseeing the operational activities of the organization including finances, human resources, staff workplans and ensuring fulfillment of the organization's priorities more broadly. It has been an interesting and challenging year to be sure.

The most significant challenge facing the operations of the AFN has been the funding reductions that were imposed this year. As was noted last year, there has been a steady decline in core funding over the past five years. With this year's austerity federal budget we have seen reductions in many program budgets, most significantly in health. These fiscal pressures have made it necessary for the AFN to reduce staffing levels and find cost savings across the organization. It is anticipated that this is just the first year of reductions.



This year has also been very challenging as the AFN has hosted over 10 national events and workshops on priorities identified by the Chiefs-in-Assembly. This work has all been done by a small yet capable core group that has risen to the occasion each time.

There have also been a number of organization-wide initiatives underway to improve our administration. The first has been to develop a fundraiser position to help diversify our revenue base so that we are not at the whim of funding cutbacks. The second is to adopt organizational standards for best practices in management approaches. The third is a review of current structure and operations to ensure that we are well positioned to respond to the priorities and mandates of the Chiefs-in-Assembly.

I am pleased to note the significant strides we have made to improve our communication efforts. The increased use of social media applications such as Twitter and Facebook has increased the breadth and range of our outreach efforts. We have also undertaken a number of webinars over the year to ensure that as many people as possible have access to our work and can continue to be engaged in the dialogue.

While we have accomplished much this year, there is still much more to be done. I look forward to continuing to advance our efforts in each of these areas to ensure that we have the strongest, most well-run organization to advance and champion the priorities of all First Nations.

Mii-Gweetch!

Peter Dinsdale  
Chief Operating Officer

## STRATEGIC COMMUNICATIONS

The Communications Unit produces and distributes information designed to advance the goals and priorities of First Nation peoples and governments. The Unit works to ensure that the messages and perspectives of the AFN and First Nations are properly communicated and understood and that the National Chief, Regional Chiefs and other spokespeople are involved in and given the opportunity to speak publicly through media and other fora to communicate First Nation perspectives. As part of the ongoing efforts to maximize communications potential, the Communications Unit has implemented an active social media campaign using the AFN website, webcasts, Twitter, Facebook, YouTube, e-mail blasts and online Virtual Summits on a variety of issues and themes.

AFN Communications strategies and activities are based on clear direction and positions from First Nations in key areas such as education, economic opportunities, fiscal relationships and accountability, claims resolution, citizenship, governance, etc. as outlined in AFN resolutions and broad frameworks such as the *2012 First Nations Plan*.

### KEY ISSUES AND ACTIVITIES

#### Media and Public Relations

The Communications Unit advises, prepares and implements strategic communications policy and planning for the AFN as a whole, as well as strategies for specific initiatives and/or activities. The Unit works to develop materials and provide information to First Nations, the media and general public about the AFN, its activities and positions, as well as the National Chief's agenda and priorities.

The Communications Unit prepares press releases, media advisories and statements which are distributed nationally (in English and French) to Aboriginal and mainstream media, with regional distribution as applicable. The Communications Unit prepared and distributed more than 150 press releases/statements during the 2011-12 fiscal year. Communications also prepares media lines, backgrounders, letters to the editor and editorials on current issues.

The Unit prepares speaking notes for the National Chief and AFN spokespeople that are used at a variety of events for wide ranging audiences, including First Nation governments, groups and organizations, professional associations, national and international organizations, and federal and provincial governments. Key events during this reporting period included the AFN's National Health Forum, National Forum on First Nation Citizenship, the Crown-First Nations Gathering, AFN Justice Forum, AFN National Water Conference, the Philanthropic Foundations Canada national conference, Rideau Club, Calgary Chamber of Commerce, Canadian Club of Toronto, Truth and Reconciliation Commission regional and national events, and numerous regional assemblies and gatherings.

Communications seeks to establish the profile of First Nation peoples and issues through media. The Communications Unit is active in media outreach and media relations and has setup background briefings



and editorial boards with media, such as CBC, Canadian Press, Post Media, the *Globe and Mail*, APTN, *Toronto Star*, Sun Media and the *Ottawa Citizen*.

Over the past year, there have been several developments that have resulted in widespread national and international media coverage for the AFN and the National Chief, including the National Panel on Elementary and Secondary Education; the Crown-First Nations Gathering; the Federal Court of Canada hearings and decision on the human rights complaint filed by the AFN and First Nations Child and Family Caring Society advocating for fair and equitable services for First Nations children; resource development; and federal legislation impacting First Nations.

### **Public Awareness and Public Education**

The Communications Unit works to raise awareness and understanding of First Nation issues and the AFN's role, responsibilities and activities in this regard. The AFN understands that First Nations have different communications needs and different ways to access information. For this reason, the AFN uses a mix of traditional and new media to disseminate information as widely as possible.

The AFN issues regular updates on the National Chief's activities and work underway at the national office. National Chief's communiqués are distributed by fax to all First Nations, provincial/territorial organizations (PTOs) and tribal councils, and are also posted online in both print and video format.

The AFN website ([www.afn.ca](http://www.afn.ca)) is updated regularly to provide current information on AFN activities and priorities.

The AFN continues to expand its use of social media, including two Twitter accounts (AFN\_updates and AFN\_Comms) with more than 6,000 followers combined and the AFN Facebook page (Assembly of First Nations / Assemblée des Premières Nations), which has more than 5172 "likes". The AFN also has an e-mail subscription service (listserv) on its website through which users can sign up to receive all information publicly distributed by the AFN. There are currently more than 1,600 subscribers.

The AFN also introduced the use of mobile updates and electronic distribution of a daily newsletter during key events such as the National Health Conference and Special Chiefs Assembly.

The Communications Unit coordinates live webcasting for AFN Assemblies, which included three during the last year: the Annual General Assembly, Special Chiefs Assembly and the Crown-First Nations Gathering.

The Communications Unit also offers editing, desktop publishing and production coordination for the AFN Secretariat, as well as video recording/editing of the National Chief's messages for the AFN website, YouTube and external events.

### **Communications Strategies**

The Communications Unit develops and implements global AFN communications as well as targeted strategies for specific events, issues and initiatives. The Unit provides advice, recommendations

and communications support to the National Chief, and policy areas within the AFN Secretariat. Communications advice and recommendations are also provided to communities or Nations upon request.

During this reporting period, Communications staff contributed to various planning committees for the AFN Health, Justice and Water Forums, the Special Chiefs Assembly and the Parliamentary Relations Working Group, among others.

### **Translation**

The Communications Unit coordinates all French/English translation requirements to ensure that the Canadian public and First Nations are able to access and understand all public materials produced by the AFN in both French and English. As per AFN policy, all public documents that are distributed nationally (including those posted on the AFN website) are available in French and English. The translation requirements of the organization have continued to increase, with translation of more than 969,000 words in 2011-12.

### **NEXT STEPS - MOVING FORWARD**

- Ongoing media and public relations work involving media advisories, press releases, speeches, and interviews.
- Publication of Bulletins/Communiqués.
- Ongoing French translation of public materials.
- Ongoing editing and desktop publishing of AFN publications.
- Ongoing updates of the AFN website.
- Increased and enhanced use of new media such as Facebook, Twitter, YouTube and mobile applications.

## PARLIAMENTARY AND INTERGOVERNMENTAL RELATIONS

The Assembly of First Nations (AFN) continued work to build strong relationships with Parliamentarians, provincial and territorial governments and representatives of other countries. Along with specific focus on building and maintaining connections between First Nation leadership, Parliamentarians and senior public servants, the AFN monitors and provides strategic input and communications on legislation affecting First Nations. The AFN also seeks to link with international representatives in Ottawa to facilitate greater knowledge and awareness of First Nation contributions and the potential of economic partnerships with First Nations.

The AFN has continued to advance strategic issues of relevance to First Nations as part of the Aboriginal Affairs Working Group (AAWG) created in August 2009 by the Council of the Federation (CoF). This has included identifying areas for joint policy discussion with provincial and territorial governments that could be discussed between meetings of the CoF.

### KEY ISSUES AND ACTIVITIES

#### Legislation and Engagement in Parliamentary Processes

It has been a very busy year in monitoring and engaging in Parliamentary processes. During this 1st session of the 41st Parliament the AFN continued focus on the clear and consistent priorities First Nations have expressed through resolutions: asserting our rights and affirming our responsibilities, advancing the National Treaty strategy, education, health, and community safety and security including safe drinking water.

Since the session began in September 2011, the National Chief, AFN Regional Chiefs and secretariat staff have made over 15 committee presentations in addition to numerous written submissions in both the House of Commons and the Senate.

As in previous years, the AFN participated in the Pre-Budget consultation process, outlining priority areas for significant and sustained investments.

The Federal Budget, delivered on March 29, 2012 under the theme *Jobs, Growth and Long-term Prosperity*, contained some investments for First Nations, but did not respond to the majority of identified priorities. Further, the budget implementation omnibus Bill C-38, contained numerous provisions that will have direct and unacceptable impacts on the exercise of First Nations Treaty and inherent rights. Bill C-38 changes the intent and scope of the *Fisheries Act* in ways that risk harm to fish populations and habitat, as well as fails to fully recognize First Nations' rights to a reasonable livelihood through fishing. Bill C-38 also introduces a new *Canadian Environmental Assessment Act 2012* that reduces the level and frequency of reviews for development projects, and empowers Cabinet with the inscrutable authority to make decisions independent of the content of an assessment, or whether First Nation rights and title were considered and appropriately accommodated.

The AFN actively engaged in advocacy with First Nations and parliamentarians in efforts to ensure First Nation concerns were understood, and provided clear messages that First Nations will use every avenue available to them to stop the derogation of their rights, and harm to their resources. The AFN is currently working with First Nations, their Treaty and regionally-mandated treaty organizations on legal strategies going forward.

In addition to Bill C-38, a number of Bills introduced this session (noted below) will have significant impacts for First Nations and the AFN has been active in raising awareness on First Nation interests and considerations among MPs, Senators and the general public. Through these processes, the AFN has stood firm in its opposition to measures that impact on First Nations Treaty rights and title, and put forward the consistent position that First Nation governments need to be supported in assuming and implementing their jurisdiction in these areas.

- **Bill C-10: *Safe Streets and Communities Act***, is omnibus legislation that combines nine bills from the previous parliament and includes changes to the *Youth Criminal Justice Act* and the requirement of mandatory minimum sentences for drug offences. First Nations expressed numerous concerns about an increasing reliance on punitive jail measures, as this disproportionately impacts the already overrepresented First Nation population, and will not address underlying issues that lead to involvement with the justice system. While this Bill has passed into law on March 13, 2012, advocacy will continue on the need to prevent additional harm through its implementation, as well as to reform how First Nations are treated by the justice system writ large, including asserting and implementing First Nation jurisdiction over all justice matters.
- **Bill C-27: *First Nations Financial Transparency Act*** was introduced on November 23, 2011. This legislation is an elaboration of Private Members Bill C-575 which was introduced in the previous parliament. The Act would require First Nations to prepare and publicly disclose audited consolidated financial statements and schedules for remuneration paid to Chiefs and councillors. This information would also be provided on the Aboriginal Affairs and Northern Development Canada (AANDC) website. Failure to prepare or disclose such information could result in withholding of contribution funds or termination of an agreement.
- **Bill S-2: *Family Homes on Reserves and Matrimonial Interests or Rights Act*** has passed all stages in the Senate and was introduced in the House of Commons on December 8, 2011. First Nations will be familiar with previous versions of this bill, which have been introduced on three occasions. This legislation contains some changes – notably removal of the verification officer and office, removal of the double majority threshold for ratification, extension of the time for which an “exclusive occupancy order” can be granted, and the addition of a 12-month transition period before the Bill’s application to First Nations.
- **Bill S-6: *First Nations Elections Act*** has passed all stages in the Senate and was introduced in the House of Commons on May 4, 2012. This Bill would create opt-in legislation for First Nations to extend the election term from two to four years, create a mechanism to re-call elected officials, establish a process to initiate election challenges in court (as opposed to bringing them to the Minister of Aboriginal Affairs), and set-out offences and penalties in relation to the election of a Chief or councillor. This legislation results from initiatives of the Atlantic Policy Congress of First Nations Chiefs and the Assembly of Manitoba Chiefs to improve the system of elections conducted under the *Indian Act*.

- **Bill S-8: Safe Drinking Water for First Nations Act** was introduced in the Senate on February 29, 2012 and has completed committee review. Some changes have been made from the previous iteration of this Bill (S-11), including a commitment in the preamble for First Nation input into the development of regulations and the inclusion of a non-abrogation/derogation clause and an explicit limitation that the bill does not authorize regulations respecting the allocation of water supplies or issues of permits for the use of water for any purpose other than as drinking water. While qualified support has been expressed for these changes and the Bill in its current form by some First Nations, widespread concerns continue among others. Consensus remains that investments are required for capacity to comply and full First Nation involvement must occur in the development of associated regulations.

The AFN provides weekly e-mail updates each Friday the House of Commons is in session and these are also posted on [www.afn.ca](http://www.afn.ca).

### **Parliamentary Advocacy and Outreach**

As part of reinforcing the priorities in the Pre-budget submission and facilitating access to parliamentarians, the AFN coordinated National Advocacy Days for First Nations on September 28 & 29, 2011. On Wednesday, September 28, 2011 National Chief Atleo, members of the AFN Executive and First Nation leaders met with the NDP and Liberal National Caucuses. Both parties made commitments to support First Nation interests and the work we are advancing. On Thursday, September 29, 2011 the AFN hosted a breakfast reception with First Nation leaders and over 70 MPs and Senators. Throughout the day, eight teams of First Nation delegates met individually with MPs.

To continue advocacy and facilitate access to Parliamentarians and policy makers for Chiefs and First Nation representatives, the AFN hosted a well-attended parliamentary and embassy reception at the December 2011 Special Chiefs Assembly.

### **Council of the Federation / Aboriginal Affairs Working Group**

The Council of the Federation (CoF) is a body formed in 2003 consisting of all provincial and territorial Premiers. The CoF has invited leaders of the five National Aboriginal Organizations (NAOs) to meet with them in advance of their regular annual meeting every year since 2004. As a direct response to calls by the AFN at the CoF in 2009, the Premiers agreed to establish an Aboriginal Affairs Working Group (AAWG) consisting of provincial and territorial Aboriginal Affairs Ministers and NAO leaders to follow-up on work between annual meetings of the CoF. The AAWG typically meets once or twice per year to review work and make recommendations to the CoF. Officials from the NAOs and Provinces and Territories collaborate throughout much of the year in preparation for these meetings.

This year, National Chief Shawn A-in-chut Atleo and BC Regional Chief Jody Wilson-Raybould prepared for the CoF meeting on July 20, 2011, held in Vancouver. The focus of the meeting was on Education, Violence Against Aboriginal Women & Girls, and Economic Development, as well as Crisis & Emergency Management. The outcomes from this meeting were followed-up at a meeting of the AAWG held in Toronto on April 11, 2012. The AAWG meeting was attended by the National Chief, along with Regional Chiefs Bill Traverse, George Stanley and Jody Wilson-Raybould.

Several joint working groups had been established to lead work under these respective areas, and the products of this work were reported on at this meeting. The focus of the education working group was led by the AFN and included compiling an inventory of bi/trilateral education agreements, the development of a “self-identification” report, and engagement with the Council of Ministers of Education Canada (CMEC). The AAWG report also highlighted the development of a “framework for an First Ministers Meeting on Aboriginal education,” as well as a communications strategy for Aboriginal education. Discussions about the communications strategy have focused on the refinement of an AFN Education “Toolkit” Pilot Project. This Toolkit was the focus of a distinct presentation is expected to be implemented on a pilot basis in six Manitoba schools beginning in September 2012.

Modest joint progress has been made on the issue of economic development since the CoF in July. Led by the Métis National Council (MNC), a “best practices” website has been established for the AAWG, among other more specific activities. AFN’s advancement of the “virtual resource centre / institute” concept first raised at the AFN’s June 2011 Energy & Mining Summit was described in a distinct AFN presentation to the AAWG.

The National Chief continues to prioritize the issue of Violence Against Aboriginal Women & Girls, and sought to support the efforts of the Native Women’s Association of Canada (NWAC) as the AAWG lead in this regard. Another Women’s Summit is expected to be hosted this year, in this case by Manitoba.

This year’s CoF meeting will take place in Nova Scotia on July 25, 2012. These issues, along with efforts to re-focus on Crisis & Emergency Management – along with other possible topics – will be the subject of this meeting over the summer.

### **NEXT STEPS - MOVING FORWARD**

- Continue facilitating access to Parliamentarians and key decision-makers.
- Focused advocacy days throughout the year.
- Continue providing timely information to First Nations on the activities of Parliament, including legislation and committee business.
- Continue to monitor key legislative initiatives, provide information to First Nations and advocate on their behalf to Members of Parliament and Senators.
- Further updates on progress arising from the CoF / AAWG process.

## INTERNATIONAL ADVOCACY AND ACTIVITY

The Chiefs-in-Assembly have directed Assembly of First Nations (AFN) engagement in international activities and mechanisms to advance First Nations rights. Therefore, the AFN is required to have an international dimension to its advocacy and activities. The AFN advances the rights and interests of First Nations internationally by: strategically participating in key international fora and events; forging relationships and partnerships with other Indigenous peoples and their organizations and human rights non-governmental organizations (NGOs); facilitating international political, economic, cultural, and social relationships between First Nations and foreign States; and, seeking to establish working relationships with Canada towards informing their foreign and international policy approaches and objectives on matters of shared interest

### Strategic Objectives

#### *1. Promote First Nations Rights and Interests in International Standard Setting*

- Assert the “inherent and treaty affirmed” nature of First Nation rights at the international level to ensure that the many initiatives underway geared to new international standards being developed or law being updated on a variety of matters are informed by First Nation perspectives and realities in Canada.
- Assert the incorporation and implementation of the United Nations Declaration on the Rights of Indigenous Peoples in domestic and international standard setting activities.
- Assert the key connection between First Nations rights and interests to their relationship to the land so that all related issues including resources, water, forestry, environment, and governance are captured to enable and enhance advocacy interests and requirements.

#### *2. Relationships and Partnerships with Indigenous Peoples and Human Rights NGOs*

- Establishing alliances and promoting consensus approaches to enhance and strengthen First Nations rights and positions through outreach efforts.
- Accessing networking, communications and capacities that First Nations need to enhance success in their advocacy.
- Educating and creating awareness among targeted audiences and the general population.
- Share and transfer knowledge, expertise and experiences with other Indigenous peoples globally and their organizations to help their capacity development.

#### *3. Facilitating First Nations and Foreign State Relations*

- Actively promote and facilitate direct relationships on the basis of mutual sovereignty.
- Educate foreign governments and their peoples about First Nation peoples.
- Actively promote trade and commercial relationships to enable economic develop in First Nation communities.
- Actively promote and facilitate cultural and social relationships between First Nations and foreign states to enable capacity development in First Nation communities on matters of known expertise of a foreign State.

#### *4. Engaging with Canada*

- Achieve disclosure on Canada's interests, intentions and activities regarding international matters.
- Secure resources to undertake research, engagement with First Nations constituency and development of advocacy positions.
- Influence Canada's contributions to discussion and their negotiating positions.
- Secure resources for participation in the international events, including on-delegation opportunities to maximize effectiveness and monitor Canada's activities and statements.

### **KEY ISSUES AND ACTIVITIES**

The AFN and National Chief have been actively advocating the implementation of the Declaration in communications with the federal government and other governments, with the private sector and with Canadians in general. More specifically, the advocacy regarding the implementation of the Declaration is captured in policy discussions with federal officials and in appearances on Parliament Hill regarding various legislative and policy studies.

#### **AFN/NCAI Summit on Energy & Mining**

The first International Indigenous Summit on Energy & Mining (IISEM) was held at Niagara Falls, Ontario from June 27-29, 2011. This event was an outstanding collaboration between the AFN and the National Congress of American Indians (NCAI). More than 800 delegates from Indigenous nations, industry, diplomatic missions, and governments met and worked together.

The AFN and the NCAI were inspired to organize the Summit by the growing involvement of Indigenous peoples globally in the mining and renewable energy sectors, common concerns and perspectives respecting environmental stewardship and our rights to benefit from the development of our resources. Indigenous peoples' involvement in the mining and energy sectors takes many forms – as nations with governments possessing inherent powers to regulate and make decisions about development in our territories and as investors, entrepreneurs, employees, consumers, and most importantly as environmental stewards with special relationships and responsibilities to care for our lands.

The Summit focused on several core questions: In what ways can Indigenous peoples benefit from mining and energy development in their territories without sacrificing our most precious capital – the life-giving and life sustaining qualities of Mother Earth? What strategies can be used to maximize benefit to Indigenous peoples when development is sustainable from an Indigenous perspective? And what strategies can be used to enforce our right to say 'no' when it is not?

The Summit also focused on best practices and lessons learned in partnerships between industry and Indigenous peoples and examined future directions in education, training and communication to meet the needs of Indigenous peoples and to support our role in managing and regulating resource development in our traditional territories. The Summit discussed the role of all governments to ensure sustainable and responsible resource development; a responsibility which includes respect of the fundamental human rights of Indigenous peoples, including our right to determine the development of our lands and resources.



Based on the dialogue at this event, the AFN and NCAI will work together to foster Indigenous participation in energy and mineral development on Indigenous lands that works for us, our nations, the environment, and our economies. As such, the AFN and the NCAI will collaborate on initiatives that include working toward an advisory group on the energy/mining sector, participate in promoting awareness, and/or exploring the creation of a virtual resources centre on energy and mining.

In addition, as a result of having both Chinese and German diplomats involved in IISEM, the AFN has since participated in a Trade Mission to China in October 2011 and met with economic development and trade officials from the German embassy.

### **First Nation Trade Mission to China**

The First Nation Trade Mission to China was held on October 21 to 31, 2011. The Peoples Republic of China, in collaboration with their Embassy in Ottawa, recommended the Chinese Peoples Association for Friendship with Foreign Countries (CPAFFC) as their host organization. The host organization assisted in coordinating meetings with China's government officials and offered other host functions.

CPAFFC communicated that it holds much value for the AFN delegation mission, and would like to help AFN to establish links with relevant governmental divisions, organizations and enterprises. The two organizations were seen as potentially serving as bridges. It was suggested that through this first mission, the two organizations can enhance mutual understanding, begin discussions for a preliminary cooperation agreement, aim to carry out further exchanges and visits and work on a joint youth exchange programme.

A totem pole was presented at a ceremony in Ottawa in June 2010 by Grand Chief John to the peoples of Beichuan, on behalf of First Nations in Canada. During the First Nation Trade Mission, the totem pole was unveiled at the entrance way of a newly-constructed museum in Beichuan. The National Chief and leaders participating in the trade mission joined the ceremony to unveil of the totem pole. As an outcome, friendship and kinship with the Qiang peoples, who are Indigenous to the region, was demonstrated through this event.

A meeting with Ministry of Foreign Affairs and Commerce (MOFCOM) government officials helped set the tone for further meetings throughout the trade mission. Officials stated their support and interest in building positive and respectful relationships with First Nations. MOFCOM noted they would work with First Nations and provide information on Chinese companies that are investing in Canada. The concept for a symposium on investments and working together among First Nations and Chinese private companies and state-owned enterprises was suggested by MOFCOM.

The delegation met with Chairman Lo Jiwei and officials with the China Investment Corporation (CIC). The chairman stated that First Nation issues are in the top three priorities when investing in Canada. Chairman Lo remarked on the importance CIC puts on social benefits and their interest in First Nations playing a key role in facilitating investments and working together on how major projects will benefit First Nations.

The delegation met with Mr. Mei Ping, Chair of the China National Committee for Pacific Economic Cooperation. Mr. Mei Ping stated a continued interest in partnerships with Canada due to the stable supply of energy. Mr. Mei Ping offered to further explore an internship to further relationship building.

The First Nation Grain Management Ltd. (FNGM) opened their grain trade and supply office in the city of Dalian. Dalian has the largest shipping port in Asia and possibly the world. The grand opening ceremony, port visit and meetings with FNGM composed 1.5 days of the trade mission. The National Chief was invited by Victor Buffalo, FNGM Chairman, to deliver remarks and participate.

Other highlights of the trade mission included:

- Zhongchuan Mining Group offered office space in Beijing for the First Nations China desk (related to the BC First Nations' China Strategy)
- Southwest University academic conference was held. The day-long conference was an exchange of information on education and ethnicity in China, and First Nations and Aboriginal people in Canada.
- Met with Mr. Li Zhe, Chairman of LVC Holdings. His interest lies in real estate development and he has particular interest in real estate opportunities in British Columbia.
- Met with Beidahuang Group/Hanfeng Evergreen, one of China's largest companies which also holds 10 million acres of land. They focus on forestry holdings, barley, wheat, and other agriculture related trade.

### **CERD Workshop and Follow-up Activity**

The AFN together with other partners co-hosted a workshop in December 2011 on using the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) and the CERD Review of Canada (Feb. 2012) to defend and advance the rights of Indigenous Peoples. National Chief Atleo expressed his support and encouragement for all efforts to ensure that First Nations peoples know what their rights are in all contexts including in international human rights law and his continued commitment for the AFN to assert and defend those rights in international fora and processes.

The AFN prepared and delivered a submission to the United Nations Committee on the Elimination of Racial Discrimination (CERD) at their 80th Session held February 13 - March 9, 2012 at the United Nations in Geneva. The Submission was a response to Canada's 19th and 20th Periodic Reports. The submission pointed out that First Nations peoples live with discrimination every day in one form or another, not the least of which is the archaic and discriminatory legal framework called the *Indian Act*. The Submission included information and recommendations regarding the high levels of murdered and missing Indigenous women and girls in Canada, the greater incarceration of First Nations people in the Canadian corrections system which will only increase from recent legislation changes in Bill C-10 (Safe Streets and Communities Act), the lack of capacity and resources for First Nation communities and governments to handle the application of the *Canadian Human Rights Act*, the lack of governmental resources for safeguarding and ensuring the survival of our languages, and so on.

AFN facilitated meetings of CERD Vice-Chair Nourredine Amir on June 8, 2012 with Canadian Indigenous Rights and Human Rights organizations and Members of Parliament.

### **Indigenous Leaders Summit of the Americas (ILSA)**

The ILSA was held in Cartagena, Colombia, April 11-12, 2012, in conjunction with the Organization of American States (OAS) Summit which is a gathering of leaders of the countries of the Americas and the Caribbean every four years.

The ILSA brings together leaders, youth, women, and elders from the Indigenous Peoples in the different regions of the Americas (North, Central, South, and the Caribbean). The AFN has been involved in the planning and realization of the first three ILSAs (Canada 2001, Argentina 2005, and Panama 2009).

The goal of the ILSA is to provide an international forum for deliberation and articulation of Indigenous perspectives on a range of themes, providing a venue for a constructive and productive liaison between Indigenous Peoples and the OAS.

Yukon Regional Chief Eric Morris, head of the AFN delegation, presented at the plenary on the importance of developing and implementing action plans to address the recommendations from the three previous ILSAs. Regional Chief Morris conveyed the message that the AFN was present to support other Indigenous Peoples in the Americas, participate in the discussions and work to develop action plans to act on previous recommendations.

The Summit Declaration addressed the following issues: economic development; climate change; the work on the drafting of American Declaration of the Rights of Indigenous Peoples; the right to self-determination and the recognition of Indigenous Peoples' governments; and human rights and the Inter-American human rights system.

### **Organization of American States Draft Declaration on the Rights of Indigenous Peoples**

Indigenous leaders and state representatives gathered in Washington, D.C. on April 17-18, 2012 for the 14th round of negotiations on the draft American Declaration on the Rights of Indigenous Peoples. The American Declaration is being developed by member states of the Organization of American States (OAS) from North, Central, and South America. While Indigenous peoples do not vote on the final text, they play an active role in the drafting of the proposed Declaration by contributing proposals and participating in the discussions with the States.

This declaration differs from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as the UNDRIP is a United Nations human rights instrument that serves as the basic minimum standard for the rights of Indigenous peoples throughout the globe. The proposed American Declaration is specific to the rights of Indigenous peoples in the Western Hemisphere and it would serve as a tool for recognition of those rights by the 35 member states of the OAS. Additionally, the American Declaration offers the possibility of clarifying and building upon the recognition of Indigenous human rights found within the UNDRIP.

There is a special need for a declaration on the rights of Indigenous peoples in the Americas because Indigenous peoples have a unique presence here. Indigenous peoples make up roughly 10 percent of the population in Mexico, Central, and South America, and in several countries Indigenous peoples are the

majority. Yet violations of the rights of Indigenous peoples remain widespread in the Americas. Secondly, an American Declaration would be enforceable within the Americas through its application by the Inter-American Commission on Human Rights (Commission) and the Inter-American Court of Human Rights (Court). These mechanisms of the OAS allow Indigenous peoples and anyone else in the Americas to bring a case against their state government if their rights are being violated. If an American Declaration existed, Indigenous peoples denied justice within their domestic courts could use the American Declaration to seek redress at the Commission or the Court. In this sense, the American Declaration would provide a stronger legal tool for Indigenous peoples within the Americas than the UNDRIP currently provides.

Though some consensus was arrived at regarding articles on Indigenous spirituality, rights to lands, territories and resources, cultural heritage and intellectual property, and Treaty rights, much of the negotiating text remains in brackets – representing lack of consensus. A primary concern of Indigenous peoples is the fact that since 2005, both the United States and Canada withdrew from active participation in the negotiations and continue to maintain this position.

Indigenous peoples also reiterated the need to complete negotiations and come to a consensus on a draft Declaration that could then be presented to the General Assembly of the OAS for adoption. Some Indigenous representatives have put forth a target completion date of prior to the UN World Conference on Indigenous Peoples in 2014.

### **11th Session of the United Nations Permanent Forum on Indigenous Issues**

The Permanent Forum was established by United Nations Economic and Social Council (ECOSOC) resolution 22/2000 on July 28, 2000. In this resolution, the UNPFII was given a mandate to “discuss Indigenous issues within the mandate of the Council relating to economic and social development, culture, the environment, education, health and human rights”. To substantiate this work, the Permanent Forum was called upon to provide expert advice and recommendations on Indigenous issues to the UN system through ECOSOC; raise awareness and promote the integration and coordination of relevant activities within the UN system; and prepare and disseminate information on Indigenous issues.

Furthermore, Article 42 of the UNDRIP states:

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of the Declaration and follow up the effectiveness of this Declaration.

The annual sessions offer an opportunity for the AFN to share information with the UN and other NGOs on First Nations issues and to continue to raise awareness about Canada’s laws, policies and activities on priority issues affecting First Nations. In addition, these sessions provide an opportunity for the AFN to advance recommendations in dealing with the issues examined and debated especially in the context of implementation of the UNDRIP.

The 11th session was held in New York from May 7-18, 2012. The special theme for the 11th Session was the Doctrine of Discovery.

National Chief Atleo attended and presented a Statement regarding item 3, “Discussion on the Doctrine of Discovery” and the “Study on national constitutions and the UNDRIP with a view to assessing the nature and extent of the inclusion of Indigenous peoples human rights in national constitutions, with reference to the rights affirmed in the Declaration”.

The AFN also participated in discussion related to the “Report on the expert group meeting: combating violence against Indigenous women and girls, article 22 United Nations Declaration on the Rights of Indigenous Peoples”. A Joint Submission, together the Native Women’s Association of Canada and supportive Indigenous governments, organizations and human rights NGOs, was presented to the Permanent Forum.

### **NEXT STEPS - MOVING FORWARD**

- Continued advocacy regarding the implementation of the standards set out in the UNDRIP within the laws and policies of Canada regarding Treaties, comprehensive claims, self-government, and the full range of issues affecting First Nation and Canada relations.
- Continued advocacy efforts in the international fora and through international relationship building.

## **SUPPORTING FIRST NATION FAMILIES:**

The rebuilding of our families and communities will promote education for our learners and participation in strong and sustainable economies locally and nationally. This is our time to empower our fast-growing youth population in ways that will ensure a future of opportunity, success and prosperity and promote the knowledge of First Nations languages, history, teachings and values.

## EDUCATION

As outlined in AFN Resolution 18/2011, First Nation leadership across Canada have confirmed the priority of First Nations education and are dedicated to ensuring that every First Nations child will be supported to succeed through culturally and linguistically appropriate education. In advancing this priority, First Nations have set out a broad policy of First Nations control of First Nations education, reflecting Aboriginal and Treaty rights, responsibilities and an Indigenous world view of lifelong learning.

Reconciling state laws, programs and policies with Indigenous rights to education may include activities and focus in the following areas: access to education and services by First Nation students; roles and responsibilities; comparability issues; funding; governance; privacy; accountability of all parties; parental engagement; languages; culture; and Indigenous histories, framed within the principles of the United Nations Declaration on the Rights of Indigenous Peoples, the principles of Ownership, Control, Access and Possession (OCAP), the Convention on the Rights of the Child, reconciliation and restitution.

### KEY ISSUES AND ACTIVITIES

#### First Nations Education Reform

Following the work of the National Panel on First Nations Elementary and Secondary Education, a series of reports were published that highlighted recommendations for First Nations Education Reform:

- *The Report on Priority Actions in View of Improving First Nations Education* (First Nation Education Council, Federation of Saskatchewan Indian Nations, Nishnawbe Aski Nation, Dec. 2011)
- *Reforming First Nations Education: From Crisis to Hope* (Senate Committee, Dec. 2011)
- *Opening the Doors: Reducing Barriers to Post Secondary Education in Canada* (Senate Committee, Dec. 2011)
- *Our Children, Our Future, Our Vision – First Nation Jurisdiction Over First Nations Education in Ontario* (Chiefs of Ontario, Feb. 2012)
- *Challenges and Needs in Kikinahamaagewin (Education)* (Nishnawbe Aski Nation, Feb. 2012)
- *Nurturing the Learning Spirit of First Nations Students* (National Panel Report, Feb. 2012)

Building on the outcomes statement from the Crown-First Nations Gathering and the cumulative report recommendations, the following key elements were advanced as the basis for long-term meaningful transformation of First Nations education:

- **Educational Governance** – Development of the mechanisms required to implement First Nations control of First Nations education, ensure predictable and equitable funding, and clarify roles and responsibilities of the Crown.
- **Immediate Measures** – Support of immediate measures for all First Nations education programs, prior to full education reform, that are needed to ensure that every First Nation learner has access to education programs and services comparable to those offered by Canada's provincial and territorial education systems.
- **First Nations Learning Systems** – Implementation of First Nations education systems across the full spectrum of lifelong learning.

- **Partnerships** – Work with organizations, the public and private sector to invest in our schools and our learners and to develop standards of cultural competency for all educators.
- **Education Infrastructure** – Ensure that all First Nation learners, regardless of residency, have access to healthy and safe education institutions.

### **First Nation Language Recognition and Revitalization**

To raise the profile of actions taken by the AFN to advance First Nation Language recognition and revitalization, the AFN submitted its pertinent documents and reports to the UN Expert Mechanism on the Study of Indigenous Languages in March 2012.

### **Early Childhood Education**

The focus in early childhood education has been to establish connections and create partnerships to gain knowledge for action to support regional and national issues. A national network has been created to encourage the exchange of information.

### **Post-Secondary Education**

The National Chief hosted three on-line post-secondary dialogues with secondary and post-secondary students to encourage an exchange of information regarding issues, needs and perspectives of post-secondary education. A research report entitled, *Supporting First Nations Transitioning to Post-Secondary*, was published. The Education Sector continues to build and maintain relations with post-secondary partners (institutions, researchers, government) to advocate for First Nations.

### **Special Education**

Based on the AFN Special Education Policy from 2000, a paper was drafted on the First Nations Regional Managing Organization (FNRMO) structure for delivery of the Special Education Program (SEP) in First Nation schools, providing recommendations on aggregation strategies and policies through the establishment of more FNRMOs for both core and targeted programs. Recommendations call for increased investments in the SEP program to strengthen capacity and aggregation and to provide comparable levels of inclusive and appropriate educational programming for all children and youth in our communities. Long-term recommendations call for a full national review of the overall Special Education Program driven by First Nations in partnership with Aboriginal Affairs and Northern Development Canada, educational leaders and inclusive education advocates.

## **NEXT STEPS - MOVING FORWARD**

AFN Education will coordinate the development of a plan to reform First Nations education. A working group, comprised of members from the AFN National Indian Education Council (NIEC) and supported by the Chiefs Committee on Education (CCOE), is being established to explore and advise on options for adequate, sustainable, long-term and predictable funding of First Nations education. Options will include the establishment of a national funding formula(e) that respects and supports diversity among and within the regions (including all cost drivers within regions), and may also explore amendments to current policy/ regulations to improve lifelong learning outcomes for First Nation learners.



The key principles of the working group will be to support:

- the Treaty right to education and First Nations Control of First Nations Education;
- equitable and sustainable funding for First Nations education within a lifelong learning context;
- quality of education based on First Nations driven education systems;
- change reflective of regional diversities;
- First Nations driven timelines and priorities; and,
- First Nations Language recognition and revitalization.

Areas to be addressed by the Working Group include:

- Establishment of a national funding formula(e) that respects and supports diversity among and within the regions (including all cost drivers within regions).
- Analysis of national and regional reports and identification of commonalities amongst the regions on key education issues.
- Development of a communications strategy to support regional processes and facilitate the working group's mandate.
- Development of a work plan and engagement strategy that ensures regional input into a revised national funding formula(e) and model that can be supported by amended legislation.
- Ratification of the working group outcomes by the CCOE and AFN Chiefs-in-Assembly.

AFN Education is enhancing and refining the “It’s Our Time” First Nations Education Toolkit. This Toolkit will be available to both First Nations and non-First Nations educators as a practical teaching tool for creating greater foundational awareness and understanding of First Nation history and culture by all citizens of Canada. It will include both national and regional components to reflect the diversity of First Nations throughout the country.

## HEALTH AND SOCIAL DEVELOPMENT

The Health and Social Secretariat (HSS) report is organized and aligned under themes within our new structure: Strategic Policy, Public Health, Mental Wellness, Children and Youth, Information Management, Primary Care, and Social Development. Health strategies and direction are developed in partnership with the National First Nations Health Technicians Network (NFNHTN) and the Chiefs Committee on Health (CCOH).

### 1. STRATEGIC POLICY

The Strategic Policy unit of HSS monitors the high-level work conducted across regions and levels of government with regard to health and social development. Broadly, it works on task groups that coordinate program and policy development seeking to secure healthier, stronger First Nation communities.

Key areas of work led by the Strategic Policy unit include: the Health Canada - Public Health Agency of Canada - Assembly of First Nations (HC-PHAC-AFN) Task Group, the Aboriginal Health Human Resources Initiative (AHHRI), the Health Accord, the First Nations Health Managers Association (FNHMA), and the Canadian Association of Schools of Nursing (CASN). Research and advocacy is conducted by the Strategic Policy unit on renewal of the Health Accord and the First Nations Health Plan.

#### A. NATIONAL HEALTH FORUM

##### KEY ISSUES AND ACTIVITIES

At the 2011 Annual General Assembly (AGA), Resolution 04/2011 was passed calling for the AFN to make health a priority. On November 7-9, 2011, the AFN hosted a National Health Forum in Ottawa. Over 780 representatives, including over 300 sponsored health directors and designates from every region in Canada came together to share new and innovative First Nation-driven approaches to health and wellness. The overall theme of the forum, *Taking Action to Move Forward*, provided the framework for discussions and presentations on five key issues within national health policy: sustainability, governance, jurisdiction, research, and knowledge translation. The First Nations Health Plan was presented within a dialogue session and contextually set the stage for the Forum and discussions during the week.

A variety of workshops, regional showcases, short courses, and an AFN Knowledge Circle were provided at the National Health Forum. Workshops took place on numerous topics, including Mental Wellness, Jordan's Principle, eHealth, Non-Insured Health Benefits (NIHB), and Primary and Continuing Care. In addition, workshop slots were also provided to the regions to enable them to showcase model programs or best practices. Seven regions took the opportunity and showcased such programs/initiatives as Maternal Child Health, AHHRI, a First Nations Amalgamated Mental Health Service Delivery Model, First Nations Health and Well-being Memorandum of Understanding, the Model of Organization Based on a Multidisciplinary Approach, and Noojmowin Teg Health Centre. Eight short courses were also offered, providing a more in-depth look at such topics as Understanding How Government Works, Introduction to Basic Statistical

Techniques and how to Interpret Statistical Results, Developing Community Health Plans, and Public Health 101. The AFN Knowledge Circle was a pavilion within the tradeshow that showcased the AFN's work in the area of health and the social determinants of health. A special *Health Bulletin* was released at the Special Chiefs Assembly (SCA) in December 2011, which provided an overview of the National Health Forum.

### **NEXT STEPS - MOVING FORWARD**

- A final report on the National Health Forum is being prepared and is set to be released at the end of summer 2012.
- Posting of the workshop presentations on the AFN website will be completed by the end of summer 2012.

## **B. HEALTH CANADA - PUBLIC HEALTH AGENCY OF CANADA - ASSEMBLY OF FIRST NATIONS TASK GROUP (HC-PHAC-AFN TASK GROUP)**

The Task Group coordinates the highest level of work on health and has the potential for immense influence and change for program and funding sustainability, program coherence and innovation. Phase One was completed and an agreement was signed on January 13, 2009, between the National Chief and the Minister of Health initiating work under Phase Two (2009-2011). In November 2011, a joint letter was signed by the National Chief and the Minister of Health renewing the HC-PHAC-AFN Task Group on First Nations Health from 2011-2012.

### **KEY ISSUES AND ACTIVITIES**

The AFN's portion of the workplan involves the development of an analysis of the social determinants of health from a community development perspective which is on track for completion, having composed the most significant part of the Strategic Policy unit's Task Group work since January 2012.

### **NEXT STEPS - MOVING FORWARD**

- By fall 2012, a final report which reviews and analyses the key activities and conditions that led to the initiation of tripartite discussions in British Columbia to inform work in other jurisdictions is scheduled to be published and circulated to Provincial/Territorial Organizations (PTOs). In addition, the AFN will develop a community level tool kit that highlights lessons learned and success stories on strengthening work with Federal/Provincial/Territorial health partners by the fall of 2012.
- Continue work with the HC-PHAC-AFN Task Group and advocate for a third phase of joint work.

## **C. ABORIGINAL HEALTH HUMAN RESOURCES INITIATIVE (AHHRI)**

The AHHRI has been renewed for an additional three years from 2010-2015 at \$80 million. The renewed AHHRI is focused on a number of issues including increasing the number of trained and certified First Nation health managers and community-based workers. In the first two years of the renewed AHHRI, the AFN advocated and secured continued funding for established cultural competency projects.

## KEY ISSUES AND ACTIVITIES

The AFN continues its advocacy efforts to obtain funding for new cultural competency projects as they remain unfunded under the AHHRI guidelines for years 2013-2015. The First Nations and Inuit Health Branch (FNIHB) has also mandated AHHRI to fund the startup of the First Nations Health Managers Association (FNHMA) from 2010-2012.

The AFN's involvement with AHHRI also saw the Strategic Policy unit's participation in, and presentation at, the AHHRI National Knowledge Translation Mawitaql Kijitaqnn Forum from January 31 to February 1, 2012, in Moncton, New Brunswick. The event focused on knowledge translation and lessons learned from past AHHRI projects.

## NEXT STEPS - MOVING FORWARD

- Continue to advocate for funding of new cultural competency projects under the AHHRI mandate.
- Continue to work collaboratively with regional First Nation partners and participate in the creation and exchange of knowledge dissemination strategies.

## D. HEALTH ACCORD

In December 2011, Finance Minister Jim Flaherty announced a new model for the Canada Health Transfer (CHT) to replace the one negotiated in the 2004 Health Accord. While public support for Health Accord renewal is high, it is worth noting that there is no legal obligation for the federal government to renew the Accord. In the absence of a federal policy table, the provinces have formed an Innovation Working Group. The working group's central task is to provide a forum to share best practices aimed at improving efficiencies in each province. Significantly, there has been no indication that there are plans to include First Nation content, representatives or experts in the working group discussions. The working group will meet a minimum of two times and deliver a progress report at the July 2012 Council of the Federation meeting in Halifax.

## KEY ISSUES AND ACTIVITIES

In March 2012, the Standing Senate Committee on Social Affairs, Science and Technology issued its review of the 2004 Health Accord, entitled *Time for Transformative Change*. Among its recommendations was a call for a federally-led table tasked with setting measurable indicators and benchmarks for success. The committee's findings may serve as a useful tool to bolster the AFN's advocacy efforts for Health Accord renewal.

The HSS has recently developed a review and analysis of the 2004 Health Accord and the recent CHT announcement, as well as developed suggested messaging moving forward, which is publicly available.

## NEXT STEPS - MOVING FORWARD

- Advocate for 2014 Health Accord renewal and demand the inclusion of First Nations people and perspectives in meaningful ways, including the participation of the AFN in the Health Care Innovation

Work Group, as its report is scheduled to be delivered at the Council of the Federation meeting in July 2012.

## **E. FIRST NATIONS HEALTH MANAGERS ASSOCIATION (FNHMA)**

AFN Resolutions 58/2008 and 46/2009 support collaboration to address First Nations health human resource shortages and support the development of the FNHMA and approve the First Nations Health Managers Competency Framework.

### **KEY ISSUES AND ACTIVITIES**

The draft Statement of Partnership between the AFN and FNHMA is currently on hold until the FNHMA addresses the parameters set out in Resolution 46/2009. While some issues have been addressed, many remain outstanding such as by-laws and governance. The AFN continues to advocate for the outstanding concerns in Resolution 46/2009. The FNHMA has changed the name of our designation from Certified Aboriginal Health Manager to Certified First Nations Health Manager and their courses have changed from Aboriginal Health Management to First Nations Health Management.

### **NEXT STEPS - MOVING FORWARD**

- The AFN continues to collaborate with the FNHMA to ensure the by-laws and governance issues raised in Resolution 46/2009 are addressed.

## **F. THE CANADIAN ASSOCIATION OF SCHOOLS OF NURSING (CASN)**

### **KEY ISSUES AND ACTIVITIES**

On March 19-20, 2012, the CASN held a symposium in Toronto with stakeholders that included First Nation, Inuit and Métis (FN/I/M) nursing educators and students to discuss concepts of cultural competence and cultural safety. The prime focus of the dialogue was to look at ways to incorporate these concepts into current nursing curricula. The cultural competence and cultural safety concepts discussed were based on previous work funded by AHHRI and developed in collaboration by the Aboriginal Nurses Association of Canada (A.N.A.C.), CASN and the Canadian Nurses Association (CNA).

### **NEXT STEPS - MOVING FORWARD**

- Continue to collaborate with the CASN Advisory Group on the outcomes report.
- Integrate the outcomes of the CASN symposium with other AFN health and education-related work, and strengthen cultural competency curricula in other areas of health education.

## 2. PUBLIC HEALTH

First Nations people suffer a disproportionately higher rate of morbidity across many diseases and mortality compared with the rest of Canadians. This disparity is a reflection of systemic, societal and individual factors that influence the health of our people. These influences are considered the broader determinants of health.

Public health focuses on the social, environmental and economic factors affecting health, as well as the communities and settings where people gather and live. Programs and services are designed to promote and protect health, and prevent injury and disease.

To improve the health of our people, we must begin to look past the mainstream interventions – recognizing that there may be validity to some approaches – and begin to look at First Nation specific approaches. Approaches must reflect and respect First Nation autonomy, values and practices.

### KEY ISSUES AND ACTIVITIES

#### Public Health Pilot Programs

The Community Public Health Pilot Programs in Four Arrows Regional Health Authority, File Hills Qu'Appelle and Kenora Treaty 3 have reached the end of their five years of funding. The year 4 evaluation has been completed and work is in progress to conduct and finalize the year 5 summative evaluation. These initiatives recognize the need for increased capacity at the regional level, a more inclusive governance structure in the management of public health services, enhanced disease surveillance, integrated public health programming with the provinces, and an agreed upon legislative basis on which to protect the health of individuals and their community.

#### AFN National Experts Committee on Public Health (NECPH)

The AFN NECPH held its first meeting November 30 - December 1, 2011. Membership on the panel consists of one representative per AFN region, one AFN staff and First Nations national experts in public health (currently 6), all of whom have been identified in a collaborative effort from the NFNHTN. The AFN NECPH will identify public health priorities, guide its actions and provide expertise and recommendations to address public health issues for First Nations.

#### Public Health Partnerships

The AFN continues to establish relationships and collaborate with federal government departments and national organizations such as the National Collaborating Centre for Aboriginal Health, Canadian Lung Association, and the Canadian Asthma Society among others, to ensure the ongoing inclusion of First Nations in the development of new strategies to improve the health of First Nations.

### NEXT STEPS - MOVING FORWARD

- Completion of the Community Public Health Pilot Programs year 5 evaluation.
- Assist FNIHB and PHAC with the development of tools, policies and strategies relevant to First Nations.
- Continuation of the AFN NECPH.
- Completion of the review and update of the AFN Public Health Framework.

## A. CANCER

The incidence of cancer is rising faster in First Nation communities than in the general Canadian population and is among the leading causes of death in some First Nation communities. While cancer was relatively rare in the past among First Nations, common cancers such as breast, prostate, lung, and colorectal have increased remarkably over the last several decades.

With the rapidly growing First Nations population, cancer will soon become a public health issue for First Nations and for Canada. There is a potential for cancer to surpass diabetes as the number one killer of First Nations peoples.

The AFN will continue to monitor the cancer care continuum (risk factors/prevention, screening, diagnosis, treatment, recovery, end of life/palliative care) to keep apprised of how First Nations might be affected. Efforts and limited resources this fiscal year will be focused on screening, liaison, raising awareness, working with partners to ensure access to the most current information, influencing decision makers, and advocating for the health of First Nations.

### KEY ISSUES AND ACTIVITIES

#### **Canadian Partnership Against Cancer (CPAC)**

The AFN has engaged with CPAC since 2007 and is currently negotiating expansion of funding from CPAC until the 2016/17 fiscal year. The main objective is to raise awareness of cancer as an emerging crisis for First Nations. Activities include policy development and analysis, as well as capacity building and development of communication components that will support the objective of raising awareness with leadership, all levels of government, professional organizations, and First Nation communities. The AFN also participates on CPAC's Advisory Council for the FN/I/M website portal page, Cancerview.ca website. Cancerview.ca connects Canadians to online services, information and resources for cancer control. The FN/I/M portal will have a collection of FN/I/M specific resources for each of the groups.

#### **First Nations/Inuit/Métis (FN/I/M) Advisory Council on Cancer Control**

The AFN participates with CPAC and Inuit Tapiriit Kanatami (ITK) providing support to the FN/I/M Advisory Council on Cancer Control. The Council facilitated the development of the *First Nations, Inuit and Métis Action Plan on Cancer Control*. Implementation of the Action Plan has included a Request for Proposal (RFP) process that was promoted through FN/I/M and cancer control channels. Over the first year (2011/12), the focus has been on better understanding the realities of First Nations with respect to cancer control and identifying leading practices that can be further leveraged. This included a Knowledge Exchange Forum and work to develop an evaluation framework for the Action Plan.

#### **Canadian Cancer Action Network (CCAN)**

The AFN is represented on the CCAN board by a First Nations cancer survivor. CCAN's priorities include playing a critical role in ensuring constructive and positive dialogue and development at both a provincial and national level. CCAN focuses on issues relevant to patient issues and ensuring patient voice by empowering and encouraging the cancer patient voice to be heard resulting in positive and quantifiable change. CCAN also works to establish strong, active and recognized presence in each province and territory,

cultivate and pursue opportunities for effective dialogue and interaction with stakeholders through education and awareness, and establishing and implementing a strong and sustainable governance model.

### **NEXT STEPS - MOVING FORWARD**

- Continue to raise the profile of cancer as an emerging crisis for First Nations with political leadership, CCOH, NFNHTN, and First Nation communities.
- Continue to identify key issues to explore options for policy change and other measures in cancer control and service delivery across jurisdictions.
- Continue to participate in the implementation of the FN/I/M Action Plan and development of an evaluation framework.
- Continue to strengthen partnerships that explore the development of a cancer strategy that promote a First Nations approach.
- Explore the linkages across the broad range of cancer and the environment, sexual and nutritional health.

## **B. TUBERCULOSIS (TB)**

TB is not just a public health issue; it is a social justice issue and a true marker of poverty. First Nations currently have rates of TB that are 31 times that of non-Aboriginal Canadians. Overcrowded housing, poor access to health care and food insecurity contribute greatly to this national disgrace.

### **KEY ISSUES AND ACTIVITIES**

FNIHB released its National TB Strategy in March 2012, which is expected to be implemented this year and aims to address the burdens of TB in many First Nation communities. The AFN continues to participate in the Prairie Wide Provincial Network Committee and the University of Alberta “The Determinants of Tuberculosis Transmission project”.

The International Union Against Tuberculosis and Lung Disease held its 42nd Union World Conference on Lung Health, in Lille, France, October 26-30, 2011. The forum provided the opportunity to showcase and create awareness on the health disparities that afflict First Nations. It also provided an opportunity to network with experts and organizations that can support our efforts in improving First Nations health.

### **NEXT STEPS - MOVING FORWARD**

- Implementation of the FNIHB 2012 National TB Strategy in most regions.
- Ongoing participation in the STOP TB initiative, raising awareness of TB issues in First Nation communities.
- Distribution of the Teaching TB Resource Guide.



## C. LUNG HEALTH

Respiratory ailments are more prevalent in First Nation communities. The AFN is working through partnerships to improve programs and policies into bettering promotion, education, access, and reduce incidence.

### KEY ISSUES AND ACTIVITIES

The First Nations Regional Longitudinal Health Survey (RHS) revealed that a significant number of First Nations people reported to have asthma. The AFN continues to collaborate with the Canadian Asthma Society, which has completed the development of a toolkit on education materials for First Nation children, youth and adults on asthma triggers. The AFN also continues working with the National Lung Health Framework (NLHF) and will be working closer with other internal AFN departments to explore the links between environment, housing and lung health.

### NEXT STEPS - MOVING FORWARD

- Distribution of the results from phase II of the NLHF sponsored research studies.
- Development of a position paper on the linkages between environment, housing and lung health.

## D. PANDEMIC PLANNING AND EMERGENCY PREPAREDNESS

Health Emergency Preparedness has been a top priority for all First Nation communities since the H1N1 pandemic. The AFN has been actively engaged with key stakeholders in an effort to ensure that all First Nations have access to appropriate prevention and treatment responses for any future health emergency.

### KEY ISSUES AND ACTIVITIES

The AFN has been participating on a Trilateral First Nations Pandemic Working Group (TFNP) with PHAC and FNIHB since 2006, with the goal to develop and monitor the implementation of a workplan on pandemic influenza preparedness and response for First Nation communities. The workplan includes such activities as developing materials on emergency response, distribution of previously developed tools, knowledge transfer, and publication of articles/results. It is expected that this might be the last year of the group, and efforts are underway to determine means for continuing pandemic planning activities.

The AFN has been involved in the update of the PHAC Module 5 Tabletop Exercise on Emergency Preparedness and the drafting of several articles on pandemic planning. The AFN also continues to participate in the federal government's "Senior Officials Responsible for Emergency Management" group, advocating for First Nation interests at the federal and regional levels. Finally, the AFN continues to explore the development of a field guide that will allow for health assessment as part of the early response to emergencies, speeding up and increasing the efficiency of any health service response.

### **NEXT STEPS - MOVING FORWARD**

- The Influenza-Like Illness (ILI) webinar tool and feedback results will be shared and future instruments will be planned accordingly.
- Distribution of the materials produced by the TFNP.

## **E. ENVIRONMENTAL HEALTH**

The physical environment is an important determinant of health. At certain levels of exposure, contaminants in our air, water, food, and soil can cause a variety of adverse health effects. As well, in the built environment, factors related to housing, indoor air quality and the design of communities and transportation systems can significantly influence our physical and psychological well-being.

It is widely recognized that First Nations are at a higher risk of exposure than the general population because of their closer ties to the land. Therefore, the AFN is committed to working collaboratively with our regions and FNIHB's Environmental Public Health Division to assist with the reduction of environmental public health related issues. The AFN recognizes the importance of preventing disease through environmental public health stewardship.

### **KEY ISSUES AND ACTIVITIES**

The AFN will continue to provide information to Chiefs regarding input and advice into emerging issues in First Nation communities related to Environmental Public Health, working collaboratively with our partners to address linkages between climate change, environmental health, traditional knowledge, and traditional foods.

### **NEXT STEPS - MOVING FORWARD**

- Raise awareness of environmental health issues among First Nation leaders and citizens.
- Communication to First Nation communities and leadership on emerging environmental public health issues.
- Explore the linkages between environmental health and cancer.

## **F. FOOD SECURITY AND NUTRITION**

Many communities have expressed concerns regarding federal government policies that have disrupted and, in some cases, devastated the traditional practices of First Nations, including removing control over land and natural resources.

Food security exists when there is a comprehensive continuum of resources in a community's food system. The continuum of resources ranges from those providing short-term relief of acute food insecurity, to those that build the capacity of the community to feed itself, to strategies that redesign the food system toward a more economically, socially and environmentally sustainable model. Therefore, actions must be taken to tackle the socio-economic and cultural barriers to opportunities for those living on reserves that result in their not enjoying fully their right to adequate food.

The AFN works on ensuring and increasing First Nation participation in the development of food security related policy and initiatives in collaboration with FNIHB, PHAC, Aboriginal Affairs and Northern Development Canada (AANDC), AFN regions, and other stakeholders.

## KEY ISSUES AND ACTIVITIES

The Nutrition North Canada (NNC) program began full implementation on April 1, 2011. The intention of the NNC program is to bring healthy nutritious foods to residents of the north. The new program has been designed around a market-driven/retail-based model. The AFN continues to monitor the progress of AANDC and Health Canada in the development and implementation of the new NNC and is undertaking a comprehensive impact analysis, as directed in Resolution 78/2010.

The AFN participates on the Food Security Reference Group (FSRG) to ensure collaboration towards improved food security for First Nations and Inuit. Key activities include building on a previously developed promising practices document, developing tools for community planning, exploring opportunities for influencing agendas to include food security, and continuing to build the evidence base.

The First Nations Food Security Working Group (FNFSWG) was established earlier in the year as a subcommittee of the NFNHTN. This working group met in November 2011 to set priorities and develop terms of reference. The priorities of the group are: advocating for more food security specific funding for communities, assessing the needs of communities through community-led food security assessments, developing a First Nations food security/sovereignty position statement, and examining linkages between food insecurity, income assistance and health outcomes such as diabetes. The AFN also participated and presented at the Turtle Lodge Roundtable on Community Food Justice in Sagkeeng First Nation, Manitoba, in August 2011. The intent of the Food Justice Roundtable was to ask community Elders and members, nutritionists, local, provincial and federal health staff, and other participants how to move toward food sovereignty.

## NEXT STEPS - MOVING FORWARD

- Conduct an impact analysis on those First Nation communities using the NNC program, those who are remote but are not eligible and those communities removed from the eligibility list from the previous Food Mail Program.
- Explore the relationships between food security, environmental health and mental health.

## G. INJURY PREVENTION

Injuries are a major cause of morbidity and mortality in First Nation communities especially among youth and young adults. Injury prevention is concerned with modifying behavioral or contextual factors that place First Nations at greater risk for unintentional injury, morbidity and mortality from injuries when they occur.

## KEY ISSUES AND ACTIVITIES

The AFN continues to work at the national level on raising awareness of injuries and their impact, building capacity for communities to carry out injury prevention work and relationship development with the goal

of addressing programming gaps and the adaptation of existing injury prevention programming/guidelines. Much of this work is guided by the First Nations Regional Injury Prevention (FNRIP) Advisory Group.

In order to raise awareness, the AFN has developed a First Nation Injury Prevention communications plan that is designed to coordinate and promote injury prevention efforts from a national perspective with the overall goal of safe and healthy First Nation communities that are injury free. Some of the activities include the promotion of and participation at the Canadian Injury Prevention and Safety Promotion Conference in November 2011, where the AFN was a co-lead on the Aboriginal Stream component of the conference which included FN/I/M speakers, workshops, presentations, and research.

The AFN continues preliminary work on a high level overarching Injury Prevention Framework, participation in the First Nations and Inuit Injury Indicators Working Group and talks on the renewal of the partnership with the Canadian Red Cross (CRC).

### **NEXT STEPS - MOVING FORWARD**

- Explore the development of the First Nations Injury Prevention Framework.
- Continue exploring the renewal of the AFN-CRC statement of partnership.
- Continue to develop a collective evidence base on injury prevention, including the collection of community-based stories on successes with injury prevention activities.

## **H. HIV/AIDS AND SEXUAL HEALTH**

First Nations continue to be overrepresented in Sexually Transmitted Infections (STIs) and Blood Born Infections (BBIs) and are acquiring HIV at a disproportionately higher rate than the general Canadian population. In particular, the rate among First Nation women and young adults (under 30 years of age) are much higher than those observed in Canada. As well, two-thirds of new infections are acquired through injection drug use; a proportion that is two times higher than that seen in Canada overall.

### **KEY ISSUES AND ACTIVITIES**

The AFN continues to implement the HIV/AIDS and Sexual Health communication plans with a focus on youth-oriented mediums. In partnership with the Canadian Aboriginal AIDS Network (CAAN) for Aboriginal AIDS Awareness Week (AAAW), the National Chief recorded a public service announcement that was disseminated through YouTube and the AAW website and was again featured in CAAN's poster campaign.

The AFN is a partner on the Native Youth Sexual Health Network's project, entitled *Taking Action II: Using Arts-Based Approaches to Foster Aboriginal Youth Leadership in HIV Prevention* for 2011-2012. In addition, the AFN is participating on the CAAN National Toolkit Committee to identify, collect and evaluate resources, materials and research on HIV/AIDS and Aboriginal people.

## NEXT STEPS - MOVING FORWARD

- Continue to collaborate with the AFN National Youth Council (NYC) and the Society of Obstetricians and Gynecologists Canada on the development of community-based pilot projects on sexual health for First Nation youth.
- Development of CAAN's National Toolkit of HIV/AIDS materials.
- Continue implementation of the *Taking Action II* project to build the capacity of Aboriginal youth leaders to address the issue of HIV/AIDS in their own community.

## I. IMMUNIZATION

Vaccines are proven to reduce the burden of disease, many of them potentially fatal, during childhood and adulthood, thus improving life and health quality and representing one of the most cost-effective public health interventions.

### KEY ISSUES AND ACTIVITIES

The AFN continues to work with FNIHB's Communicable Disease Working Group and the Health Information, Analysis and Research Division in order to provide guidance and influence program-related decisions.

The AFN continues working with FNIHB in the development and implementation of a social marketing campaign aimed at young parents and decision-makers promoting the importance of immunization. This initiative is strongly based on the use of social media and electronic distribution channels such as Facebook, YouTube and Twitter, as well as printed materials and DVDs.

Also, the AFN explored the possibility of conducting a National Immunization Status Survey in Collaboration with the First Nations Information Governance Centre (FNIGC).

## NEXT STEPS - MOVING FORWARD

- Steps will be undertaken to conduct a National Immunization Status Scan, including seeking funding and putting in place protocols.

## J. DIABETES

Type 2 diabetes is a growing health concern among First Nations. First Nations on reserve have a rate of diabetes three to five times higher than that of other Canadians. Rates of diabetes among First Nations are expected to rise significantly in the future given that risk factors such as obesity, physical inactivity and unhealthy eating patterns are high.

The AFN First Nations Diabetes Working Group (FNDWG) was established to promote optimum holistic health, increase awareness, educate, and to reduce the risk and protect the health of First Nation individuals, families, communities, and nations through actions aimed at reducing prevalence and incidence of diabetes and its risk factors. They also provide ongoing support and guidance to the Aboriginal Diabetes Initiative (ADI), as well as other related diabetes initiatives and AFN activities.

## KEY ISSUES AND ACTIVITIES

The ADI initiative continues to support the training for 300 community diabetes workers. The ADI Capacity Building and Training National Advisory Committee met in Montreal on October 20-21, 2011, to advise on the development of the Community Diabetes Prevention Worker Competency Framework. The framework will serve as a tool to assist regions and First Nation communities in selecting training programs, drafting job descriptions, raising the profile of Community Diabetes Prevention Workers training, and working towards stronger relationships and teamwork with other health providers.

### First Nations Web-based Diabetes Surveillance System pilot

The First Nations Web-based Diabetes Surveillance System provides secure, centralized and easy access to diabetes information in First Nation communities. Developed in 2011, the system has been successfully piloted in five communities with diverse health care models, levels of isolation and population size.

### Just Move It - Canada

Together with FNIHB, ITK and Indian Health Services - Healthy Native Community Partners in the United States (US), “Just Move It – Canada” (JMI) launched in March 2012. It is based on the Just Move It campaign in the promotion of US American Indians and Alaska Natives to be more physically active. It is a web-based tool to unite communities in the sharing of ideas, resources and activities and how to get people moving. For more information visit [www.justmoveit.org/jmicanada](http://www.justmoveit.org/jmicanada).

### What is the Story of Diabetes and Men?

While it has been common in the past to look at First Nation women’s health and gender roles, the story of First Nation men’s health and diabetes is underdeveloped. To facilitate dialogue and direction on this area, the 2011 AGA included a presentation by Dr. Evan Adams called *What is the Story of Diabetes and Men?* Evaluation following this session revealed the need to build on this further, and include the story of chronic disease and men. A second session on men, cancer and chronic disease was held at the SCA in Ottawa, in December 2011. Again, the interest expressed was to continue with these types of information sessions.

### Traditional Knowledge Approaches

The AFN continues to explore Traditional Knowledge approaches. The FNDWG members continue to restore knowledge in harvesting traditional medicines and foods in addressing diabetes in First Nation communities.

## NEXT STEPS - MOVING FORWARD

- Continue to raise the profile of diabetes in the areas of self-care management, surveillance, screening, and primary health care services with partners, government, political leadership, and First Nations.
- Continue to provide policy direction and advice on ADI with FNIHB, the NFNHTN and the CCOH.
- Continue to work in collaboration with FNIGC to develop a report on the story of diabetes and men and chronic disease.
- Continue to promote and seek sustainable funding for the JMI initiative.
- Continue to explore promising evidence-based policy and research initiatives and monitor trends in diabetes across jurisdictions.

- Continue to promote and find resources to translate the Diabetes Medicine Wheel Walk video into French for distribution nationally.

## **K. TOBACCO**

Misuse of commercial tobacco has been shown to be a major risk factor of chronic diseases. Smoking increases the risk for diabetes by 50 per cent and we know that First Nations experience rates of diabetes that are three to four times as high as the general Canadian population. The high prevalence of smoking among First Nations and the fact that smoking rates have not changed indicates that this pressing problem must be addressed in a comprehensive and sustained way.

Through the Federal Tobacco Control Strategy (FTCS), the AFN received funding to continue the development of an Action Plan for the National First Nations Tobacco Control Strategy (NFNTCS).

### **KEY ISSUES AND ACTIVITIES**

The AFN Tobacco Advisory Circle (TAC) has guided the development of an Action Plan to develop a NFNTCS. The objectives of the project were to host a meeting on the tobacco strategy in collaboration with AFN Councils (Elders, Women's and Youth) and continue promotion efforts to support traditional tobacco use as a smoking cessation and tobacco control tool.

The second objective was to disseminate information resources on tobacco cessation and prevention. These informed and augmented the work being done on tobacco control and enabled feedback on the AFN Tobacco Action Plan and provided valuable information to leadership and communities on tobacco work.

*Traditional Tobacco Use* presentations have been delivered during major AFN events, including the AGA and the National Health Forum, and have served to promote traditional tobacco use and to raise awareness among the youth.

Health Canada is awaiting Treasury Board approval for a renewed anti-smoking strategy that will include \$25 million over the next five years of targeted funding for First Nations living on reserve and Inuit living in Inuit communities. Funding will support a limited number of communities who are ready to implement a comprehensive tobacco control strategy.

### **NEXT STEPS - MOVING FORWARD**

- Continue to raise the profile of the tobacco misuse and the NFNTCS and Action Plan.
- Provide policy direction and advice on tobacco issues as they relate to the pending Health Canada announcement of new anti-smoking efforts that are expected to include funding for First Nations living on reserves and Inuit living in Inuit communities.

### 3. MENTAL WELLNESS

Mental Wellness areas of work within the AFN include: the National Aboriginal Youth Suicide Prevention Strategy (NAYSPS), National Native Alcohol and Drug Abuse Program (NNADAP), Indian Residential Schools Resolution Health Supports Program (IRS RHSP), Brighter Futures and Building Healthy Communities Program, and the First Nations & Inuit Mental Wellness Advisory Committee (MWAC). Work consists of the development of a First Nations-driven agenda, advocacy within federally funded programs and initiatives, and advocacy for First Nation engagement in national initiatives, including the Mental Health Commission of Canada (MHCC) and the MHCC First Nations, Inuit and Métis Advisory Committee (FNIMAC) and the Prescription Drug Abuse Coordinating Committee (PDACC).

#### A. MENTAL WELLNESS

The AFN Mental Wellness Committee (MWC) was established as mandated by the NFNHTN in April 2010. The AFN MWC provides technical expertise and knowledge to the Mental Wellness portfolio and mental health and addiction information to the regions.

#### KEY ISSUES AND ACTIVITIES

The AFN continues to be a key partner on the MWAC. The MWAC has most recently been working towards the final approval of the Strategic Action Plan and creating next steps for the committee. A face-to-face meeting of all key partners took place in December 2011 in Ottawa. The meeting showcased some of the work that has taken place within FNIHB- HC, the Community Programs Directorate (CPD) and also opened the floor to discussions on addressing gaps within the CPD with regards to policy and service delivery.

Starting in January 2012, the AFN, in collaboration with FNIHB, began work with key partners to design a process to describe a coordinated continuum of mental wellness, specifically with respect to Health Canada's mental health and addictions programming for First Nations. This process will be guided by an external advisory committee, and prioritize engagement processes that draw upon the expertise and knowledge of relevant partners and stakeholders.

The MHCC released the *Mental Health Strategy for Canada* on May 8, 2012. The strategy is made up of six strategic directions. Although each of the six can be adapted to suit First Nations, Strategic Direction #5 - *Recognizing the Distinct Cultures and Mental Health Needs of First Nations, Inuit and Métis*, outlines the key importance of distinction-based programming within mental health. The AFN worked closely with the MHCC in the development of Strategic Direction #5.

#### NEXT STEPS - MOVING FORWARD

- A second gathering of the AFN MWC will be held.
- The Mental Wellness Comprehensive Continuum Framework will be close to completion.
- The AFN will work closely with the MHCC to disseminate the Mental Health Strategy for Canada to national and regional organizations and First Nation communities.



## **B. SUICIDE PREVENTION**

As a part of upstream renewals, the National Aboriginal Youth Suicide Prevention Strategy (NAYSPS) was renewed at par for an additional five years. The AFN's efforts have now focused on advocating for an evaluation summation that reports findings, supports increases and enhancement past 2015 and promotes mental wellness, community empowerment and youth leadership at the community level.

### **KEY ISSUES AND ACTIVITIES**

The AFN continues to participate on the Canada - US Memorandum of Understanding (MOU) on Indigenous Health, between Health Canada and the US Department of Health and Human Services. The overarching goal of the MOU is sharing knowledge and discussing opportunities for collaboration among those working on behalf of, and with, American Indians and Alaska Natives in the US and with First Nation and Inuit peoples in Canada to prevent youth suicide.

In October 2011, 15 First Nations youth from across Canada gathered in Winnipeg to attend the AFN Youth Mental Wellness Forum (YMWF). The AFN YMWF provided youth with information on mental wellness, current Applied Suicide Intervention Skills Training (ASIST) and provided an opportunity for youth to share their experiences and views on mental wellness in their community. As a whole, the forum encouraged the promotion of the roles and responsibilities of youth as peer counsellors, leaders and role models for one another.

### **NEXT STEPS - MOVING FORWARD**

- Facilitate a meeting between the AFN NYC and the youth councils in the US to discuss best and promising practices in the area of Indigenous suicide prevention and mental wellness.
- Continue advocacy on the need for clear First Nation consideration and engagement in a potential National Suicide Prevention Strategy, as is being discussed in the House of Commons through various private member's bills and a key opposition motion that received all-party support.

## **C. ADDICTIONS**

In partnership with the National Native Addictions Partnership Foundation (NNAPF) and Health Canada, the AFN continues to be a key partner in the NNADAP Renewal Process. The NNADAP Renewal Process has been exceptional in taking an approach to developing a renewed program framework that is informed by culture, evidence and needs. The renewed program framework is unique in taking a systematic approach to supporting First Nations in addressing addictions prevention and treatment needs.

### **KEY ISSUES AND ACTIVITIES**

The final framework was launched at the AFN National Health Forum in November 2011. The AFN National Chief and Chief Austin Bear, President of the NNAPF, circulated a joint press release announcing the publication of the National Framework and their continued efforts to work together throughout its release and dissemination.

The AFN continues to work in partnership with NNAPF and Health Canada on the NNADAP Renewal Leadership Team. The Leadership Team is responsible for advising on the transition and change management from renewal through to implementation and dissemination.

The PDACC has recently been expanded from an internal FNIHB committee to include the AFN (as a co-chair), the NNAPF and the Canadian Centre on Substance Abuse (CCSA) after the Deputy Minister of Health Canada directed FNIHB to work in partnership with First Nations, provinces and territories and relevant organizations.

### **NEXT STEPS - MOVING FORWARD**

- Continue to work with the NNAPF and Health Canada in the dissemination of the NNADAP Renewal Framework and provide ongoing presentation of the NNADAP Renewed Program Framework to First Nation communities, professionals and associations working with First Nations in the area of addictions.
- Continue to participate on the PDACC, as a co-chair.
- Continue to advocate for short-term and immediate culturally competent, holistic and safe supports for communities struggling with prescription drug abuse.

## **D. MENTAL HEALTH SUPPORTS FOR INDIAN RESIDENTIAL SCHOOL SURVIVORS**

The AFN has advocated for thorough provision of mental health supports for survivors, their families and communities throughout implementation of all components of the Indian Residential Schools Settlement Agreement.

### **KEY ISSUES AND ACTIVITIES**

In 2009, Health Canada was instructed to provide mental health supports at Truth and Reconciliation Commission (TRC) national and community events. As a result, the AFN has focused on advising Health Canada on the provision of mental health supports and planning for safe spaces through participation on the Resolution Health Supports Advisory Committee (RHSAC), participation at the regional level through Regional Implementation Working Groups and a direct working relationship with the Mental Health and Addictions health support planning team. Through participation on these working groups and strong relationships with FNIHB, the AFN has also been directly advising FNIHB on various components of the IRS RHSP and TRC event planning.

In June 2011, the second National Truth and Reconciliation event took place in Inuvik, Northwest Territories. The AFN helped to advise on the two-day training leading up to the event, as well as the four-day event.

In October 2011, the third National Truth and Reconciliation event took place in Halifax, Nova Scotia. The AFN was present for the two-day training leading up to the event, the four-day event and an additional day afterwards for debriefing and assessment of the overall event. The AFN provided support to Health Canada and TRC workers throughout the event and has been working with each group closely on planning for the Saskatchewan National TRC event on June 21 - 24, 2012.

In addition, the AFN has been exploring ways to work with the NNAPF to hold regional dialogue sessions with stakeholders and key partners to help identify gaps in health support services with regards to the Indian Residential School (IRS) process and TRC community and national events. It will also help to identify needs/gaps emerging with the sunset of the IRS RHSP in 2015.

### **NEXT STEPS - MOVING FORWARD**

- Continued participation on the RHSAC, tasked with advising Health Canada on mental health support planning for TRC events and activities.
- Partnership with NNAPF to hold regional dialogue sessions with stakeholders and key partners to identify gaps in health support services with regards to the IRS process and TRC community and national events.

## **4. CHILDREN AND YOUTH**

The Children and Youth team continues to advocate for increased culturally-appropriate prevention and intervention strategies and programming that will lead to improved health outcomes for First Nation children and youth.

### **KEY ISSUES AND ACTIVITIES**

#### **Childhood Obesity**

With RHS data demonstrating an alarming increase in childhood obesity rates since the 2002/03 report, the AFN has made addressing the childhood obesity epidemic a priority. This past year, the AFN worked with a consultant to update the 2006 report entitled, *Protecting Our Gifts and Securing Our Future: First Nations Children and Obesity: A Growing Epidemic*. Interviews were conducted at the community and regional levels in order to get a better understanding of the key issues, best practices and challenges surrounding children and healthy eating, physical activity and food security in First Nation communities.

#### **Children's Nutrition**

The AFN continues to raise awareness of the need for a universal school nutrition program and promote organizations such as ONEXONE and the National First Nations Breakfast Program.

#### **Early Childhood Development**

Pursuant to Resolutions 21/2010 and 10/2011, both of which are associated with increases to and accessibility of Aboriginal Headstart on Reserve (AHSOR) and Daycare funding, the AFN continues to advocate for additional funding so that more communities can access early childhood development programs. Recently, the AFN successfully advocated to have food reinstated as an eligible childcare expense for First Nation daycares.

#### **Fetal Alcohol Spectrum Disorder (FASD)**

The AFN National Youth Council has continued discussed on FASD prevention towards achieving their goals of the Five-Year Action Plan to address FASD.

### **Partnerships**

Working in partnership with other non-governmental organizations such as the Canadian Paediatric Society (CPS) and the Canadian Association of Speech-Language Pathologists and Audiologists ensures that the issues that affect First Nations children remain a priority with the federal government.

### **NEXT STEPS - MOVING FORWARD**

- The AFN will continue to advocate on behalf of First Nations children and ensure child health issues remain a focus for policy and decision-makers.
- Finalizing the Childhood Obesity report, and make it available for First Nation communities.
- Increasing partnerships with high profile organizations such as UNICEF and ONEXONE and other non-governmental organizations to ensure ongoing and focused advocacy for the improved health of First Nations children and youth.
- The AFN NYC will work to ensure recognition of National FASD Awareness Day on September 9, 2012.

## **5. INFORMATION MANAGEMENT / E-HEALTH**

Recent years have seen investments in eHealth on the part of Canada Health Infoway (Infoway) and provincial/territorial ministries of health. In part because of jurisdictional uncertainties, these initiatives have tended to leave First Nation health services out. While Health Canada has made modest investments into First Nation initiatives, sustainable infrastructure and support investments for First Nation communities have lagged behind. First Nations are keenly aware of the importance of leading the eHealth revolution.

### **KEY ISSUES AND ACTIVITIES**

#### **National eHealth Convergence Forum**

On June 20, 2012, the AFN cohosted a National eHealth Convergence Forum with Canada's Health Informatics Association (COACH), with support from Health Canada and Infoway. The Forum provided provincial/territorial Chief Information Officers (CIOs) a First Nations eHealth perspective, as well as provided a platform to share principles and best practices in eHealth integration, data-sharing, Ownership, Control, Access and Possession (OCAP) conformity, and interoperability efforts.

#### **AFN First Nations eHealth Strategy Framework**

This year, the AFN, with direction and input from the National eHealth Advisory Committee (NeHAC), developed the AFN First Nations eHealth Strategy Framework. The Framework aims to accelerate the development, implementation and adoption of eHealth initiatives by Canada's First Nations. It articulates how First Nations eHealth strategies can align with F/P/T eHealth strategies and demonstrates the need for appropriate levels of investment by F/P/T jurisdictions.

#### **Data Sharing Agreement Template and Guidelines**

Following a recommendation from the AFN National eHealth Policy Forum Outcomes Report, the AFN has developed a Data Sharing Agreement (DSA) Template and Guideline. First Nations generated DSAs ensure that First Nation concerns are addressed in ways that also allow interoperability with F/P/T applications.

### **Canada's Health Informatics Association (COACH)**

Over the past year the AFN has been developing a relationship with COACH. Recently, the National Chief sent a letter to the COACH CEO, Don Newsham, articulating the need for greater inclusion of First Nations within COACH's work and supporting future partnerships.

### **National eHealth Advisory Committee (NeHAC)**

NeHAC continues to play an integral role in setting the AFN's eHealth agenda. For example, NeHAC provided key input into the development of both the First Nations eHealth Strategy Framework and the DSA Guide.

### **NEXT STEPS - MOVING FORWARD**

- Promote the AFN First Nations eHealth Strategy Framework.
- Promote the DSA Template and Guidelines.
- Continue to support the regions to work with the provinces and territories to develop sustainable, inter-operable eHealth applications.
- Continue NeHAC meetings to facilitate implementation of eHealth Strategic Planning Forum recommendations.
- Continue discussion with Convergence Forum partners related to hosting regular discussions with provincial/territorial CIOs.
- Strengthen the AFN's relationship with eHealth stakeholders including COACH, Infoway and F/P/T partners.

## **6. PRIMARY CARE / HEALTH BENEFITS**

### **A. NON-INSURED HEALTH BENEFITS (NIHB)**

The national NIHB Program provides coverage to registered First Nations and recognized Inuit to support them in reaching an overall health status that comparable with other Canadians. Benefits under NIHB include eye and vision care, dental, medical transportation, drugs, medical supplies and equipment, crisis mental health counseling, and approved health services outside of Canada. While this program has a strong foundation in Health Canada, the services it provides are chronically underfunded. There is a demonstrated need for expanded services, holistic approaches to healing and greater access, all of which can only be met through the consistent and adequate provision of funding to the program.

### **KEY ISSUES AND ACTIVITIES**

#### **Population Growth and Program Funding Shortfall**

The continued struggle to meet the demand for services, particularly those of NIHB, have become increasingly strained as a result of pre-existing funding shortfalls, as well as First Nation population stemming from new registrants eligible under changes to the *Indian Act* as a result of the *McIvor* case and the newly recognized Qalipu Mi'kmaq First Nation. In the AFN's 2011 pre-budget submission, it was estimated that an additional \$376 million in 2012-2013, and \$805 million over the next five years, would be required to meet the existing shortfall, and respond to anticipated demands from new registrants.

With the stressors on dental, pharmacy, transportation, medical supplies, equipment, mental health services, and no additional funding to respond to the population increase, First Nations children, adults, and elders will face an uphill battle and possible crisis for accessing basic health care needs and benefits.

### **House of Commons Standing Committee on Health (HESA)**

A letter was submitted to HESA in January 2012, requesting a study be conducted on NIHB on five key areas: a comparative analysis to other federal health benefits programs, new client population requirements, using Nation-to-Nation consultation processes for health management issues, contractual obligation for Express Scripts, and a review of administrative procedures (e.g. predetermination, prior approvals, etc.). To date, a response from HESA has not yet been received.

### **Medical Transportation**

Resolution 5/2011, passed at the 2011 AGA, mandates the AFN to conduct a cost analysis of current fuel and airfare rates compared to NIHB Medical Transportation (MT) allocations. A consultant was hired to do this analysis and is currently working with the AFN to complete this work.

### **Vision Care**

The NIHB Program undertook a review of the Vision Care Policy Framework in Fall/Winter of 2010/11. In an effort to respond and ensure adequate vision care benefits, the AFN reviewed NIHB changes to vision care and sought the expertise of the Vision Institute of Canada and the Canadian National Institute for the Blind (CNIB). As a result, recommendations were drafted and provided to NIHB for consideration prior to the roll-out of the new vision care framework. NIHB streamlined processes to improve efficiency and client access, and encouraged the CNIB to register with the NIHB claims processor to facilitate claims payments.

### **Medical Supplies and Equipment**

The AFN, with the expertise of an orthopedic and prosthetic specialist, reviewed the NIHB policy specific to orthotic and prosthetic medical supplies and equipment. Recommendations for improving this area of benefit coverage were provided to the NIHB program, as well as the recommendation to streamline prior approval requirements for prosthetics and orthotics to reduce wait times and lengthy delays for amputees. As a result, NIHB agreed to streamline the prior approval process for medical supplies and equipment (MS&E) and prosthetic medical supplies.

### **NIHB Client Handbook**

The AFN and Health Canada reprinted the NIHB Handbook in August 2011, and 50 copies of the booklet were distributed to all First Nations across the country.

### **NIHB Navigators**

The AFN continues to encourage NIHB headquarters and the regions to provide funding for at least one navigator in each region. There are three regions that currently do not have a navigator in place.

### **The National NIHB Access Data Base**

The AFN is currently working on developing a national database and template for navigators to store data on NIHB access issues. This is being done in collaboration with the FNIGC to house the data as per OCAP principles. The database will enable the AFN and the regions (navigators) to compile reports, track access

issues and build a case for sustainable funding and needed improvements to the NIHB program, while reducing hardship on First Nations trying to access the NIHB program.

### **NEXT STEPS - MOVING FORWARD**

- Continue to advocate for increased and sustainable NIHB Program funding.
- Continue work to reduce policy restrictions to the NIHB Dental Program and improve access to benefits.
- Continue to advocate for NIHB Navigators in each region.
- Continue to advocate with HESA for needed political attention to key NIHB issues, including underfunding and program sustainability.
- Complete analysis of fuel and airfare rates compared to NIHB Medical Transportation allocations.
- Continue to work with FNIGC in the development of the NIHB database.

## **B. HOME AND COMMUNITY CARE (HCC)**

The First Nations and Inuit Home and Community Care Program (FNIHCC) was established to assist individuals who suffer from chronic and acute illnesses to receive treatment in their homes. HCC can include nursing care services such as personal care like bathing and foot care, home support meal preparation and in-home respite care. This in-home care enables the person to receive the required care in familiar surroundings and for the person requiring the care to be close to family, friends and community as long as possible to maintain some of their independence.

### **KEY ISSUES AND ACTIVITIES**

The AFN and First Nations HCC Partners (FN HCC Partners) work very closely and continue to seek support from FNIHB to address the many in-home care issues and follow up on the recommendations made by First Nation nurses, who play a very vital role in the delivery of the program at the community level.

#### **Funding & Capacity Issues**

Wage parity remains a longstanding cause for concern within HCC. First Nation communities have a very difficult time competing with the salary of provincial nurses and the lack of resources very often hampers the recruitment and retention of health care service providers in First Nation communities. While wage levels have remained lower than in other jurisdictions, First Nation nurses have faced increasing demands due to rising HIV/AIDS rates, as well as the increased rates of chronic diseases such as cancer and diabetes. At times, First Nations HCC resource-challenged nurses are not able to provide the same quality and level of care to patients, nor are they provided the same training opportunities as provincial nurses.

Resources and funding levels are nowhere near meeting the required demand at the community level and AFN continues to advocate for increases in these funding levels.

#### **Integration**

Discussions regarding the integration of AANDC's In-Home Care (IHC) component of the Assisted Living (AL) program and Health Canada's HCC services are ongoing. Despite the AFN's continuous efforts

insisting upon meaningful engagement of First Nations, the federal government continues to unilaterally pursue discussions of a potential merger between the two departments.

First Nations have many concerns about such a merger. Both programs need to be economically viable from the outset in order to be sustained effectively at the community level. Integration may place additional burdens on workloads, reporting, training, and/or certification requirements to upgrade the skills of front-line workers at the community level.

### **Creating a Healthy Work Place Environment**

The *Creating a Healthy Work Place* manual highlights the importance of creating a healthy work environment for nurses in First Nation communities. Four documents were developed which examined the challenges faced by First Nation nurses working in First Nation communities and recommendations were provided towards improving these conditions. This work was guided by the regional FN HCC Partners who were involved in the process from the outset.

### **10-Year Strategic Action Plan**

The AFN continues to facilitate discussion between the FN HCC Partners and FNIHB so that the FN HCC Partners have the opportunity to provide input into the development of a FNIHCC 10-Year Strategic Action Plan. FN HCC Partners reviewed the first draft of a Strategic Action Plan in March of 2012.

### **NEXT STEPS - MOVING FORWARD**

- Continued push for full First Nations involvement into the discussions of a potential merger of the IHC component of the AANDC AL program and the Health Canada HCC program.
- Translation, dissemination and delivery of the “Creating a Healthy Work Environment for nurses” will be completed. Training/orientation and use of the manual will need to be completed.
- Continue to develop an effective 10-Year Strategic Action Plan.
- Continue to bring forward FN HCC Partners concerns to FNIHB senior management and advocate for increased funding levels.
- Continue to participate in the National Evaluation, Quality Improvement Working Group, the Abuse of Older First Nation Seniors Committee, Alzheimer’s Committee, and the Palliative Care Committee in order to better respond to questions and concerns raised by communities.

## **7. SOCIAL DEVELOPMENT**

The AFN Social Development Secretariat follows the mandate provided by the Social Development Policy Framework, which proposes the long-term vision of “an inclusive, holistic and culturally-based social development system under First Nation control that builds healthy, safe and sustainable communities”. As such, the AFN Social Development Secretariat has the responsibility to work in the areas of First Nations Child Welfare, Income Assistance (IA), Assisted Living (AL), and Family Violence Prevention (FVPP).

### **KEY ISSUES AND ACTIVITIES**

#### **Canadian Human Rights Tribunal**

The AFN and the First Nations Child and Family Caring Society (FNCFCFS) filed a complaint with the Canadian Human Rights Commission (CHRC) on February 23, 2007, regarding inequitable funding and



services for First Nation children who are in the care of First Nation child and family service agencies. The CHRC referred the complaint to the Canadian Human Rights Tribunal (CHRT) on September 30, 2008.

On March 14, 2011, the CHRT Chair, Shirish Chotalia, dismissed the complaint stating that the CHRT was not the appropriate forum to hear the case and that because First Nation children on-reserve are served by the federal government, the services they receive cannot be compared to the services provided by the provinces that are received by other children off-reserve.

A judicial review of the decision was filed in April, 2011, and the appeal was heard February 2012, in Federal Court. Justice Mactavish ruled in favor of the AFN and FNCFCFS on April 18, 2012. In her decision, Judge Mactavish stated that a differently constituted panel of the CHRT should hear the case. Her decision also included that the CHRT failed to provide reasons as to why they could not hear the complaint under the *Canadian Human Rights Act*, and also made an error in requiring a comparator group for First Nation children living on-reserve. The Federal Government filed an appeal on May 18, 2012.

### **Income Assistance (IA)**

The AFN worked closely with the First Nations Income Assistance Working Group (FNIWAG) and the AFN NYC to provide input and direction into a youth IA toolkit, an Active Measures Community Resource booklet, an environmental scan of existing IA data management systems and the initial planning stages of a National Social Learning Event. All of the resources developed are available on the AFN website under the Social Development tab.

### **Assisted Living (AL)**

The AFN attempted to work with strategic partners to move forward the matters pertaining to AL on-reserve. It is the AFN's hope and expectation that moving forward, the AFN will have increased participation, especially pertaining to the potential consolidation of the AL IHC component and the Health Canada HCC Program, which would include the transfer of this program from AANDC to FNIHB-Health Canada.

### **Family Violence Prevention (FVPP)**

The FVPP operated by AANDC provides funds to First Nations to operate women's shelters and family violence prevention programming.

The FVPP was evaluated and a final public report is pending. This program received funding for the current fiscal year in the 2012 Federal Budget and AFN will continue advocacy for sustainable and increased funding.

### **Child Welfare - First Nations Canadian Incidence Study on Reported Child Abuse and Neglect-2008 (FN CIS-2008)**

*Kiskisik Awasisak* was publicly released on November 14, 2011. The FN CIS-2008 is the largest study of child welfare investigations involving First Nation children (living both on and off reserve) ever conducted in Canada. The study examines data collected from 89 provincial/territorial agencies and 22 First Nations and urban Aboriginal agencies during a three-month data collection period.

The AFN has participated in the FN CIS-2008 Advisory Committee since 2007 and, in keeping with OCAP principles, holds the copyright for *Kiskisik Awasisak*. The AFN was approached about the copyright once the analyses presented in the report had already been completed.

The information sheet which provides an overview of the study background, advisory committee members, methods, findings and details of dissemination/briefing activities can be found at the following website: [www.cwrp.ca/general-info-FNCIS-2008](http://www.cwrp.ca/general-info-FNCIS-2008).

The AFN and the other members of the FN CIS-2008 advisory committee are in the process of planning dissemination events including co-hosting webinar briefings on the methodology and key findings. So far, there have been two webinars, the first on November 14, 2011, and the second on December 1, 2011. Additional dates and times for webinars will be announced via the AFN website to give First Nations and other interested partners the opportunity to participate.

Details of additional dissemination events, as well as the full report, will be posted on the report website ([www.cwrp.ca/general-info-FNCIS-2008](http://www.cwrp.ca/general-info-FNCIS-2008)) and the AFN website ([www.afn.ca](http://www.afn.ca)) as they become available.

### **Canadian Centre for Child Protection (Missingkids.ca)**

The Chiefs-in-Assembly passed Resolution 38/2011, Support for Missingkids.ca: Canada's National Missing Children Resource Centre. Since then, the AFN has worked with Missingkids.ca to develop a Public Service Announcement featuring the National Chief, which aired on the Aboriginal Peoples Television Network and was launched at the AFN's National Justice Forum in February 2012. Additionally, the AFN supported the mail-out of information resources from the Canadian Centre for Child Protection to every First Nation community. Moving forward, the AFN will participate on the Missingkids.ca advisory committee.

### **NEXT STEPS - MOVING FORWARD**

- Work on awareness and promotion of strategies to prevent family violence, including dialogue at the 2012 Annual General Assembly on an Action Plan to Ensure Safety and Security of Indigenous Women and Girls.
- Disseminate the youth IA toolkit and Active Measures Community Resource booklet.
- Complete a review of existing IA models, conduct at least three regional discussion sessions and write a report based on the results of the discussions.
- Ensure First Nations involvement in the potential program integration of the IHC component for the HCC and AL initiatives.
- Continue working towards the delivery of a National Social Learning Event which would explore themes such as employment, health and education.

## INDIAN RESIDENTIAL SCHOOLS

### Indian Residential Schools Settlement Agreement

Nine judges approved the Indian Residential Schools Settlement Agreement (IRRSA) as fair and just compensation. The IRRSA included truth sharing and commemoration to achieve the overarching principles of healing and reconciliation from the Indian Residential School experiences. Despite the June 2008 Apology, many former IRS students and their families feel the core principles of healing and reconciliation are not being met. The following resolutions call on the Assembly of First Nations (AFN) Executive to continue to play a key and central role in the IRSSA through advocacy for former IRS students and protection of their interests in the IRSSA:

- Resolution 26/2010 calls on the AFN to apply for funds to establish commemorative markers (monuments) for all Indian Residential Schools in which First Nations children were placed.
- Resolution 21/2011 seeks support for Day Scholars and calls on the AFN to provide moral, political, legal, and financial support seeking redress for Day Scholars and Day School students that includes healing.
- Resolution 54/2011 requests that the AFN seek a three-year extension to the Independent Assessment Process (IAP) and that it support the Blood Tribe to ensure all IAP claimants are treated fairly and equitably, including adequate preparation for hearings and appropriate health supports and the engagement of proper authorities should there be any indication of criminal wrongdoing in the handling of IAP settlements.

### KEY ISSUES AND ACTIVITIES

#### Commemorative Markers

The AFN and the Aboriginal Healing Foundation jointly submitted a proposal to the Truth and Reconciliation Commission in March 2012 in the second and final call for proposals for Commemoration funding. The proposal articulates a national framework to establish 141 commemorative plaques and monuments (markers) for each Indian Residential School in Canada recognized in the IRSSA. The project meets all seven criteria of the Commemoration Fund established by the IRSSA.

Funding for this initiative would provide for tasks performed both centrally and regionally – in and by communities and overseen by an Advisory Committee and Elders. While Resolution 26/2010 initially defines the project as one that is exclusively First Nations in character, the AFN acknowledges the many Inuit and Métis children who attended the schools and the respective communities that faced losses akin to those suffered by First Nations. The AFN has established protocols with Inuit and Métis organizations that may effectively include their active participation and support of the project. The Aboriginal Healing Foundation, as a partner, is also focused on healing the legacy of residential schools for all those affected and as such is wholly inclusive in its approach. For this reason, both parties are in agreement that First Nations, Inuit and Métis will be represented in the Steering and Advisory bodies, and in the design of the markers themselves. We anxiously await funding decisions on this important project.

### **Day Scholar/Day School Class Actions**

The Joan Jack Law Firm, in conjunction with Spiritwind, filed a class action on behalf of Day Scholar and Day School students. It is reported that the Merchant Law Group has agreed to work on the class action. Day Scholars and Day School students along with Chiefs held a successful national conference in Winnipeg on May 2, 2012. National Chief Shawn Atleo attended in full support of redress for Day Scholars/Day School students.

On November 16, 2011, Tk'emlups te Secwepemc and Sechelt First Nations announced their intentions to launch a class action on Day Scholar/Day School. The National Chief attended the meeting in Kamloops in full support of redress for Day Scholars/Day School students.

On November 15, 2011, the National Chief wrote a letter to the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) seeking redress for Day Scholars and Day School students, as well as an apology.

### **Independent Assessment Process (IAP) three-year extension**

AFN representatives for the National Administration Committee and IAP Oversight Committee have been advised of Resolution 54/2011 and to make a Request for Decision to extend the deadline through existing mechanisms built into the IRSSA. The Oversight Committee has issued guidelines for lawyers in the IAP.

### **Blott & Company and Associates investigation and alleged violations of section 13.05 of the IRSSA and s. 67 Financial Administration Act**

Under the terms of the IRSSA, the courts have a supervisory role in the IRSSA. The purpose of the courts' ongoing supervision of the settlement and judgment awards is three-fold: to protect the interests of the absent class members; to ensure the overarching principle that those to whom the settlement is intended to apply are treated fairly and equitably in the distribution of the award; and, to ensure the timely and effective distribution of the benefits of the award by the Administrator of the Settlement.

As party to the IRSSA, the AFN continues to protect the interests of former IRS students in the IRSSA. As such, the AFN has provided leadership by engaging the courts in their supervisory role through an investigation and court hearings related to Blott & Company and Associates who are alleged to have violated the IRSSA and Financial Administration Act impacting thousands of claimants who may have not received the full benefit of their IAP settlements. The IRSSA bans the assignment of any amounts payable under the IRSSA until 100% of the Common Experience Payment (CEP) monies are received by claimants; the Crown debt will not have been discharged. Crawford Class Action Services engaged KPMG forensic auditors to conduct a comprehensive audit of all of Blott & Company's CEP and IAP files, retainer agreements and fee arrangements with Honor Walk Ltd., Funds Now Inc., Residential School Healing Society of Canada, David Hamm, Thom Dennome, Bridgepoint Financial Services Inc., and Settlement Lenders of Canada Inc. A final report with recommendations by Crawford Class Action Services was filed on February 24, 2012. Parties to the IRSSA made submissions to Justice Brown based on the report from April 30 to May 2, 2012 in Vancouver, B.C. Justice Brown reserved decision.

The AFN Executive recommended that a three-person Chiefs Committee provide direction to AFN counsel on the Blott & Company investigation, including potential remedies, and to ensure the claimants' rights are

protected in the process. The AFN Executive also supported the submission of an AFN IRS Outreach and Consultation proposal to the court hearing (April 30-May 1, 2012) so that Blott & Company claimants' rights to information are protected and health supports are provided.

The AFN facilitated presentations and discussion on the IRSSA at the National Justice Forum in February 2012.

### **AFN Aboriginal Assistance Support Workers**

In conjunction with regional leadership, the AFN has coordinated Aboriginal Assistance Support Workers (AASW) in specific regions where there are gaps in uptake on IAP applications. The AASW provide information and assistance in filling out applications for the IAP. The project is only available until the IAP deadline in September 2012.

### **Health Supports**

Health Canada provides health supports to former IRS students and families in the IRSSA. Health Canada's mandate derives from Aboriginal Affairs and Northern Development Canada engaging them to provide health supports. Accountability and responsibility for adequate health supports remains with AANDC as party to the IRSSA. The closure of the Aboriginal Healing Foundation (AHF) has created gaps in healing services for former IRS students. Health Canada is providing health supports as part of the TRC process, but unlike AHF programming, these are not community-based and ongoing. There is no certainty of ongoing funding for 12 residential school treatment programming currently funded by the Aboriginal Healing Foundation. First Nations leaders continue to express concerns about the lack of funding for health supports for IRS claimants. Individual IAP claimants impacted by the Blott & Co and Associates investigation are feeling re-victimized by a process that was meant to protect their interests.

### **CEP Surplus and Personal Credits**

At December 31, 2011, the annual audited statements of the CEP Designated Amount Fund indicate a surplus of over \$341 million. Any and all amounts remaining in the Designated Amount Fund on January 1, 2015 will be paid to the National Indian Brotherhood Trust Fund (NIBTF) and the Inuvialuit Education Fund (IEF).

Under the terms of the IRSSA, if the balance of the CEP Designated Amount Fund is more than \$40 million after CEPs are paid, all CEP recipients are eligible to receive Personal Credits for education purposes to a maximum value of \$3,000 per person (no cash value). The Personal Credits are only redeemable for personal or group education services provided by education entities or groups pursuant to terms and conditions being developed by Canada and the AFN. Similar terms and conditions will be developed by Canada and the Inuit representatives.

### **Indian Residential School Additions to the IRSSA**

There were 1,447 requests to add Indian Residential Schools to the official list of schools under the IRSSA; the majority have been denied.

As of June 30, 2011, the following schools have been added: St. Paul's Hostel, Dawson City, Yukon; Anahim Lake Dormitory, Anahim, BC; Cote Improved Federal Day School, Kamsack, Saskatchewan; Battleford's

Industrial School; Fort George Hostels, Quebec; Wawanosh Home, Ontario; Stirland Lake, Ontario; and Cristal Lake, Ontario.

Other applications currently working their way through the court appeal process include the Timber Bay School (Saskatchewan), Grouard Indian Residential School (Alberta) and Mistassini Indian Day School (Quebec).

Hearings will be held together on applications to add Coqualeetza Indian Hospital (BC), Lac La Biche Indian Residential School (Alberta) and St. Augustine's Indian Residential School (Alberta) under Article 12 of the IRRSA.

A schedule has been set for cross-examinations regarding the addition of the Teulon Residence (Manitoba) as an IRS under the IRSSA.

### **Truth and Reconciliation Commission of Canada**

The Truth and Reconciliation Commission has held several successful national events. Upcoming events include the Saskatchewan National Event in Saskatoon on June 21-24, 2012, Vancouver on September 18-21, 2013, and Quebec and Alberta. There will be a national closing ceremony in Ottawa. The TRC has reported that it does not have an adequate budget to complete its mandate, requiring further discussion with parties to the IRSSA.

### **NEXT STEPS - MOVING FORWARD**

- Continue to attend court hearings and advocate to protect the interests of former IRS students in the Blott & Company and Associates issue to ensure that claimants are treated fairly and receive the benefits they are entitled to.
- Support the Truth and Reconciliation Commission in efforts to ensure it has access to information and resources to complete its mandate as outlined in the IRSSA.
- Facilitate Aboriginal Assistance Support Worker services to former IRS students wishing to access the Independent Assessment Process.
- Continue to advocate for adequate health supports for former IRS students and their communities.
- Continue to provide support to achieve justice and redress for Day Scholars and Day School students.

## INDIGENACTION

IndigenACTION was launched on July 18, 2010 by National Chief Shawn A-in-chut Atleo, the AFN Youth Council and Olympian Waneek Horn-Miller. IndigenACTION is a national effort to build on the spirit and energy of the 2010 Olympic Games and aims to foster partnerships and enhance existing relationships to improve the quality of life for Indigenous peoples by promoting healthy lifestyles, community togetherness and community-based economic opportunities. This will include securing greater investment and support for our own athletes, as sport has strong potential to encourage, motivate and create confidence in our young people.

### KEY ISSUES AND ACTIVITIES

Together with the leadership of Waneek Horn-Miller and the AFN Youth Council, phase one of the initiative included hosting three regional roundtables to identify best practices, common goals and objectives to facilitate the development of recommendations to support and stabilize new and existing initiatives and organizations that support young Indigenous athletes and work to improve fitness and well-being in our communities.

Participation in the roundtables included athletes, recreation and fitness leaders, academics, public institutions, the private sector and community members. The roundtable process was supported by the AFN and a number of independent sponsors, including Tim Hortons, Nike, New Relationship Trust, Motivate Canada and the BCAFN. The roundtable report and recommendations will be available at the 2012 Annual General Assembly.

The National Chief met with the Minister of Sport to advance the work of IndigenACTION and recent AFN resolutions related to lacrosse, the 2015 Pan Am Games and increases to sports funding for First Nations. The AFN has also established a National Lacrosse Committee to help advance opportunities for First Nation citizens to learn lacrosse.

The AFN has established new Statements of Partnership with Nike, Just Move It and the Rick Hansen Foundation. The partnerships will help promote healthier lifestyles and improved quality of life for Indigenous peoples. The AFN is also exploring partnerships with organizations such as Right To Play with the objective of fostering similar opportunities.

### NEXT STEPS - MOVING FORWARD

- Establishing a mandate to continue the efforts of IndigenACTION and advance recommendations from the roundtable report.
- Exploring further partnerships and efforts that will increase opportunities for Indigenous sport, recreation and physical activity.

## HOUSING AND INFRASTRUCTURE

In the last decade there have been numerous resolutions put forward providing a mandate to the Assembly of First Nations to take action on the issue of housing. Generally speaking the resolutions direct the AFN to call on the federal government to respect the jurisdictional authority of First Nations and their duly mandated representational organizations in exercising roles and responsibilities for housing.

Resolutions also call on government to respect its fiduciary responsibility to provide for housing based on the Treaty Right to Shelter. The government has taken the position that housing is nothing more than a social obligation and not a fiduciary responsibility based upon Treaty rights. A number of resolutions have framed the current AFN approach to housing that calls for more direct engagement of First Nations in a new National Strategy for First Nations Housing.

### KEY ISSUES AND ACTIVITIES

Resolution 81/2008 called for a direct and inclusive role for First Nations in the evaluation of the 1996 On-Reserve Housing Policy. The evaluation process included a critical look at the manner in which the policies, programs and activities of Indian and Northern Affairs Canada (now Aboriginal Affairs and Northern Development Canada - AANDC) and the Canada Mortgage and Housing Corporation (CMHC) were devised; the degree of First Nations consultation and influence in the developmental process; regional variations of interpretation of policy intent and decision making; and that the evaluation process be seen as the starting point of meaningful participation in all future activities in the renovation of the 1996 Policy in preparation for the next Treasury Board Submission and its accompanying Memorandum to Cabinet.

After a two-year process it was acknowledged that housing programs, activities and initiatives were developed outside of the scope of First Nation needs and priorities and had no meaningful First Nations input.

In the absence of a cohesive strategy on the part of the Government of Canada, it is incumbent on First Nations to forge a direction for the future of First Nations Housing both on and off reserve. In December 2011 AFN held a workshop to help identify the roles and responsibilities of all parties involved in housing.

### A National Strategy for First Nations Housing

Resolution 83/2011, *Housing as a National Priority*, continues previous resolutions that called for the recognition of First Nation Governments to manage and control housing and infrastructure programs from a local, tribal council, Treaty organization, or provincial/territorial organization structure.

In response, the AFN has developed a draft strategy that provides a framework for a new management and delivery structure for housing, to be discussed at the 2012 Annual General Assembly. This strategy will set out a series of general principles and objectives as well as specific commitments to provide direction and a transparent mechanism for measuring success. This is to be achieved with the engagement and consultation



with First Nations and their duly mandated organizations at the local, territorial and regional levels. It is to be guided by the AFN Chiefs Committee on Housing & Infrastructure and its Technical Working Group.

A comprehensive National Strategy would include all aspects of housing, from social housing and the care and control of band-owned housing assets to individual and private home ownership.

Possible elements of a strategy may include:

- Facilitating the development of a Public Foundation/Non-Profit Corporation that will act as a ‘hub’ to both established and emerging housing entities that will function at the local, territorial and regional levels.
- Creating a mechanism of advice and support for the development of housing entities or ‘Housing Authorities’ that populate this First Nation Institutional Network for Housing.
- Negotiating a new funding mechanism dedicated to the First Nation Institutional Network and work to see the transition of funding for current Government of Canada housing programs, activities and initiatives to this First Nation Institutional Network for Housing.
- Developing appropriate programs, activities and initiatives to meet the housing needs and priorities of First Nations and have them delivered through this First Nation Institutional Network for Housing.
- Supporting the development of regulatory environments necessary for any First Nation to fully exercise its authority in housing.
- Identifying proven options for the means of Operational Control of Housing in First Nations and assisting First Nations in achieving the chosen option.
- Assisting in building First Nation capacities to exercise housing responsibilities successfully and sustainably. The capacities required for success would include social, human, financial and technical elements.

The strategy will recommend a multilateral partnership approach to strengthen relationships and benefit from the sharing of information and best practices. Partnerships could include industry, private sector, professional associations, unions, public foundations, academic institutions, and non-governmental organizations.

### **AFN-Holmes Group-Atikameksheng Anishnawbek Pilot Project**

The project is well underway with significant planning and early design work completed and the first stage of construction to begin this summer.

Atikameksheng Anishnawbek has gone through a Master Architectural Planning Review designed to capture all of the features of the community. This was intended to act as a starting point for the project and a foundation for Comprehensive Community Planning with the assistance of Dalhousie University and the project team.

A Conditional Assessment of the community’s existing housing stock (58 units) was undertaken to determine deficiencies related to health, safety, fire protection, structural stability and accessibility. A Specification List is being developed to determine the optimum methods and materials for the renovations

of these units. This Specification will be based on cost efficiency, energy efficiency, increased durability and a healthier indoor environment for its occupants.

Architectural drawings for eight new housing units are complete and have been used as the basis for a bidding process for contracts to build this summer. A construction firm has been selected and a review of all capacity development measures necessary for local employment is underway.

Inspection Protocols are being developed for both the Conditional Assessment of Existing Housing and for the Code Compliance of New Housing. New features for these protocols include the value optimization of methods and materials, specifications with a particular focus on healthy materials and healthier indoor air quality, a view of quality assurance to ensure proper construction techniques and skills proficiency are achieved, and finally a commissioning exercise prior to occupancy to ensure the house is operating efficiently and as designed.

Work on the Housing Centre of Excellence has progressed with the development of Model Housing Policy Guidelines, which are available on the AFN website at <http://www.afn.ca/uploads/files/housing/housing-policy-guide.pdf>. A “Housing Authority Models” document has been written to guide the operational controls for First Nation housing. The Ontario First Nations Technical Services Corporation has agreed to allow the Ontario First Nation Illustrated Housing Code to be used in the Housing Centre of Excellence

The development of the First Nation Green Housing Standard has begun with chapters addressing a number of key elements including:

- Assessing the current housing situation;
- Developing effective strategies for housing;
- Comprehensive community planning for housing;
- Creating a regulatory environment (codes-standards-rules-regulations-land use/zoning-policies-bylaws-permits-compliance and enforcement);
- Models of operational control for housing (governance-funding-finance-management-administration-operations and portfolio maintenance);
- Energy efficiency measures;
- Renewable and alternative energy options;
- Water and Wastewater considerations;
- Preferred construction methods and materials;
- Environmental and traditional considerations;
- Health-based specifications; and,
- Occupant awareness and training needs.

### **World Indigenous Housing Conference**

The AFN has been working as a conference committee member of the international 2012 World Indigenous Housing Conference (WIHC) along with a select group of knowledgeable, influential Indigenous housing leaders from Australia, New Zealand, Canada and the United States. More than 1,000 Indigenous housing leaders, politicians, policy makers, corporate leaders and researchers will attend the conference, *Sharing our Stories; Sharing Our Successes*, which took place on June 11-15, 2012, in Vancouver, British Columbia.

The WIHC is the first event to bring international leaders in Indigenous housing together to learn from best practices around the world, build a global network, and examine common themes facing indigenous housing providers.

The key goals for the World Indigenous Housing Conference were to:

- showcase best practices from around the world in on-reserve and off-reserve Indigenous housing;
- profile BC's affordable Indigenous housing as a model others can follow;
- bring Indigenous housing providers together to teach and learn from each other's successes;
- share tools and models for addressing challenges; and,
- build an international network of Indigenous housing providers sustained, in part, by an online network/blog following the conference.

The five key areas of focus for the conference included Health and Housing, Capacity Building, Disaster Preparedness, Governance, and Partnerships.

Visit [www.indigenous2012.com](http://www.indigenous2012.com) for more information on the conference.

### **Evaluation of the First Nations Market Housing Fund**

The AFN has been actively engaged in the AANDC Evaluation of the Broader Policy Implications of the First Nations Market Housing Fund (FNMHF) on the Government of Canada's approach to housing on reserve. This study is intended to complement the simultaneous evaluation by CMHC of the relevance and performance of the FNMHF. It should be noted that there was no invitation for AFN involvement in the CMHC portion of the evaluation.

The AANDC evaluation included key-informant interviews, case studies, a literature review and document and policy analysis. The final report was completed by AANDC's Evaluation, Performance Measurement and Review Branch and made available to First Nations following review and revision.

In its assessment of relevance, this review found that while there is a demonstrable need for market-based housing initiatives on-reserve, there is no definitive evidence that there is a need for a Fund explicitly designed for this form of credit enhancement, and no evidence that this Fund in particular will meet its stated objectives of increasing home ownership and reducing reliance on federal assistance for social housing. Home ownership and market-based housing are viewed as key approaches to improving housing quality and sustainability, however, it is clear that support for market-based initiatives generally is consistent with the Government of Canada's priorities, and AANDC should continue to play an integral role in this regard.

In its assessment of performance, this review found that there is no evidence of tangible results to date as only two homes have been constructed using the Fund's credit enhancement mechanism and there has been no verification of clear impacts stemming from the Fund's capacity-building initiatives.

In its assessment of design, this review found that there is a need to prioritize capacity-building aspects of the Fund, and to revisit expectations in terms of the use of credit enhancement. The assessment of broader policy implications further suggests that there are existing options for housing on reserve, specifically:

While issues of land rights stemming from the *Indian Act* pose significant challenges to home ownership and market-based housing, these challenges are not insurmountable, and many communities have used innovative means of addressing these barriers.

While there is potential for the Fund to address some housing needs in the longer term, its Credit Enhancement mechanisms may not necessarily be the preferred option for market-based housing, and capacity development is likely the key to facilitating home ownership in the long term.

This review also suggests that there are several preconditions and assumptions inherent in the uptake of credit enhancement options that, when considered against the current reality in most on-reserve communities, suggest the need to reframe the strategy as more long-term and less as a means to address immediate housing needs.

In the short-term, there should be no reasonable expectation that credit enhancement itself will necessarily facilitate major reductions in the use of Section 95 mortgages. The evidence in this review found that capacity development, governance and community and individual interest in home ownership are key to addressing housing needs, and that transitional mechanisms to prepare willing communities for home ownership and reduce the reliance on social housing need particular emphasis in short-term policy planning for longer-term results.

### **NEXT STEPS - MOVING FORWARD**

- Continue dialogue and development of a National Strategy on First Nation Housing for endorsement at the 2012 Special Chiefs Assembly.
- Continue to develop the Housing Centre of Excellence to support First Nation capacity to fully deliver all aspects of housing within their territories.
- Create greater awareness and understanding of First Nations critical housing needs and encourage investments and adequate resources to address these.
- Continue to support and model promising practices from the AFN-Holmes Group-Atikameksheng Anishnawbek Pilot Project.

## EMERGENCY ISSUES MANAGEMENT

The Assembly of First Nations (AFN) through its Housing & Infrastructure Secretariat has taken on a more active role in emergency issues management activities affecting First Nations.

This activity is supported by the Canada-First Nations Joint Action Plan announced on June 9, 2011, which includes continued development and implementation of emergency management frameworks through collaborative working relationships between First Nations, neighbouring communities, federal/provincial/territorial governments, and other agencies. Work in this area addresses the four pillars of emergency management: mitigation, preparedness, response, and recovery.

This need is further strengthened by an announcement of the Council of the Federation in July 2011 regarding disaster management and as referenced in a letter to Prime Minister Harper stating, “with regard to emergency management, Premiers and Leaders agreed that the federal government needs to take a stronger and more proactive role in ensuring that First Nations and Aboriginal communities are adequately prepared and resourced to respond to emergencies, be they related to health, natural disasters or major accidents. Provinces and Territories are willing to work with the federal government, First Nations and other Aboriginal communities. It is our view that a strategic framework and long-term mitigation strategy on First Nations and Aboriginal community emergency management may be an effective means of moving forward.”

Resolution 33/11, *Fire Protection Services for First Nation Communities*, also provides direction for the emergency issues management file.

### KEY ISSUES AND ACTIVITIES

#### **Senior Officials Responsible for Emergency Management (SOREM)**

Since the 2011 Annual General Assembly, the AFN’s Emergency Issues Management (EIM) staff has provided input in the development of the *Statement of Principles Concerning Emergency Management for Aboriginal Communities and the Guidelines for Developing Agreements for Emergency Management Services of On-Reserve First Nations Communities in Canada*. This work is done through the inclusion of AFN’s EIM in the First Nations-Inuit-Northerners Working Group (FNINWG) developed as part of the larger SOREM group. AFN involvement will ensure First Nation concerns are included in the development of these documents which directly affect First Nation communities.

#### **Aboriginal Affairs and Northern Development Canada (AANDC)**

Through cooperation with the AANDC Emergency Issues Management Directorate (EIMD), AFN EIM has been providing AFN regions with timely notifications on emergency issues which affect First Nations on a regional and national scope. To further facilitate this process, AFN EIM will engage regional technicians to refine the Emergency Issues Management process within First Nations.

### **First Nations Fire Strategy Working Group**

AFN EIM has been working with the AANDC Fire Strategy Working Group to review the current status of fire protection for First Nations in an effort to examine its shortcomings and make recommendations for improvement.

### **Partnerships**

AFN EIM is working to review and update where needed partnerships with organizations who provide Emergency Management services or capacity planning, such as the Canadian Red Cross and Canadian Executive Services Organization (CESO).

### **NEXT STEPS - MOVING FORWARD**

- AFN EIM will continue to sit on the SOREM First Nations-Inuit-Northerners Working Group to represent the interests of First Nations in emergency management and will continue to participate in the development and completion of the *Statement of Principles Concerning Emergency Management for Aboriginal Communities and the Guidelines for Developing Agreements for Emergency Management Services of On-Reserve First Nations Communities in Canada*. The AFN will also continue to press for greater involvement of First Nations in the development of the agreements.
- AFN EIM will continue to develop its connections and networking to coordinate EIM efforts between the representative regions and organizations.
- AFN-EIM will develop a roster of invitees and seek funding for a fall symposium with regional First Nation organization representatives, including both water and health technicians, to plan and develop a regional emergency issues management technician advisory group. AFN-EIM will propose strategies for a process, in relation to the four pillars of Emergency Management, to assist in capacity development in First Nations for a Community Emergency Response Coordinator, and research strategies for more ground-level community involvement.
- AFN EIM will continue to provide updates and reports on its activities and seek support from AANDC, and develop a more concerted connection with the Emergency Issues Management Directorate on related issues and joint efforts.
- AFN EIM and Public Safety Canada are developing a relationship through liaison to engage and research how to better serve and reach First Nations in regards to Public Safety initiatives in the area of Emergency Management.

## **EXERCISING AND IMPLEMENTING OUR RIGHTS:**

First Nations have inherent rights that give them the control to make the decisions that affect their lives. The AFN will support First Nations in implementing those rights and the treaties using clear standards, such as the United Nations Declaration on the Rights of Indigenous Peoples. We say to Canada that we are all Treaty people, and we have responsibilities to one another and an obligation to honour those sacred promises. It is our time to act on First Nations inherent rights and authority by supporting traditional governance, achieving acceptable consultation and accommodation standards, and securing resource revenue sharing.

## NATIONAL STRATEGY ON TREATY IMPLEMENTATION

The Assembly of First Nations (AFN) National Strategy on Treaty Implementation is guided by the resolution *Sacred Treaties – Sacred Trust: Working Together for Treaty Implementation and Advancing our Sovereignty as Nations* (No. 07/2010) adopted by the Chiefs at the 2010 Annual General Assembly in Winnipeg.

The AFN is not a Treaty rights holder; its role involves facilitating and supporting the views of Treaty holders from all Treaty Nations to further engagement with the Crown.

The National Strategy on Treaty Implementation is intended to produce First Nations and Crown understanding on Treaty Implementation processes only; not the meaning and substance of Treaty Implementation as only Treaty Parties can discuss and agree on those matters.

### KEY ISSUES AND ACTIVITIES

Since the last Annual General Assembly, the AFN participated in the Treaties #1-11 Gathering hosted by Tsuu T'ina Nation as part of the roundtable process with the Pre-Confederation Treaties Roundtable, and the Federation of Saskatchewan Indian Nations pilot roundtable on resource revenue sharing held previously. These discussions were helpful in confirming views among Treaty holders in regard to Treaty implementation, and other issues such as dispute resolution and the importance of improving education based on Treaty.

The AFN further hosted meetings with Treaty Nation leaders and experts in November 2011 that led to the development of a draft *First Nations Treaty Parties Statement regarding the Observance and Enforcement of Treaties*. Several versions were composed and the draft statement was provided to First Nation leaders at the Special Chiefs Assembly in December 2011. Further revisions were made to the Statement following a strategic session on Treaty implementation at the Special Chiefs Assembly.

The most recent draft of the Statement was tabled at the Crown-First Nations Gathering held in Ottawa in January 2012. A concurrent session with Treaty leaders, the Prime Minister and other Crown representatives was held at the Gathering to discuss the priority of Treaty implementation and the Statement.

The Canada-First Nations Joint Action Plan was announced in June 2011. As part of the Joint Action Plan, Canada and First Nations agreed on common goals and shared principles in order to identify shared priority areas for action. Canada and First Nations committed to work together in making concrete and practical progress by engaging in a meaningful dialogue on:

*“The future of historic Treaty Relationships to confirm areas of common ground with Treaty First Nations and to develop concrete options to reinvigorate Treaty relationships which builds on the outcomes of the 2008 INAC-AFN Treaty Conference.”*



Furthermore, the Crown-First Nations Gathering Joint Outcome Statement released in January 2012 includes the following commitment:

*“Advancing Claims Resolution and Treaty Implementation:*

*The Government of Canada and First Nations commit to respect and honour our treaty relationships and advance approaches to find common ground on Treaty implementation. The parties also commit to ensuring federal negotiation policies reflect the principles of recognition and affirmation mandated by Section 35 of the Constitution Act, 1982 and advance certainty, expeditious resolution and self sufficiency.”*

The Crown-First Nations Gathering Joint Outcome Statement further sets a deadline of January 24, 2013 for reporting progress on commitments made. It reads:

*“As partners in the Crown-First Nations Gathering, we will maintain the relationship through an ongoing dialogue that outlines clear goals and measures of progress and success. To help ensure momentum continues coming out of this event, we commit to work together and release a progress report by no later than January 24, 2013.”*

## **NEXT STEPS - MOVING FORWARD**

- The *First Nations Treaty Parties Statement regarding the Observance and Enforcement of Treaties* was developed unilaterally by Treaty leadership without the participation of the Crown. Therefore, an initial task may be to engage the Crown in a discussion to achieve a joint Treaty Statement or position to establish principles and processes for Treaty Implementation as a possible approach.
- Treaty implementation will require processes or frameworks for Treaty Nation leadership to engage with the Crown to fulfill the commitments and obligations agreed to, and that Treaty partners identify the appropriate representatives required to discuss these matters, including providing appropriate mandates, structures and directions to ensure successful Treaty implementation.
- It has further been agreed that the Royal Proclamation of 1763 and the upcoming anniversary of the Royal Proclamation in October 2013 will serve as an important focal point for the Treaty leadership to engage with the Crown. It has been recommended that Treaty Nations gather in Great Britain on the anniversary of the Proclamation and begin to plan for this gathering throughout the upcoming year. As part of the recent Royal Visit by His Royal Highness Prince Charles, Treaty leaders presented a request for an invitation from Her Majesty the Queen to gather in Great Britain on the anniversary of the Royal Proclamation in October 2013.
- Discussions with Treaty Nations leadership and discussions with Crown representatives will continue to ensure that commitments and obligations agreed to as part of both the Crown-First Nations Joint Action Plan and the Crown-First Nations Gathering Outcome Statement are achieved.

## LAND RIGHTS & CLAIMS

Land Rights & Claims encompasses several distinct areas, most notably Comprehensive Claims, Specific Claims and Additions to Reserves (ATR). The Assembly of First Nations (AFN) has held strategy sessions on Land Rights & Claims as a regular part of its agenda at its last two Assemblies. During these sessions, a variety of issues and new resolutions were reviewed, including:

- Resolution 71/2011 – *Comprehensive Claims Policy (CCP) Reform Initiative* – focusing on the Crown-First Nation Gathering held in January 2012, and emphasizing the need to advance CCP reform as a part of this event.
- Resolution 17/2011 – *Specific Claims Tribunal Act Timelines* – concerning Canada’s inappropriate use of timelines to limit negotiations.
- Resolution 14/2011 – *Additions to Reserve and Economic Development* and 70/2011 *Improving the Additions to Reserve Policy and Process* – both confirming the need to reform the ATR policy and process.

There are two distinct bodies that oversee matters which fall under the Land Rights & Claims heading:

- the Chiefs Committee on Claims (CCoC) has existed for more than two decades and meets several times a year to discuss issues relating to Specific Claims and ATR;
- a Comprehensive Claims Policy Working Group has been in place since before the 2010 Annual General Assembly, and has met regularly to discuss CCP reform issues and strategy.

A number of additional topics are also associated with Land Rights & Claims, including Claims Over \$150M, Landless Bands, and Modern-Day Treaty Implementation. These are reflected in various resolutions and activities.

### KEY ISSUES AND ACTIVITIES

#### Comprehensive Claims

The reform of Canada’s Comprehensive Claims Policy (CCP) is currently a focal point for AFN advocacy and was advanced as a priority at the January 2012 Crown-First Nations Gathering.

The AFN had conducted three regional discussion forums on CCP reform during the Fall/Winter of 2011. These forums served to underscore key concerns as experienced by First Nations seeking a resolution of their comprehensive claims. A roll-up report is available in French and English on the AFN website.

The AFN developed a statement on this issue with its CCP Working Group for the Crown-First Nations Gathering, which included timelines for joint AFN-Canada engagement:

1. Convene a senior table with 3 representatives each from AFN and Canada to oversee reform discussions (by February 29, 2012);
2. Establish a joint working group to set-out issues for a proposed joint framework for CCP reform (by March 31, 2012);

3. Based on confirmation of a joint framework, develop recommendations for CCP reform for presentation to the senior table (by June 2012);
4. Confirmation of reform proposal by AFN and Canada (by July 2012).

This statement also underscored that rights and recognition are a critical part of advancing First Nation interests and that extinguishment is not acceptable option moving forward.

In its efforts to move on the outcomes from the Crown-First Nations Gathering, the AFN convened a follow-up meeting of its CCP Working Group, and engaged in a preliminary joint meeting with officials from Aboriginal Affairs and Northern Development Canada (AANDC) and Minister Duncan's office in late April.

The National Chief has followed up from this meeting and formal plans for engagement are expected to be announced in the near future.

### **Specific Claims**

October 16, 2011 marked three years since the passage of the *Specific Claims Tribunal Act*. This meant that all claims filed or accepted for negotiation at the time that the Act came into force would now have access to the Specific Claims Tribunal. Canada's efforts to process the backlog of hundreds of claims during this three-year period however, created significant new challenges for First Nations, some of which are the subject of a resolution (17/2011 – *Specific Claims Tribunal Act Timelines*). While Canada claimed to have cleared the entire backlog of claims over this three-year period, regrettably, only a very small proportion was settled through negotiations – the vast majority were “rejected” or have had their file “closed”. The AFN is working to rectify Canada's reporting of how specific claims are being processed by the Specific Claims Branch (SCB), and has begun to compile its own statistics on the processing of specific claims by Canada.

Canada will conduct a 5-year review of its Specific Claims Action Plan – *Justice at Last* – in 2012. The AFN hosted two think tanks early in 2012 to gather input from First Nation claimants about their experiences with Canada's new approach to specific claims. Participants at the think tanks expressed significant concern about their engagement with Canada with respect to the assessment, negotiation and funding of specific claims. Based on this, the AFN developed a submission to Canada entitled *Justice Delayed*, making 12 recommendations for reform on Canada's part. The submission can be found on the AFN website.

The Specific Claims Tribunal of Canada is now fully operational and began to hold case management conferences during the fall of 2011. The Tribunal's first formal hearing was held beginning on May 30, 2012 (Osoyoos Indian Band, BC). This claim, and those that follow, are likely to have significant bearing on the landscape of claims in the months and years to come. First Nations with specific claims are urged to monitor developments at the Tribunal, and AFN will continue to share information and facilitate dialogue amongst claimants as circumstances warrant.

## Additions to Reserve (ATR)

Efforts to improve the ATR policy and process are the subject of a joint AFN-Canada technical table. Several resolutions have been passed over the past two years emphasizing the need for a more efficient, effective and transparent reserve creation process.

Throughout the 2011 calendar year, the AFN participated in a total of seven ATR regional dialogue forums, in partnership with the National Aboriginal Land Managers Association (NALMA). The outcomes from this engagement are now posted on the AFN website in the form of a comprehensive roll-up report and recommendations. Additionally, AFN has carried out six regional case studies to examine the specific experiences of First Nations attempting to complete ATRs.

Based on this work as mandated by resolution, the AFN has continued to meet with Canada to scope out issues related to reforming the ATR policy and process. This will include:

1. Creating a new ATR category entitled “Tribunal Decisions” for land proposals resulting from a positive decision of the Specific Claims Tribunal to re-acquire or replace specific claims land;
2. Transforming and expanding the approach to “Community Additions” to ensure that these proposals are considered on their merits thereby placing an onus on Canada to justify why such a proposal might not be accepted;
3. Collapsing the current “New Reserve / Other” category into the “Legal Obligations” category to create a more transparent policy and process for these ATRs.

In addition, along with an improved ATR policy, the joint AFN-Canada technical table is looking at companion legislation that would:

1. Extend the *Claims Settlement Implementation Acts* available to First Nations in Saskatchewan, Alberta and Manitoba to First Nations in other provinces and territories;
2. Make other legislative changes that would make the ATR process more efficient and more transparent.

These and related issues will be brought to the Chiefs-in-Assembly for review and discussion at the AFN’s 2012 Annual General Assembly and beyond.

## NEXT STEPS - MOVING FORWARD

- Expected progress and reporting on Comprehensive Claims Policy reform, in coordination with the Comprehensive Claims Policy Working Group.
- Ongoing reporting on the activities / information sharing relating to the Specific Claims Tribunal of Canada.
- Continued work on the joint AFN-Canada technical table on ATR.
- Regular engagement with the Chiefs Committee on Claims.

## BORDER CROSSING

First Nations have Indigenous and Treaty rights to travel and trade freely across the US-Canada border, as recognized and affirmed in the Jay Treaty of 1794, section 35 of the *Constitution Act*, 1982, and Article 36 of the United Nations Declaration on the Rights of Indigenous Peoples. Issues of interest and focus in this area are cross border mobility, enhanced border security, transport of cultural/sacred items, and the development of First Nation identification cards.

The Chiefs-in-Assembly have asserted that the remedies that are currently available, including passports from Canada and the US and the new Secure Certificate of Indian Status (SCIS), do not meet the needs of First Nation citizens. Resolution 20/2010, *Support for Recognition of Nationhood of Iroquois Hatinonsionne Confederacy and the Validity of Indigenous Passports*, calls for the use of Indigenous passports and urges the Government of Canada to work with First Nations in establishing their own systems of secure identification, based on their nationhood, citizenship, jurisdiction, and inherent rights. In addition, Resolution 52/2011 reaffirms our sovereignty as reflected in treaty relationships with the Crown and the responsibility to protect the resources of First Nation lands and the rights of our citizens; the resolution further recognizes the jurisdiction and sovereignty of each distinct Nation to develop, create, and circulate their own identification cards. Resolution 78/2011 directs the AFN to seek resources to convene the Second International Indigenous Border Security Summit in Akwesasne.

### KEY ISSUES AND ACTIVITIES

#### Secure Certificate of Indian Status (SCIS)

The following offices are accepting applications for the Secure Certificate of Indian Status (SCIS): Aboriginal Affairs and Northern Development Canada (AANDC) Headquarters in Gatineau; AANDC Regional Offices in Winnipeg, Regina, Calgary and Edmonton; and Treaty 7 First Nations Offices. The AANDC website advises that the remaining First Nations will continue to issue the current version of the status card (CIS). At a briefing in May 2012, AANDC informed AFN officials that it has suspended issuing the border crossing format of the SCIS until problems related to the travel verification check are resolved. The delay in processing the border secure cards has created a significant backlog. Therefore, AANDC will be issuing a reconfigured version of the in-Canada/ domestic format of the SCIS. As an interim measure, the reconfigured domestic format of the SCIS will be issued to all applicants. AANDC has received assurance from the US Department of Homeland Security that US officials will continue to accept the domestic SCIS as well as the CIS for entry into the US by land and water, without a deadline. It remains unclear when the national roll-out of the SCIS will be completed. The AFN will continue to monitor the implementation of the SCIS, advocate for changes based on the input from Chiefs, and request updates on any changes to the process or design of the SCIS.

#### Beyond the Border Action Plan

In February 2011, the Prime Minister of Canada and the President of the United States issued a Declaration on a Shared Vision for Perimeter Security and Economic Competitiveness, which called for the development of a joint action plan. The AFN provided a written submission to the Beyond the Border Working Group, entitled *Affirming Indigenous Border Crossing Rights*, on June 3, 2011.

The (Beyond the) Border Action Plan (also referred to as Perimeter Security and Economic Competitiveness Action Plan) and the Joint Action Plan for the Canada-United States Regulatory Cooperation Council were announced by Prime Minister Harper and President Obama on December 7, 2011. Both the Border Action Plan and Regulatory Cooperation Action Plan are silent on First Nation border crossing rights, as affirmed by the UNDRIP (Article 36) and in treaties, as well as on the specific issues identified by First Nations in relation to Indigenous sovereignty, jurisdiction, citizenship, and trade. The two joint US-Canada action plans have serious implications for First Nation citizens and governments. In addition to potential barriers to Indigenous mobility, there are a number of important multi-jurisdictional issues related to the Canada-US border, including policing, public safety and emergency preparedness, which must see First Nation governments involved in the design and implementation of initiatives.

### **Second International Indigenous Border Security Summit**

In January 2012, the National Chief requested a meeting with the Minister of Public Safety to discuss the second International Indigenous Border Security Summit. The AFN Border Chiefs Committee held a meeting via teleconference in February 2012, consolidating support for the Summit. The National Chief also sent a request for a meeting to the Prime Minister in March 2012, to discuss the second International Indigenous Border Security Summit. In their responses, both the Minister of Public Safety and the Prime Minister indicated that the federal government is interested in participating in the Summit. The AFN is working on securing the necessary resources to plan and host the meeting in collaboration with the Mohawk Council of Akwesasne.

### **NEXT STEPS - MOVING FORWARD**

- Information sharing and dialogue on First Nation border crossing issues, especially as they relate to the rights of First Nation citizens to travel and trade freely within their territories and as citizens of their First Nations.
- Seeking updates from AANDC on the implementation of the Secure Certificate of Indian Status (SCIS) and continued advocacy for changes, based on input from Chiefs.
- Reiterating First Nation concerns regarding the Border Action Plan and monitoring its implementation.
- Securing resources for the Second International Indigenous Border Summit.
- Supporting the development of Indigenous identification cards and systems that meet international identification management standards.

## **SUPPORTING FIRST NATION GOVERNMENTS AND NATION RE-BUILDING:**

The AFN will support First Nations, as the rightful holders of title, rights and as signatories to treaties, to engage with governments and serve their citizens wherever they live. The AFN will advocate for full recognition of First Nations' jurisdiction and sustainable transfer agreements to support our responsibilities to our people. It is our time to re-build our nations by uniting and taking the necessary steps towards replacement of the Indian Act.

## FISCAL RELATIONS

The sustainability and equitability of funding levels has a significant impact on the ability of First Nation governments to provide adequate services to their citizens. First Nation citizens face some of the most difficult social and economic problems in Canada and as a result First Nation governments often have a more difficult task than other governments delivering services.

If there is to be reconciliation between the rights and interests of First Nations and the sovereignty of the Crown, then Canada must renew its relationship with First Nations. It must recreate a relationship built on the principle of respect for Nations, for people and for the land, the principle of sharing and the principle of community responsibility to ensure we all succeed together for now and seven generations hence. A sustainable funding base is essential to create the conditions for First Nations to develop economically.

### KEY ISSUES AND ACTIVITIES

#### Background

When First Nations signed the treaties with the Crown, they agreed to share the land with the newcomers; a sharing defined from the perspective of respect between peoples who would live on the land and respect for the land itself. Obligations were entered into on both sides. First Nations expected and believed that both parties were agreeing to share the wealth of the land; that everyone would benefit from the fruits of our collective labours.

This is not the situation today. Study after study has demonstrated that the harvest has not been shared equally or equitably. First Nation leaders since the Penner report have been calling for new financial arrangements. This has been demonstrated through several years of national advocacy, resolutions and AFN pre-budget submissions (i.e., 2011 Pre-Budget Submission as well as AFN Resolutions 24/2011, 23/2011 and 77/2008).

#### Dialogue Forums and Discussion Papers

The AFN has organized discussion pertaining to fiscal relations at a series of dialogue forums and at the AFN's National Forum on First Nations Citizenship. In September 2011, a discussion paper on fiscal accountability was produced to summarize the latest evidence and create a focus point for discussion. All of these materials are available at [www.afn.ca](http://www.afn.ca).

#### 2012 First Nations Plan

In preparation for the Crown-First Nations Gathering, a series of proposed "First Nations Expectations" for moving the fiscal relations work forward were identified in the 2012 First Nations Plan. These proposed expectations are summarized below:

1. Develop a set of core principles to guide joint discussions between First Nations and the Government of Canada that ensure any new fiscal relationship is grounded in equity, fairness and security, stability, predictability, accountability, autonomy, flexibility and access to capital.



2. Develop new funding mechanism(s) for First Nation Governments, such as the existing Territorial Formula Financing model, that provide a high level of autonomy, predictability and efficiency.
3. Develop and design an appropriate legislative basis that will support sustainable fiscal transfers between First Nations and the Government of Canada.
4. Explore options for adopting an independent, third party institution that ensures funding adequacy and identifies the necessary mutual accountability provisions.

### **2012 Crown-First Nations Gathering**

Fiscal relations was a key topic of discussion at the Crown-First Nations Gathering and one activity identified for immediate action as part of the outcome statement following the Gathering. The commitment provides a broad basis for moving forward and states:

As a tangible first step, Canada and First Nations will work on a renewed relationship that is based on:

- a. Movement toward a single, multi-year Government of Canada financial arrangement for First Nations with high-performing governance systems
- b. Improved accountability provisions for all parties
- c. Financial self-sufficiency of First Nations as the end-goal

A working group with First Nations, Aboriginal Affairs and Northern Development Canada, Finance Canada and other relevant departments will be established to review the structure of financial arrangements between the federal government and First Nations.

The AFN Executive has begun discussing the terms of reference and membership for a Joint Working Group on Fiscal Relations with the Government of Canada and work to develop these continues.

### **NEXT STEPS - MOVING FORWARD**

- The Joint Working Group on Fiscal Relations will become fully functional by the Fall 2012. Updates on this work and related materials will be available on [www.afn.ca](http://www.afn.ca).

## FIRST NATION CITIZENSHIP

Citizenship and identity are fundamental to nationhood and are integral to who First Nations are as Peoples and Nations. The survival of Indigenous Nations depends upon re-assertion and exercise of inherent authority over citizenship. This authority is recognized in Treaties and within the unextinguished aboriginal right to self-determination.

The Assembly of First Nations (AFN) has long-standing mandates through resolutions to support First Nation governments to implement this authority and to advocate for the necessary resources and capacity to fully exercise their responsibility to all of their citizens, according to their own definitions and outside of the Indian Act determination of registration eligibility.

### KEY ISSUES AND ACTIVITIES

From May – November 2011, the AFN facilitated a National Dialogue on First Nation citizenship.

The role of the AFN within this process was to:

- facilitate a broad dialogue among First Nations, respectful and inclusive of different starting points and outcomes sought;
- produce and share information to support First Nations in their deliberations; and,
- develop and consider optional and existing frameworks to restore First Nation jurisdiction and transition to new approaches, in a staged and supported manner, within their own timing.

The National Dialogue was comprised of three main activities: Virtual Roundtables on First Nation Citizenship (May 9, 2011 & June 20, 2011); the development of a webportal on First Nation Citizenship for information sharing, surveys and interactive multi-media submissions from First Nation Citizens ([www.firstnationcitizenship.afn.ca](http://www.firstnationcitizenship.afn.ca)); and a National Forum on First Nation Citizenship (November 15 & 16, 2011). The National Dialogue had the active interest and involvement of the AFN Executive, and Councils, with the AFN National Youth Council playing a key role including, leading the Virtual Roundtables, raising awareness regarding multi-media submissions and participating in the National Forum.

The AFN produced a number of tools for First Nation governments, including a model citizenship law and a facilitation guide for community-level dialogue which are available on the webportal.

Several key themes and trends emerged through the National Dialogue. These include:

- Overwhelmingly First Nations want to reassert their control and decision-making over Citizenship. In order to do so, there is a clear requirement to support First Nation capacity for law-making and administration, so that they are adequately prepared to assume jurisdiction. Time and again, the dialogue raised the need to move beyond the *Indian Act* as a tool to define and control First Nation identity.

- The affirmation – and in many cases loss of – identity and belonging in a Nation was identified as fundamental and participants at all levels – chiefs, elders and youth – supported efforts to assist with reconnection and community healing.
- Indigenous languages were identified as critical to passing on notions of citizenship.
- First Nation artistic and cultural expressions of all kinds, both traditional and contemporary (ceremony, dance, songs, theatre, writing, humour, film) are important tools in helping communities to work through complex policy issues and collective decision-making at the community level; and to build and strengthen connections across generations.
- Ongoing issues with Indian registration need to be addressed in the immediate future to end discrimination and inequitable treatment against First Nation citizens and these will need to be actively dealt with while transitioning to First Nation jurisdiction, including:
  - Inequity of rights to transmit eligibility for recognition based on s. 6(1) v. s. 6(2);
  - Discriminatory practices against First Nation women and their children in cases of undeclared or unknown paternity;
  - Clear and full recognition under the law of children adopted through custom and cultural practices.

#### **NEXT STEPS - MOVING FORWARD**

- The AFN will maintain a virtual webportal for sharing of tools and resources, and furthering dialogue on recommendations and new developments.
- The AFN will continue advocacy for legal and political frameworks that support the exercise of First Nation jurisdiction along with the necessary capacity and institutional support.
- The AFN will continue work with Aboriginal Affairs and Northern Development Canada to address Registration policy that leads to ongoing discrimination.

## URBAN STRATEGY

The Assembly of First Nations (AFN) has received a mandate through Resolution 18/2010 to develop a First Nation Urban Strategy to inform our efforts in this growing area. The Urban Strategy is intended to strengthen connections between First Nation governments and citizens, to move away from the restrictions of the *Indian Act*, and to work towards a continuum of services and the portability of rights for First Nation citizens.

Grounded in the core principle that First Nation leaders represent their citizens regardless of residency, there are many aspects which this strategy could address. The following five elements of the Urban Strategy have been identified as priorities:

1. Protection of First Nation Rights and Interests
2. Occupying Urban First Nation Space
3. Advocating for Improved Federal Government Response
4. Strengthened Relationships with Key Urban Partners
5. Exploring Options for Organizational Change

### KEY ISSUES AND ACTIVITIES

In order to move forward on the development of a nationally-facilitated, regionally-coordinated and locally-led First Nation Urban Strategy, the AFN will continue to facilitate dialogue with First Nation leaders and citizens on urban priorities. Because this is an unfunded area, it has not been possible to engage First Nation citizens, leaders and regions directly in relation to urban issues. In designing a framework for moving forward, the leadership and input from the AFN Executive Committee as well as the AFN Women's, Youth, and Elders Councils will also be crucial.

The AFN will continue to work with partners, such as the National Association of Friendship Centres (NAFC) and YMCA Canada, to bring attention to the needs, rights and aspirations of urban First Nation citizens, especially women and youth. The possibility of a research partnership between AFN and NAFC is of particular interest. A common research interest is the federal Urban Aboriginal Strategy (UAS) which has marginalized First Nation governments. In March 2012, the UAS was renewed with a two-year mandate.

The AFN plans to host an urban-focused webinar in September 2012. The webinar will be a venue to facilitate dialogue on urban issues and discuss elements of the proposed Urban Strategy. This proposed dialogue among First Nation leaders, panelists and viewers seeks to produce clear go-forward items.

### NEXT STEPS - MOVING FORWARD

- Hosting a webinar and inclusive dialogue on the development of the First Nation Urban Strategy in September 2012.
- Seeking resources for regional engagement and research activities.
- Working with our partners to advocate for a continuum of services for First Nation citizens.
- Strengthening the integration of an urban policy and advocacy lens in all areas of AFN engagement.

## JUSTICE

The Assembly of First Nations (AFN) is mandated through resolutions to pursue changes within the criminal justice system to respond to the needs of First Nation peoples, and advocate for the return of control to First Nation communities, so that they may determine their own destinies.

First Nations have Inherent and Treaty rights to govern themselves according to their own laws, enforcement and dispute resolution processes. However, these rights have been interfered with through the imposition of non-Indigenous governance and legal systems. As a result, First Nation citizens face many challenges related to the Canadian justice institutions.

### KEY ISSUES AND ACTIVITIES

#### National Justice Forum

On February 21-23, 2012, the AFN convened a National Justice Forum to bring together First Nation leadership, citizens, community justice workers, activists, and Elders with federal and provincial policy makers, and police representatives to critically discuss the current relationship of First Nations with the justice system. This Forum delivered on the actions called for by Chiefs in Resolution 83/2010.

The Forum took place over three days, and focused on a number of critical justice matters in criminal justice and the interaction between Canadian institutions and First Nation citizens and communities, such as policing, emergency preparedness, corrections, and justice for survivors of Indian Residential Schools. A highlight and key focus of the Forum was honouring the families of murdered and missing Indigenous women, and committing to action to ensure the safety and security of all Indigenous women and girls.

Work is underway following the Forum to develop a National First Nation Justice Strategy, to act as a framework to move forward on First Nation justice systems, and guide actions and activities to transform the current treatment and outcomes for First Nations by justice systems.

#### Ensuring Safety for Indigenous Women and Girls

The AFN has continued and strengthened efforts to support the calls for attention to the urgent issue of murdered and missing Indigenous women throughout Canada, including honouring the families of murdered and missing women at the National Justice Forum in February 2012.

At the United Nations Permanent Forum on the Rights of Indigenous Peoples (UNPFII) in May 2012, the AFN issued a joint statement with the Native Women's Association of Canada, Amnesty International, Chiefs of Ontario, the National Association of Friendship Centres, and others, with a number of recommended actions to meaningfully address the grave issue of violence against Indigenous women and girls in Canada.

The AFN also participated in the Expert meeting on Violence Against Indigenous Women as per article 22 of UNDRIP on January 18-22, 2012 in New York, USA to continue to advocate to end violence against Indigenous girls and women. Based on the Expert Group meeting, the UN has developed a number of recommendations for state governments, communities, and Indigenous peoples to implement to end violence against Indigenous women and girls, which was echoed in the statement delivered at the UNPFII in May 2012.

The AFN sought and received standing as part of the British Columbia Missing Women Commission of Inquiry in early May, 2011. However the AFN lost confidence that the Inquiry will achieve its goals due to the imbalance and inequity in legal resources available to the affected families as well as interested women's and Indigenous organizations. The AFN continues to advocate for the root causes of violence to be addressed, and to support the families that have lost loved ones.

As a culmination of all of these activities, the AFN has developed a draft Action Plan to Ensure the Safety and Security of First Nations Women and Girls to be discussed at the 2012 Annual General Assembly.

### **Aboriginal Justice Strategy**

The Aboriginal Justice Strategy (AJS) funds critical community-based and community-directed programming which support sentencing, restorative justice initiatives, victim services and responsible post-sentence reintegration. These programs work to ensure the safety and security of First Nation citizens and promote the positive reintegration of offenders.

Funding for the AJS is approved on a five-year basis and had expired as of March 31, 2012. There was no mention of funding renewal in the 2012 Budget and communities' programs faced great uncertainty – and in many cases had to lay-off staff. National Chief Shawn Atleo wrote to the Minister of Justice for renewed and increased funding for this initiative. Funding has since been confirmed for this fiscal year and the AFN will continue advocacy for ongoing and predictable support.

### **Corrections and Policing**

Corrections practices and policing was a strong focus of discussion at the National Justice Forum in February 2012. RCMP Commissioner Bob Paulson spoke about how to rebuild a positive relationship between First Nations and the RCMP, based on mutual respect and trust. Assistant Deputy Minister Shawn Tupper from Public Safety Canada spoke about ways to improve the First Nations Policing Program and committed to work in partnership with First Nations.

National Chief Atleo met with senior managers from Public Safety Canada to further a dialogue on how to facilitate and support strong First Nations policing and correctional programs, reflective of and responsive to First Nations' priorities.

**NEXT STEPS - MOVING FORWARD**

- Continue development of a National Justice Strategy to effect change for First Nation individuals' and communities' interaction with institutions of the justice systems.
- Continue advocacy for a Royal Commission into violence against Indigenous women and girls, including an investigation of root causes and preventative factors.
- Finalize a National Action Plan to Ensure the Safety and Security of First Nation Women and Girls and move forward its implementation.
- Advocate for ongoing and predictable funding for community-based justice programs, including those funded by the Aboriginal Justice Strategy.
- Develop a Terms of Reference for an independent multi-jurisdictional public inquiry that would include an independent review of police actions, Aboriginal deaths in custody and Murdered and Missing Women in Canada.
- Continue advocacy to declare First Nations Policing Services as essential services, with sustainable and predictable funding.

## **ADVANCING ECONOMIC AND ENVIRONMENTAL INTERESTS:**

First Nations can be active players in the economy and, in doing so, help build our economies, create wealth and jobs and support our people in shaping the national economy. It is our time to take a leadership role as Indigenous peoples to balance development opportunities and conservation of the earth through environmental protection and green development. We are the first to feel the impacts of environmental degradation, like climate change, yet we are often the last to be heard. Our voices must be heard, our rights must be respected and we must be part of the solution.



## ENVIRONMENTAL STEWARDSHIP

The Assembly of First Nations (AFN) and its Environmental Stewardship Unit (ESU) supports First Nations as leaders in the environment and ensures they have the information and analysis needed to empower decision-making and exercise of First Nations' responsibilities. Key functions in environmental stewardship include advocacy at the national and international levels to ensure clear recognition and protection of First Nations rights and title, and information sharing, research, analysis and knowledge dissemination to support First Nations.

### KEY ISSUES AND ACTIVITIES

#### 1. FIRST NATIONS BIOMONITORING INITIATIVE

The First Nations Biomonitoring Initiative (FNBI) is a study to allow the assessment of environmental contaminants for First Nations people on reserve.

Biomonitoring is a scientific technique that can detect chemicals in human tissues. Currently there is no baseline data on environmental contaminants in First Nation communities. The FNBI seeks to gather this data and track trends over time.

Resolution 49/2009 mandated the AFN to develop information and an interest assessment among First Nation communities for a First Nations Biomonitoring Initiative. Fact sheets, a video and two interest assessment questionnaires were developed and sent to all First Nation communities. The response was high and the majority of First Nation communities replied with interest in such an initiative and wanted more information on biomonitoring.

Resolution 34/2010 reaffirmed support for the initiative and directed the planning and implementation of a project plan.

##### **Pilot Project**

The FNBI pilot project sampled blood and urine for environmental contaminants from 252 First Nation participants from two selected communities in Manitoba. Sampling was conducted from January 23 - February 23, 2011 and was well received by community members.

Samples were immediately sent to the Institut national de santé publique du Québec (INSPQ) for analysis. Participants' results were sent out in March 2012 and the final reports were shared in spring 2012.

##### **Full-scale project**

The full-scale project (2011/2012) plan was developed ensuring the principles of Ownership, Control, Access and Possession (OCAP) were met. The project plan is comprised of the following:

- study design where the statistical framework, parameters and site selection are described;
- sampling logistics with the description of how samples will be collected and processed;

- documentation necessary to comply with OCAP such as consent forms and community research agreements; and,
- interpretation and dissemination of information where protocols for reporting to First Nations, government and others are presented.

Site selection for the initiative was determined by random selection from a list provided by the AFN to partners at Statistics Canada. An AFN employee was present at the moment of the selection. The design follows an ecozone approach across Canada with 13 communities sampled within five ecozones.

AFN presented the FNBI before the Health Canada-Public Health Agency Research Ethics Board (REB) in April 2011 and received ethical approval to proceed with the initiative.

Sampling took place during summer of 2011; 13 communities were part of the study, with an approximate participation of 42 First Nations people per community. Reports are expected for fall 2012/2013.

### **NEXT STEPS - MOVING FORWARD**

- Data analysis of the 13 First Nation communities that participated in the full-scale biomonitoring study.
- Work with Statistics Canada for weighting and identifying relationships between trends.
- Prepare individual reports for all participants and community reports for each of the 13 First Nation communities.
- Draft National Biomonitoring Report with aggregated data of all 13 First Nation communities and 507 participants.
- Negotiate another phase of the Biomonitoring project (2013-2014) to include more First Nation communities (FNBI Cycle 2).

## **2. FIRST NATIONS ENVIRONMENTAL HEALTH INNOVATION NETWORK**

The First Nations Environmental Health Innovation Network (FNEHIN) helps ensure First Nations have access to information to be able to advocate health concerns and interests as part of a First Nations public health infrastructure by providing information, resources, and networking and partnership opportunities. Training and resources made available by the FNEHIN provide the information First Nations require to protect their environments themselves.

The FNEHIN's goal over 2011-12 was to grow the network and provide a valued service to those working on and/or interested in First Nations environmental health. During this reporting period, a national environmental health meeting was held, the newsletter subscriber list increased from under 200 to over 400 subscribers, the FNEHIN website traffic doubled from 2009/2010 to 2011/12, and the website saw increases in the rate of returning visitors, average visit duration, and in pages viewed per visit. The monthly newsletter, funding opportunities database, researcher database, and research guidelines are important tools managed by the FNEHIN.

### **NEXT STEPS - MOVING FORWARD**

- While the FNEHIN is at risk of being discontinued due to lack of funding, the AFN is assessing options to continue to maintain the network.
- The FNEHIN partners will provide training opportunities to members.

### **3. FIRST NATIONS FOOD, NUTRITION AND ENVIRONMENT STUDY AND FIRST NATIONS INDOOR AIR STUDY**

The AFN is involved in a number of research studies which aim to identify and assess environmental health issues in First Nation communities, particularly concerning contaminants, and to provide First Nations with the knowledge and information needed to promote and maintain healthy environments.

The AFN works with government and academic partners to refine environmental health communications materials to ensure that they are relevant and effective for First Nations. Furthermore, the AFN seeks to involve First Nation communities in all stages of research while building capacity at the community level through training and employment. The results generated through research will benefit First Nations and support advocacy.

Mandated through resolution, the First Nations Food, Nutrition and Environment Study (FNFNES) is an equal partnership between the AFN, the University of Northern British Columbia and the Université de Montréal. The study is organized around an ecosystem sampling framework and will collect data for each of the AFN's regions south of 60. The study aims to address concerns regarding the chemical contamination of traditional foods and establish baseline information that can be used by all First Nations at a regional level.

To date, the FNFNES has reported results for British Columbia and Manitoba. Ontario is currently undergoing data collection of food consumption surveys and food, water and hair samples. The study has found that traditional foods are overall safe for consumption and that diet quality is increased on days that traditional foods are eaten. The most pressing concerns identified have been high rates of food insecurity, diabetes and obesity.

The ESU has also completed a First Nations Indoor Air Study (FNIAS) which took place in one community in Manitoba. The study measured a number of airborne pollutants within homes and outdoors and assessed the impact of indoor air filters. It found that the most effective means to reduce indoor air pollution was not to smoke indoors and that lung function improved when a filter was used.

The AFN also continues research and advocacy work on the issue of mercury. The FNFNES and FNBI collect samples to assess First Nations' exposure to mercury in order to determine ongoing impacts. The AFN attended the International Conference on Mercury as a Global Pollutant in Halifax to obtain the latest scientific information on how mercury impacts the health of the environment and humans.

All research studies supported by the AFN require the engagement and involvement of First Nations and adherence to appropriate protocols and the principles of OCAP.

#### **NEXT STEPS - MOVING FORWARD**

- Reporting and analysis will be completed for the FNFNES in Ontario and the AFN will engage First Nations in selecting the next region for participation in the study.
- A follow-up indoor air study is proposed to be completed in additional communities, to assess different parameters such as the impacts from wood smoke and poor housing design, construction and materials.

- The results of these environmental studies will be used to advocate for further programs, research and funding to address the issues that are identified including food security, dietary quality and exposure to environmental contaminants.

#### **4. CHEMICALS MANAGEMENT**

The AFN sits on the Chemicals Management Plan (CMP) Stakeholder Advisory Council, which is a multi-stakeholder committee that contributes to the implementation of the CMP. The purpose of the Council is to provide stakeholders an opportunity to offer advice and input to the government on the implementation of the CMP and to promote dialogue on issues pertaining to the CMP between stakeholders and government. The AFN also regularly participates on the National Pollutant Release Inventory Working Group teleconferences to promote increased access to environmental information by First Nations as identified in the First Nations Plan. This involvement enables the AFN to provide Canada with First Nation perspectives on chemicals management and monitoring that will protect our environments.

A communications plan has been prepared to improve awareness and involvement of First Nations in the CMP process and to advance First Nations' interest in the CMP. The plan also seeks to provide information to reduce First Nations' exposure to toxic substances and to disseminate relevant information produced by the CMP. This work has included website and fact sheet updates.

Building capacity and knowledge of chemicals management will allow First Nations to effectively engage with the Government of Canada to ensure that chemicals that are in use do not pose a risk of harm to our environments, communities and health. Furthermore it will enable First Nations to protect their own environments through greater knowledge and input to chemicals management in Canada.

#### **NEXT STEPS - MOVING FORWARD**

- Secure funding for further engagement with First Nations to foster involvement in the CMP process and continue dissemination of risk assessment and risk management decisions.

#### **5. AFN ENVIRONMENTAL PRIORITIES - INTERNATIONAL NEGOTIATIONS / NATIONAL CONSERVATION & REGULATORY CHANGES**

The AFN has been involved in international negotiations at the Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC) and the negotiations to develop a legally binding international instrument on global mercury emissions. On a national level, the AFN contributed to the Canadian Environmental Assessment Act (CEAA) 5-year review and has been actively engaged regarding changes contained in the newly introduced Canadian Environmental Assessment Act 2012. In addition, AFN is engaged in the development of a National Conservation Plan (NCP), consistent with Resolution 63/2011.

##### **AFN participation in international negotiations**

The AFN continues to advocate for First Nation rights in international negotiations at the CBD. With respect to Access and Benefit Sharing, the AFN participated in negotiations at the first Ad-hoc Open-Ended Inter-Governmental Committee (ICNP) on the Nagoya Protocol on Access and Benefit Sharing of Genetic Resources and Associated Traditional Knowledge. Canada is currently considering whether to ratify the

Nagoya Protocol, which will present both risks to First Nation rights and possibly opportunities to First Nation economies.

In addition, the AFN participated in negotiations under Article 10(c) of the CBD (customary and sustainable use) and secured the inclusion of sections on the importance of marine resources and education in the international plan of work to implement Article 10(c). The AFN also sent a delegation to the United Nations Framework Convention on Climate Change negotiations in Durban, South Africa to represent First Nations in the development of a framework instrument to govern climate emissions once the Kyoto Protocol expires at the end of 2012.

### **AFN participation with Canadian negotiators**

The AFN continued to meet regularly with Canadian negotiation teams for the CBD and the global mercury negotiations. In addition, the AFN met regularly with Canada's Chief Climate Change negotiator. This involved debriefs from international negotiation sessions, as well as preparations for forthcoming sessions, and provided an opportunity for the AFN to influence Canada's positions in international negotiations. The AFN developed written submissions under the CBD and the global mercury negotiations and provided these to Canada's negotiation teams.

### **Changes to the Canadian Environmental Assessment Act, 2012**

The AFN provided recommendations and considerations as part of the CEAA 5-year review. A new CEAA 2012 has been introduced by Canada as part of the omnibus Bill C-38. Changes to CEAA made to streamline the approvals process, include a reduction of assessments conducted, in particular to "minor projects"; provincial equivalency provisions where a provincial assessment may be used without the CEAA 2012 requirements applying; and new powers for the Cabinet to make final decisions on projects, removing such decisions from transparent assessment. AFN has ensured First Nations are aware of proposed changes and actively expressed concerns to this approach through parliamentary committees and directly in correspondence to relevant Ministers and the Prime Minister. Work will continue to ensure First Nation interests, Treaty and Aboriginal rights are protected.

### **AFN participation in the development of the National Conservation Plan**

The NCP is a Speech from the Throne commitment, which requires the government to engage and consult First Nations in the development and implementation of the Plan. The government has not yet formed an outline of the NCP, so there is a considerable opportunity for First Nations to influence its development. The AFN participated in a high-level meeting to introduce and scope the NCP, as well as a technical meeting to receive updates on progress of the NCP. In addition, the AFN presented on the NCP at the Standing Committee on Environment and Sustainable Development, which is currently studying the NCP.

## **NEXT STEPS - MOVING FORWARD**

- Under the CBD, the AFN anticipates participating in the second ICNP and the Conference of the Parties. The Conference of the Parties is held every two years and is currently scheduled for October 2012.
- The AFN will continue to monitor the global mercury and climate change negotiations.
- The AFN will continue advocacy and action on regulatory changes, including those stemming from CEAA 2012.
- The AFN will remain engaged in the development of the NCP.

## 6. NATURAL RESOURCES MANAGEMENT

### National Natural Resource Institute

The AFN is actively pursuing the mandate set out in Resolutions 27/2011 and 67/2011 to establish a First Nations Natural Resources Institute that will assist First Nations to increase technical capacity to make informed decisions about complex natural resource management issues.

### Forestry

The AFN received a mandate to engage in topics related to the forest sector through Resolution 38/2000. In 2010, the Chiefs-in-Assembly reaffirmed this role and mandated the AFN “to convene a national meeting of First Nations to discuss and develop policy on the future of the boreal forests within our traditional territories” (Resolution 65/2010). Since 2010, the AFN has sought to create fora for First Nations to discuss preeminent issues in the forest sector and identify paths for sustainable development.

Following the success of the 2011 Forestry Forum, the AFN hosted the 2012 National Forestry Forum, “Our Forests: A Foundation for Shared Prosperity”, in Toronto on February 28-29, 2012. The Forum was attended by approximately 100 participants representing First Nations, industry associations, academia, and the Government of Canada. Participants discussed various aspects of economic and community development in the forest sector.

### NEXT STEPS - MOVING FORWARD

- Development of an options report for consideration and input by Chiefs-in-Assembly following direction in Resolution 67/2011 (*Investigating Options for the Implementation of the First Nations Natural Resource Institute*). The AFN will incorporate feedback and directions into this report for further consideration.
- Based on feedback from the Forestry Forum, the AFN is seeking to undertake two primary activities in 2012-13:
  - Creating a National Forest Strategy to outline potential multi-year activities and plans related to supporting First Nation communities in the forest sector.
  - Seeking funding for a Forest Portal website to promote knowledge mobilization on forest sector opportunities for First Nations.

## 7. SPECIES AT RISK ACT/NATIONAL ABORIGINAL COUNCIL ON SPECIES AT RISK

The National Aboriginal Council on Species at Risk (NACOSAR) was established on September 21, 2005. The AFN’s two environment portfolio holders, Regional Chief Eric Morris and Regional Chief Roger Augustine, sit on NACOSAR. Regional Chief Morris is currently co- chair of the Council and is assisted by a staff member who represents the AFN on NACOSAR’s Policy and Planning Sub-Committee.

In support of Resolution 63/2010, *Support for Beaver Lake Cree Nation to protect the Woodland Caribou in their Traditional Territories*, the ESU provided assistance to the National Aboriginal Organization Advisory Group (AAG) during the development of the National Recovery Strategy for the Boreal Woodland Caribou.

NACOSAR met with Environment Minister Peter Kent on March 27, 2012. During the meeting the Minister confirmed that NACOSAR will be formally invited to the ministerial roundtable on the environment in the fall of 2012. Areas of discussion will include implementation of the *Species at Risk Act* (SARA) on federal lands, and the importance of ensuring Aboriginal issues are included in joint federal-provincial-territorial discussions and initiatives on species at risk issues.

During the meeting with the Minister, the NACOSAR was informed that the Standing Committee on Environment and Sustainable Development will be reporting on SARA in the fall of 2012.

### **NEXT STEPS - MOVING FORWARD**

- Continued monitoring of Parliamentary action in respect to SARA and the AFN's recommendations to the Standing Committee on the 5 Year Review of SARA.
- Promotion of proper chemical handling practices, storage and disposal for First Nations.

## **8. NUCLEAR WASTE MANAGEMENT DIALOGUE**

The AFN has been involved in a dialogue with the Nuclear Waste Management Organization (NWMO) for the past several years. Pursuant to Resolution 39/2005, the AFN is tasked with advocating for further research on the impacts of the long-term disposal of spent nuclear fuel waste and to present plans to monitor nuclear facilities and to address health impacts and emergency response capabilities, including improving First Nations capacities to respond to nuclear emergencies.

During 2011-12, the AFN produced a draft toolkit designed to assist First Nations seeking to engage the NWMO, or other project proponents, on incorporating traditional decision-making into negotiations.

The NWMO is currently developing a framework for assessing the long-term risks associated with a nuclear waste storage facility. The timeframe for assessment of these risks is over approximately 1 million years. The NWMO has developed models for the boreal and for inland tundra ecosystems. The AFN contributed to a report on the framework in order to better understand the risks posed by a storage facility to First Nations living a traditional lifestyle.

The AFN convened a small meeting of First Nations technicians with expertise in applying traditional knowledge to contemporary policy processes. The purpose of the meeting was to provide the NWMO with some broad ideas to assist incorporation of traditional knowledge in various assessment processes and frameworks it is currently developing.

### **NEXT STEPS - MOVING FORWARD**

- The AFN is planning to continue work on long-term risk assessment by developing information on additional ecosystems, particularly in southern woodland regions, in order to feed into future NWMO work on scenarios development.
- The AFN may hold additional workshops on integration of traditional knowledge into policy and planning processes.

## ECONOMIC PARTNERSHIPS

The Economic Partnerships portfolio focuses on Economic Development, Labour Force and Human Resources Development, Connectivity, and Resource Revenue Sharing options. In the past year, five national resolutions have been passed by the Chiefs-in-Assembly dealing with First Nations economic development data, protection of the tax-exemption rights of First Nations, resource revenue sharing, employment and training opportunities in the rail industry, and exploring a virtual resource centre on energy and mining. The following report outlines the key issues that have arisen since the last annual report, in addition to activities carried out to support national resolutions.

### KEY ISSUES AND ACTIVITIES

#### **Joint Task Force on First Nations Economies (Joint Task Force)**

The Joint Task Force was included as part of the outcomes of the Crown-First Nations Gathering (CFNG) in Ottawa on January 24, 2012. This reflects the June 21, 2011 announcement by the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) and the National Chief to jointly develop an action plan aimed to “improve the long-term prosperity of First Nation people and all Canadians”. This plan included focus on education; accountability, transparency, capacity and good governance; economic development; and negotiation and implementation.

A draft Terms of Reference (ToR) has been prepared and a draft work plan to support the Joint Task Force is being discussed with federal officials. The AFN Chiefs Committee on Economic Development (CCED) have considered and commented on the draft ToR; in addition comments have been received from Chiefs and Technicians during the economic strategic session held at the December 2011 Special Chiefs Assembly. The thematic areas for focus relate to Economic and Trade Growth; Responsible Resource Development and Major Projects; and Human Resources and Labour Force Development. The secretariat to support the work of the Joint Task Force will be based out of the AFN offices.

It was agreed that AFN would select two members while AANDC would select the other two members to sit on the Task Force. In March and early April, the CCED, on behalf of AFN, made recommendations for two participants in addition to recommending two alternates in the event that individuals are unable to participate. At the point of writing this report, participant availability is still being determined. In addition, given the CCED originally recommended a six member Task Force, consideration is currently being provided for additional participants by AANDC.

With the process having taken longer than expected an appropriate timeline for an announcement will need to be determined. It is planned that an interim report on the work of the Joint Task Force will be submitted in time for the first anniversary of the CFNG in 2013. Over the span of six months, we anticipate a number of strategic meetings and think tanks for the Joint Task Force, as well as participation in forums as appropriate. Interim updates and a final report will be delivered as part of the process.



## Virtual Resource Centre on Energy and Mining (VRCEM)

In spring 2012, AANDC has indicated it will provide funding for an environmental scan towards the establishment of a VRCEM. This initiative results from the International Indigenous Energy and Mining Summit, and is mandated by Chiefs-in-Assembly through Resolution 25/2011. This work proposes to bring together North American Indigenous involvement, corporate, financial, and academic communities to ensure advice and information is available to First Nation communities considering projects in these sectors. The National Chief provided an update on the proposed VRCEM to the Provincial and Territorial Aboriginal Affairs Ministers at the last working group meeting with National Aboriginal Organization leaders on April 11, 2012. An update on the VRCEM will be provided at the July 2012 Annual General Assembly (AGA).

## Human Resource Development

The First Nation Technical Working Group on Human Resources Development (TWG) last met in Ottawa on January 11-12, 2012. Of the issues examined by the TWG, key discussion topics included implementation issues pertaining to agreements under the five-year Aboriginal Skills and Employment Training Strategy (ASETS); planning for the next five-year strategic initiative; status of federal working groups in particular that of the reduction to reporting burdens faced by the ASETS agreement holders; a targeted historical overview research initiative; and a national partnership forum which had been proposed to be held during spring 2012 by Human Resources and Skills Development Canada (HRSDC) and an external organization.

The AFN, in cooperation with two First Nation Technical Working Group members, testified at the February 27, 2012 meeting of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) Committee as part of its study on Skills Development in Rural and Remote Communities. The collaborative First Nation presentation highlighted the importance of the First Nation employment and training delivery infrastructure and issues around implementation. HUMA's final report on this study has yet to be completed. In addition to this study, the AFN is working with interested First Nation organizations to offer presentations at hearings for two other studies focused on "Fixing the Skills Gap: Addressing Existing Labour Shortages in High Demand Occupations" and "Understanding Labour Shortages: Addressing Barriers to Filling Low-Skilled Jobs".

The AFN has worked with the TWG to develop content for the First Nation and ASETS awareness efforts which ran in the Winter 2012 edition of *SAY Magazine*; and questions to be posed for an ASETS research paper that explore the strengths and the challenges that ASETS holders experience. As part of this advocacy and research effort, a number of individual success stories will be featured in the summer 2012 edition of *SAY*.

In relation to work with sectors and activity to support current resolutions, the AFN has met with the Railway Association of Canada (RAC) and the Métis National Council (MNC) in regard to a national Railway Employment and Training Project, funded through HRSDC, which, if approved, would build begin in January, 2013. The project would follow up on a national project RAC and AFN partnered on in 2011-12.

## Connectivity

The AFN Chiefs Committee on Economic Development continues to advocate for increased access and support towards First Nations Information Communications Technology (ICT). Resolutions 11/2006, 16/2008 and most recently 53/2011 have provided direction to the AFN to advocate for appropriate program, services and investments to address First Nations connectivity requirements. These resolutions provide the basis for technical recommendations in the portfolio which include: broadband as a basic utility infrastructure; direction to draft a First Nations e-Community strategy; and, filling the investment, data and technical gaps to better support communities.

The AFN coordinated an ICT Technical Working Group (TWG) meeting on February 22-23, 2012 in Vancouver. The ICT TWG meeting discussions focused on further developing the e-Community strategy. A draft First Nations e-Community strategy has been completed and is available as part of the technical information documents provided during the July 2012 AGA. A First Nations e-Community strategy is a critical piece of broader community development which brings together principles of community-centered, driven and owned approaches with an e-perspective to supporting community health, education, justice, governance, social and economic development, and cultural needs. Infrastructure, services, labour force needs, investments, sustainability and other factors are used to help describe the e-Community strategy.

Over the past year, the AFN has focused efforts on communicating First Nations ICT interests and the First Nations e-Community concept. Part of these efforts included a connectivity update during the AFN Special Chiefs Assembly held in December 2011, as well as a First Nations e-Community webinar held on February 24, 2012 focused on providing information on the e-Community concept and the technical requirement for Indian Act Section 28 (2) permits required for connectivity infrastructure projects.

The AFN has also undertaken work related to identifying the data and information management gaps within the connectivity portfolio. It is clear, that a focus is needed on collecting First Nations level broadband data to better assess the economic impacts of broadband on First Nation communities. Discussions continue with the First Nations Information Governance Centre (FNIGC) on options available to address gaps in First Nations ICT related data. Discussions have also been held with the First Nations Statistical Institute (FNSI) supporting First Nations ICT data needs however, given its pending closure FNSI will not be able to support this activity beyond March 2013.

An environmental scan on First Nations ICT Human Resources and Capacity issues has also been completed.

### **Trade Mission to China, October 23-30, 2011**

The AFN and BC First Nations, along with the facilitative functions within the Embassy for the People's Republic of China, coordinated a First Nation Trade Mission to China last fall, with the objectives of sharing information, education, culture, and economic development. A report on the Trade Mission was provided at the December 2011 SCA. The People's Republic of China through the Chinese People's Association for Friendship with Foreign Countries hosted the AFN and facilitated meetings with government officials and businesses in Beijing, Chengdu, Beichuan and Shanghai. In Dalian, the AFN was hosted by the First Nation

Grain Management company and their colleagues. The Canadian consulate in China was briefed by AFN in advance of the trade mission. Follow-up is proposed with the host organization situated in China.

### **First Nation Ad-hoc Advisory Working Group on Taxation**

A meeting of the ad-hoc working group on First Nations and Taxation was last held on September 14-15, 2011 in Ottawa. Following this, a legal update was provided during the Economic Strategy Session at the December 2011 SCA. This work builds from past resolutions, and sessions held at the July 2010 AGA, and December 2010 SCA.

The ad-hoc working group discussed the Supreme Court of Canada's positive rulings made on July, 22, 2011 in regard to the *Bastien* and *Dube* on-reserve investment income exemption cases; employment income taxation and other taxation issues impacting First Nations; fiscal/revenue matters; and further work towards a national strategy on First Nations and taxation.

An in-depth national summit on First Nations and taxation has been called for, and initial considerations for such a forum are underway.

### **International Indigenous Summit on Energy and Mining (IISEM)**

Following the success of the IISEM on June 26-29, 2011, which brought together over 800 delegates, 80 speakers for 20 workshops and 4 courses, there have been requests for the AFN to coordinate a follow-up event. A plan for consideration will be provided to the CCED. A final IISEM report has been prepared and copies will be available at the July 2012 AFN Circle of Trade held during the Annual General Assembly.

### **Corporate Relations**

The AFN renewed its work relationship with the Laborers' International Union of North America (LIUNA) Local 92 Alberta at the 2011 AGA, and signed a Statement of Partnership with Local 1611 BC and Yukon in March, 2012. The AFN CCED has supported increased partnering, investments, procurement and employment opportunities, in addition to increasing education and information about working with First Nations to the broader business community in Canada.

### **Poverty Action Research Project (PAR Project)**

The AFN, through the Chiefs Committee on Economic Development, has established a Make Poverty History Expert Advisory Committee. As part of its activity, the committee has been successful in obtaining a five-year research grant from the Canadian Institutes of Health Research (CIHR) and the Institute of Aboriginal Peoples' Health (IAPH).

The PAR Project identified five volunteer First Nation communities in different parts of Canada who are interested in working with the Research Team. This will involve designing and implementing a strategic plan to create a sustainable economic base, reduce poverty, and improve the health and well-being of community members. The communities participating in the PAR Project have begun to establish advisory committees. A

national meeting bringing together all participating communities and researchers is scheduled to take place on June 25-27, 2012 in Winnipeg, MB.

### **NEXT STEPS - MOVING FORWARD**

- AFN Economic Partnerships continues to meet regularly with AANDC towards the establishment and coordination of the Joint Task Force on Economic Development.
- AFN will work with the First Nation TWG on Human Resources Development, and HRSDC, to discuss planning toward the next 5-year strategic initiative to support First Nations and labour force participation; research initiatives; and awareness building.
- Once the environmental scan for the Virtual Resource Centre on Energy and Mining has been completed by late June, the AFN will work towards the establishment of a national working committee, as well as follow-up with those parties who have expressed an interest in becoming more involved in the development of the VRCEM.
- Pending confirmation of funding, coordination of a National First Nations ICT Working Group meeting and an ICT Careers Workshop during the AFN Youth Summit tentatively planned for October 2012.
- Continued focus on addressing data and information management gaps within the portfolio.
- Continued focus on sectoral collaboration with health, education, housing and infrastructure, and education portfolios with the AFN.
- Distribution and promotion of the First Nations e-Community strategy.
- Examination of the feasibility to hold a national summit on First Nations and Taxation.
- Follow up to trade missions and trade opportunity.
- Continued support for the PAR Project and report to the CCED on the development of this initiative.

## FISHERIES

The Environmental Stewardship Unit (ESU) – Fisheries team continues to work towards the implementation of the AFN National Fisheries Strategy (AFN-NFS). First Nations depend on healthy watersheds in order to exercise their Aboriginal and Treaty Rights, to enjoy their Aboriginal title to their traditional territories and to engage in economic activities like fishing, aquaculture and other aquatic harvesting practices. Fisheries, aquatic and ocean resources continue to represent an integral part of the diet, socio-economic well-being and cultural survival of First Nation communities.

The AFN-NFS is designed to assist and restore First Nations' rightful role in managing the fisheries, aquatic and ocean resources. The NFS is a long-term plan that embodies the recognition, protection and implementation of First Nations' Aboriginal and Treaty rights. The Strategy addresses a broad range of key legislative, policy and program sectors within the Department of Fisheries and Oceans (DFO) that impact and require input from First Nations. In addition, the Strategy also supports and promotes First Nations in the implementation of Supreme Court decisions and efforts to implement their Aboriginal and Treaty rights.

### KEY ISSUES AND ACTIVITIES

#### Changes to the Fisheries Act

Bill C-38: *Jobs, Growth and Long-Term Prosperity Act* introduces significant changes to the *Fisheries Act*, including a move away from protection of all fish and habitat to those that have commercial significance. On April 26, 2012, the AFN submitted a series of 16 questions to the DFO, specifically inquiring about the government's plans and timelines for consultation with First Nations on these changes. According to very limited information provided to date, it has been indicated that engagement and consultation will occur after Bill C-38 has received Royal Assent. At that point the government will undertake further work on analysis, regulations and development of policies. Currently no resources have been identified for engagement or consultation, and it is not clear how the Government will address potential impacts to Aboriginal and Treaty rights. The AFN has requested additional information on their proposed approach to consultation and accommodation, and overall engagement on amendments to the *Fisheries Act*. As well, the AFN has strongly informed Canada through appearances at House of Commons and Senate committees, that First Nations will not accept impositions that abrogate or derogate their Treaty and Aboriginal rights and will use all means necessary to oppose such measures.

#### Renewal of Aboriginal Fisheries Programs

The Atlantic Integrated Commercial Fisheries Initiative (AICFI) and Pacific Integrated Commercial Fisheries Initiative (PICFI) programs were renewed in the 2012 Federal Budget for the amount of \$33.5 million for 2012-13. No information has been made available on the allocation plans or what happens after 2013.

As of March 31, 2012, DFO has discontinued the Aboriginal Inland Habitat Program (AIHP) which provided funding for fish habitat capacity work for First Nations in Alberta, Saskatchewan, Manitoba, Ontario, and parts of Quebec. The habitat expertise that the AIHP programs provided will impact an estimated 258 First Nations. Resolution 65/2011 calls for Support for Renewal of Federal Fisheries Inland

Habitat Programs. DFO has indicated that they have no plans to renew the AIHP program or establish another program.

### **Aquaculture**

As mandated by Resolutions 46/2010 (*Duty to consult on Aquaculture*) and 66/2011 (*Successful Aquaculture Governance*), the AFN has established a new multi-faceted forum to discuss Aquaculture governance, policy and business development. The AFN National Aquaculture Working Group (NAWG) promotes front-end engagement on all national aspects of the emerging aquaculture industry. The NAWG is comprised of three pillars or sub-working groups addressing the following areas: 1) Governance (Title and Rights), 2) Policy Development and Regulations and, 3) Business and Economic Development. Draft terms of reference will be circulated for comment.

### **Marketing**

First Nations are mobilizing to develop unique seafood product labels, marketing strategies and brands. Pursuant to Resolution 26/2011, the AFN has developed a Fisheries Marketing Working Group comprised of First Nation fisheries representatives to explore the creation of branding and certification tools to promote First Nation seafood products. First Nations seek greater dialogue to identify marketing and sales opportunities for coastal and inland fisheries. In the upcoming year, the AFN will be seeking strategic partnerships to develop methodologies for researching potential structures for marketing First Nation products.

### **National Aboriginal Fisheries Forum II**

The British Columbia First Nations Fish Council along with the AFN, the Native Brotherhood of BC, Atlantic Policy Congress of First Nation Chiefs, Aboriginal Aquaculture Association, DFO, and Aboriginal Affairs and Northern Development Canada (AANDC) are planning the National Aboriginal Fisheries Forum II (NAFFII) on October 2-4, 2012 in Campbell River, BC. This forum will focus on Access to Capital, Training and Skills Development, and Markets and Marketing in Aboriginal fisheries and aquaculture.

### **Watershed Protection Strategy**

On March 5 - 7 2012, the AFN hosted a National Water Forum in Edmonton, Alberta, which facilitated First Nation discussion on building Watershed Protection Strategies at the local, regional and national levels. First Nations are developing strategies that can provide broader ecological considerations towards watershed planning, habitat restoration, protection of endangered species and monitoring activities. Many First Nations have developed protocols and strategies and the AFN has developed a document that extracts some of the best practices and models that can assist other First Nations in Watershed Protection planning, and explore options for protocols.

### **Research Partnership**

The AFN and partners are engaged in a national research project that explores how different knowledge systems inform fisheries governance and examine opportunities for fisheries management in Canada to become more efficient and effective by incorporating existing knowledge systems. The project has received a multi-year grant and is expected to operate over the course of five years.

### **Policy and Regulation Monitoring**

Based on discussions with DFO and proposed activities within DFO's Report on Plans and Priorities, the AFN expects three policy shifts in the next year relating to habitat, Aboriginal fisheries and commercial fisheries. Furthermore, based on statements from the Minister of Fisheries and Oceans and the amendments to the *Fisheries Act* within Bill C-38, the AFN expects regulatory changes related to effluent and deleterious deposit regulations. The AFN will continue to engage with DFO to disseminate information about any potential changes to encourage robust consultation with all affected First Nations.

### **National Fisheries Strategy**

Over the next five years, the AFN will develop and implement an enhanced National Fisheries Strategy that encompasses a strategic plan to support the development of new technical and socio-economic development strategies that will include components directed from First Nation communities.

In addition, direction from three resolutions has created interest in the coordination and development of national strategies on implementing Supreme Court decisions, through negotiation, legislative options and other strategies. These include Resolutions 47/2010 (*Support for Nuu-chah-nulth Fishing Rights*), 67/2010 (*Establishment of National Mechanism for the negotiation and implementation of Supreme Court Decisions regarding fisheries*) and 68/2011 (*Support for Possible Intervention in Nuu-chah-nulth Fishing Rights Litigation*). Such considerations will be advanced along with an enhanced National Fisheries Strategy.

### **NEXT STEPS - MOVING FORWARD**

- Preparing updates, briefings and information on changes to the *Fisheries Act*.
- Hosting workshops on the DFO Aquaculture Engagement Initiative information sessions in Quebec, Ontario, Prairies, and North.
- Hosting the National Aboriginal Fisheries Forum II, October 2-4, 2012 in Campbell River, BC.
- Facilitating dialogue on an enhanced National Fisheries Strategy, including examining options to ensure implementation of Supreme Court decisions.

## WATER AND WASTEWATER

The First Nations' right to use and manage our precious water resources derive from the Creator and sacred responsibility has been given to us to protect it. The management of water resources and the protection of source water is a right that First Nations have not relinquished through Treaties. It is a crucial and paramount requirement that First Nations be consulted and accommodated in any policy, legal and other decisions related to this precious resource. As such, the Assembly of First Nations (AFN) advocates and supports First Nations' positions where the control and access to adequate water resources threatens their rights and jurisdiction.

In the modern context this right is recognized in the Canada *Constitution Act*, 1982 and affirmed in the United Nations Declaration on the Rights of Aboriginal Peoples.

### KEY ISSUES AND ACTIVITIES

#### **Bill S-8, Safe Drinking Water for First Nations Act**

With the dissolution of Parliament on March 26, 2011, Bill S-11, Safe Drinking Water Act for First Nations, died on the order paper only to be replaced by a slightly revised Bill S-8 on February 29, 2012. Amendments to the previous bill were the result of discussions with a selection of First Nation regional organizations.

The AFN submitted a written submission to the Senate Standing Committee on Aboriginal Peoples on May 16, 2012. In its current form Bill S-8 still does not recognize First Nation jurisdiction over matters related to water. Bill S-8 needs to clearly recognize and respect First Nation Inherent and Treaty rights, to advance innovation and deliver a critical measure of health and safety in their communities. Clean drinking water is also essential to greater economic and social development in First Nation communities.

The federal government was urged to provide resources to implement associated regulations and to bring First Nation facilities to an acceptable standard that will provide safe drinking to all First Nation communities and citizens comparable to that enjoyed by the rest of Canada.

The AFN also recommended that accommodation be provided in the legislation that will recognize those First Nations or their duly created and mandated institutions that have the capacity and capability to develop, administer and enforce their own water laws.

This Bill passed 3rd reading in the Senate on June 18, 2012. The AFN will continue advocacy and working with First Nations to ensure their rights and jurisdiction in this matter are clearly recognized and protected and that adequate resources are made available to ensure that First Nations have access to clean drinking water.



### **National Engineering Assessment**

On July 2011, Aboriginal Affairs and Northern Development Canada (AANDC) released the results of the National Assessment of First Nations Water and Wastewater Systems. The national roll up report revealed that 39% of the drinking water systems in First Nation communities are considered “high risk” and 34% are “moderate risk”, which means 73% of the systems pose risk to First Nation citizens. The report identified a need of \$4.7 billion over the next 10 years to address these factors.

The AFN welcomed the release of this long awaited report and immediately called for the federal government to work urgently with First Nations on a concrete action plan that will deliver safe drinking water and improved wastewater systems to First Nation citizens.

Resolution 74/2011 calls on the Government of Canada to develop a five-year capital plan and provide immediate and sustainable funding to address the high and medium risk water and wastewater systems. The AFN has called for a business plan to set out how the work identified in the assessment will be undertaken, but to take this has not been provided. AANDC does provide an annual First Nations Infrastructure Investment Plan (FNIIP) but this is the annual five-year capital plan compilation of the projected regional capital project from regular A-Base funding and not only does it include the projects from the additional top-up funds from recent budgets, it doesn't address the shortfalls identified in the assessment report.

Budget 2012 provided for another \$330.8 million over two years for an extension to the First Nations Water and Wastewater Action Plan.

### **National Indigenous Water Conference**

Resolution 42/2010 directed the AFN to hold a First Nations-specific National Water Conference in Alberta to discuss current water-related issues and develop a strategic action plan aimed at the recognition of First Nation jurisdiction over water and ensuring First Nations access to safe, adequate sources for freshwater as a treaty and Aboriginal right for the preservation of health, economic and spiritual activities – now and for future generations.

Consequently, on March 5, 2012 a First Nations Water Rights Conference with the theme “Asserting our Water Rights” was delivered at the Enoch Cree Resort in Edmonton, Alberta, independent of government funding. The First Nations Water Rights conference featured speakers involved in the right to water, access and allocation. We were reminded that water is to be honoured with ceremony and respect. We were also advised to do the research needed to support our claims and to embark on a communications strategic approach.

A national water strategy was called for, to be informed by the direction from the Water Rights Conference and the work done to date on a First Nation Water Commission. A greater sustained effort involving many players in a visioning exercise, goal-setting and identification of objectives will be necessary to arrive at a draft framework for a First Nations National Water Strategy. This effort will begin with the dialogue session at the 2012 Annual General Assembly (AGA).

Immediately following that, a two-day technical water conference was provided on March 6-7, 2012. Both conferences were highly successful and well attended. Feedback was positive and post-conference evaluation called for it to be an annual event.

### **First Nations/Indigenous Water Commission (FNWC)**

Resolution 50/2008 directed the AFN to start the process for the development of the framework for a Commission on Water and to report on the status at the 2009 AGA. Resolution 15/2007 directed the AFN to continue to investigate and seek avenues of support and funding for those First Nations that will require assistance in complying with a regulatory framework for water. If effectively conceptualized and established, a FNWC could help to move authority over water management-related decisions into First Nations' hands.

The next identified step required to establish a FNWC is to work closely at a regional level to set up a pilot technically-oriented FNWC that can demonstrate First Nations-led management of drinking and wastewater treatment systems on-reserve. A FNWC will provide practical assistance to First Nations in managing their water systems, whether or not a regulatory framework has been created. A web portal will be developed to provide a central forum for best practices, lessons learned and full integration of a holistic approach to a community-wide approach to sustainable community practices.

It will be essential to collaborate with AANDC, Environment Canada and Health Canada to ensure that the Commission's work is relevant to existing functions. Any collaboration with AANDC in the near future on this project should be pursued with caution to ensure that the FNWC remains a truly First Nation-governed entity.

Additional funds and other support from external sources will be required to move this forward.

### **Environment Canada (EC) Wastewater Systems Effluent Regulations**

The *Canada-wide Strategy for the Management of Municipal Wastewater Effluent* was endorsed by the Council of Ministers on the Environment on February 17, 2009. On March 20, 2010 Environment Canada posted the draft wastewater regulations on Canada Gazette 1 with a 60-day comment period ending May 20, 2010. Letters to First Nations followed along with a copy of the Wastewater Systems Effluent Regulations and the Regulatory Impact Assessment Statement.

It was expected that the regulations would be posted on Canada Gazette 2 in December, 2010, and would come into force on January 1, 2011. However, due to concerns raised by municipalities regarding economic impacts there have been amendments made to the draft regulations and the posting on Gazette 2 has been set back. No date has been announced for the regulations to come into force.

The AFN will continue to monitor the progress of these regulations.

## NEXT STEPS - MOVING FORWARD

- Continue to work on the water and wastewater legislation to:
  - o Continue advocacy to ensure the principle of free, prior and informed consent is adhered to by the Government of Canada in development and implementation of legislation and associated regulations concerning drinking water in First Nation communities.
  - o Support and assist regional First Nation organizations towards establishing their framework for the management of their water resources, wastewater, watersheds and source water protection.
  - o Continue to inform the Government of Canada that the infrastructure resource gap needs to be addressed prior to implementing a water and wastewater regulatory regime.
- Follow up on the results of the National Engineering Assessment to ensure that the government is accountable in addressing the capital infrastructure needs identified by the study and a business plan is provided that will address the demand in a timely manner.
- Develop a framework for a National First Nation Water Strategy, including initiating dialogue at the 2012 AGA and planning a multi-day workshop that would include vision setting and establishing goals and objectives.
- Concurrent with the development of a National Water Strategy, continue to develop a conceptual framework on a First Nations/Indigenous Water Commission.
- Continue to establish a web portal to host an integrated Centre of Excellence to share best practices for water, wastewater, source water protection and watershed management.



*Consolidated Financial Statements of*

**NATIONAL INDIAN BROTHERHOOD**

*March 31, 2012*

DRAFT



## Independent Auditor's Report

To the Executive Council of  
National Indian Brotherhood

### *Report on the Financial Statements*

We have audited the accompanying consolidated financial statements of National Indian Brotherhood, which comprise the consolidated statement of financial position as at March 31, 2012 and the consolidated statements of operations, changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

### *Management's Responsibility for the Consolidated Financial Statements*

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian generally accepted accounting principles, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

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## Independent Auditor's Report (Continued)

### *Auditor's Responsibility (Continued)*

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### *Opinion*

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of National Indian Brotherhood as at March 31, 2012 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

### **Report on Other Legal and Regulatory Requirements**

As required by the Canada Corporations Act, we report that, in our opinion, these principles have been applied on a basis consistent with that of the preceding year.

Chartered Accountants  
Licensed Public Accountants

July 17, 2012

DRAFT



**NATIONAL INDIAN BROTHERHOOD**  
**Consolidated Financial Statements**  
**March 31, 2012**

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**NATIONAL INDIAN BROTHERHOOD**  
**Consolidated Statement of Operations**  
**year ended March 31, 2012**

	<u>2012</u>	<u>2011</u>
<b>Revenue</b>		
Aboriginal Affairs and Northern Development		
Canada (AANDC) (Schedule 1)	\$ 11,062,453	\$ 11,263,387
Health Canada (Schedule 2)	8,341,579	8,323,689
Canadian Partnership Against Cancer (CPAC) (Schedule 2)	76,103	80,097
Natural Resources Canada (Schedule 2)	150,137	-
Justice Canada (Schedule 2)	-	59,743
Human Resources and Skills Development Canada		
(HRSDC) (Schedule 2)	337,032	1,151,674
Fisheries and Oceans Canada (Schedule 2)	729,269	674,507
Environment Canada (Schedule 2)	282,000	267,000
Nuclear Waste Management Organization (Schedule 2)	180,049	215,569
Canadian Heritage (Schedule 2)	120,000	-
All other funding agencies (Schedule 2)	1,418,455	607,348
Trust Fund (Schedule 3)	3,331	21,485
	<b>22,700,408</b>	<b>22,664,499</b>
<b>Expenses</b>		
Advertising, promotion and publications	108,521	145,762
Amortization of capital assets	264,014	346,707
Insurance	31,316	31,608
Miscellaneous	37,897	31,043
Recovery of bad debts	-	(691,236)
Office expenses	1,039,622	1,344,230
Professional fees	3,103,750	2,633,341
Regional service delivery	1,495,043	3,850,937
Rent	1,361,707	1,704,603
Salaries and benefits	9,145,460	8,586,237
Travel and meetings	6,368,357	4,438,047
	<b>22,955,687</b>	<b>22,421,279</b>
<b>EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES</b>	<b>\$ (255,279)</b>	<b>\$ 243,220</b>

**NATIONAL INDIAN BROTHERHOOD**  
**Consolidated Statement of Financial Position**  
**as at March 31, 2012**

	<u>2012</u>	<u>2011</u>
<b>CURRENT ASSETS</b>		
Cash	\$ -	\$ 335,161
In trust asset (Note 6)	20,987	20,987
Guaranteed Investment Certificate	9,530	9,268
Grants and contributions receivable (Note 3)	2,299,210	2,726,325
Other accounts receivable	607,491	1,157,552
GST recoverable	517,907	508,163
Inventory	9,718	16,173
Prepaid expenses	80,845	11,119
	<b>3,545,688</b>	<b>4,784,748</b>
<b>CAPITAL ASSETS (Note 4)</b>	<b>474,673</b>	<b>728,396</b>
	<b>\$ 4,020,361</b>	<b>\$ 5,513,144</b>
<b>CURRENT LIABILITIES</b>		
Bank overdraft	\$ 67,182	\$ -
Accounts payable and accrued liabilities	3,835,015	2,983,037
In trust liability (Note 6)	20,987	20,987
Deferred contributions (Note 7)	48,393	2,059,937
Excess contributions (Note 8)	25,099	62,613
Current portion of long-term debt (Note 9)	21,512	107,607
	<b>4,018,188</b>	<b>5,234,181</b>
<b>LONG-TERM DEBT (Note 9)</b>	<b>28,975</b>	<b>50,486</b>
	<b>4,047,163</b>	<b>5,284,667</b>
<b>CONTINGENCY (Note 10)</b>		
<b>NET ASSETS</b>		
Invested in capital assets	424,186	570,303
Restricted funds (Note 11)	166,349	204,387
Unrestricted - general operations	(617,337)	(546,213)
	<b>(26,802)</b>	<b>228,477</b>
	<b>\$ 4,020,361</b>	<b>\$ 5,513,144</b>

ON BEHALF OF THE EXECUTIVE COUNCIL

\_\_\_\_\_  
Shawn A-in-chut Atleo, National Chief

\_\_\_\_\_  
Roger Augustine, Regional Chief, Chairman Management Committee

**NATIONAL INDIAN BROTHERHOOD**  
**Consolidated Statement of Changes in Net Assets**  
**year ended March 31, 2012**

	Invested in <u>Capital Assets</u>	Restricted <u>Funds</u>	Unrestricted - <u>General Operations</u>	Total	
				<b>2012</b>	<b>2011</b>
BALANCE, BEGINNING OF YEAR	\$ 570,303	\$ 204,387	\$ (546,213)	\$ 228,477	\$ (14,743)
Excess (deficiency) of revenue over expenses	-	(38,038)	(217,241)	(255,279)	243,220
Purchase of capital assets	10,290	-	(10,290)	-	-
Repayment of related debt	107,607	-	(107,607)	-	-
Amortization of capital assets	(264,014)	-	264,014	-	-
<b>BALANCE, END OF YEAR</b>	<b>\$ 424,186</b>	<b>\$ 166,349</b>	<b>\$ (617,337)</b>	<b>\$ (26,802)</b>	<b>\$ 228,477</b>

**NATIONAL INDIAN BROTHERHOOD**  
**Consolidated Statement of Cash Flows**  
year ended March 31, 2012

	<u>2012</u>	<u>2011</u>
NET INFLOW (OUTFLOW) OF CASH RELATED TO THE FOLLOWING ACTIVITIES:		
OPERATING		
Excess (deficiency) of revenue over expenses	\$ (255,279)	\$ 243,220
Items not affecting cash		
Amortization of deferred contributions related to capital assets	-	(97,587)
Amortization of capital assets	264,014	346,707
Increase in deferred contributions	(2,011,544)	824,036
Decrease in excess contributions	(37,514)	(468,554)
	<b>(2,040,323)</b>	847,822
Changes in non-cash operating working capital items (Note 12)	<b>1,756,139</b>	(2,136,988)
	<b>(284,184)</b>	(1,289,166)
INVESTING		
Purchase of investments	(262)	-
Purchase of capital assets	(10,290)	(65,673)
	<b>(10,552)</b>	(65,673)
FINANCING		
Repayment of long-term debt	(107,607)	(195,539)
NET CASH OUTFLOW	<b>(402,343)</b>	(1,550,378)
CASH, BEGINNING OF YEAR	<b>335,161</b>	1,885,539
CASH (BANK OVERDRAFT), END OF YEAR	<b>\$ (67,182)</b>	\$ 335,161

# NATIONAL INDIAN BROTHERHOOD

## Notes to the Consolidated Financial Statements

year ended March 31, 2012

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### 1. DESCRIPTION OF THE ORGANIZATION

The National Indian Brotherhood (the "Corporation") was incorporated under Part II of the Canada Corporations Act on September 29, 1970 with the following objectives:

- to assist and to work towards solutions for problems facing the First Nations people;
- to operate as a national body to both represent the First Nations people and to disseminate information to them;
- to study, in conjunction with First Nations representatives across Canada, the problems confronting First Nations and to make representations to the government and other organizations on their behalf;
- to assist in retaining the First Nations culture and values; and
- to act as the national spokesperson for First Nations throughout Canada.

The Corporation acts as the secretariat to the Assembly of First Nations ("AFN").

The Corporation is a not-for-profit organization and, as such, is not subject to income taxes.

### 2. SIGNIFICANT ACCOUNTING POLICIES

The financial statements have been prepared in accordance with the Canadian Institute of Chartered Accountants (CICA) Handbook - *Pre-Changeover Accounting Standards* (Canadian GAAP) and include the following significant policies:

#### *Financial instruments*

All financial assets are required to be classified as either held-for-trading, held-to-maturity investments, loans and receivables or as available-for-sale. All financial liabilities are required to be classified as held-for-trading or as other liabilities.

The classification depends on the purpose for which the financial instruments were acquired or issued, their characteristics and the Corporation's designation of said instruments at the time of initial recognition. Settlement date accounting is used and transaction costs related to investments are expensed as incurred.

**NATIONAL INDIAN BROTHERHOOD**  
**Notes to the Consolidated Financial Statements**  
year ended March 31, 2012

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**2. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

*Financial instruments (Continued)*

Classifications made by the Corporation:

Cash and bank overdraft	Held-for-trading
In trust asset	Held-for-trading
Guaranteed Investment Certificate	Held-to-maturity
Grants and contributions receivable	Loans and receivables
Other accounts receivable	Loans and receivables
Accounts payable and accrued liabilities	Other liabilities
In trust liability	Other liabilities
Excess contributions	Other liabilities
Long-term debt	Other liabilities

Held-for-trading

These financial instruments are measured at fair value at the statement of financial position date. Fair value fluctuations including interest earned, interest accrued, gains and losses realized on disposal and unrealized gains and losses are included in interest revenue.

Loans and receivables

These financial assets are measured at amortized cost using the effective interest method, less any impairment.

Held-to-maturity

These financial assets are measured at amortized cost using the effective interest method, less any impairment.

Other liabilities

These financial liabilities are recorded at amortized cost using the effective interest method.

# NATIONAL INDIAN BROTHERHOOD

## Notes to the Consolidated Financial Statements

year ended March 31, 2012

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### 2. SIGNIFICANT ACCOUNTING POLICIES (Continued)

#### *Revenue recognition*

The Corporation follows the deferral method of accounting for contributions.

Unrestricted contributions are recognized as revenue of the appropriate program when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Restricted contributions are recognized as revenue of the appropriate program in the year in which the related expenses are incurred.

Contributions received towards the acquisition of capital assets are deferred and amortized to income on the same basis as the related depreciable capital assets are amortized.

#### *Basis of consolidation*

The financial statements include the accounts of the Corporation and those of the National Indian Brotherhood Trust Fund which is controlled by the Corporation. All significant inter-organizational transactions and balances have been eliminated on consolidation.

#### *Capital assets*

Capital assets are recorded at cost. Contributed capital assets are recorded at estimated fair value at the date of contribution.

Amortization is provided on the straight-line basis over the estimated useful lives of the assets as follows:

Computer equipment	3 years
Office equipment	3 years
Leasehold improvements	10 years



# NATIONAL INDIAN BROTHERHOOD

## Notes to the Consolidated Financial Statements

year ended March 31, 2012

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### 2. SIGNIFICANT ACCOUNTING POLICIES (Continued)

#### *Excess contributions*

The excess of revenue over expenses of some programs may require repayment and is recorded as a liability. When approval to retain the funds has been received, the excess is then recorded as revenue.

#### *Allocation of expenses*

Allocation of administrative expenses between the programs or funding agencies is done in accordance with the stipulated basis of allocation and maximum amounts or percentages mentioned in each of the different contribution agreements entered into by the Corporation.

#### *Use of estimates*

The preparation of financial statements in conformity with Canadian GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. The estimated useful life of the capital assets and the net realizable value of grants, contributions and other accounts receivable are the most significant items where estimates are used. Actual results could differ from these estimates.

#### *Future accounting changes - New accounting framework*

In 2010, the CICA issued new accounting framework applicable to Canadian not-for-profit organizations. Effective for fiscal years beginning on or after January 1, 2012, not-for-profit organizations may adopt either the CICA Handbook Part I - *International Financial Reporting Standards* or Part III - *Accounting Standards for Not-For-Profit Organizations*. National Indian Brotherhood currently plans to adopt Part III - *Accounting Standards for Not-For-Profit Organizations* effective April 1, 2012. The impact of this transition has not yet been determined.

**NATIONAL INDIAN BROTHERHOOD**  
**Notes to the Consolidated Financial Statements**  
year ended March 31, 2012

**3. GRANTS AND CONTRIBUTIONS RECEIVABLE**

Grants and contributions receivable are as follows:

	<u>2012</u>	<u>2011</u>
Aboriginal Affairs and Northern Development Canada	\$ 821,412	\$ 1,381,014
Canadian Heritage	12,000	-
Indian Residential Schools Resolution Canada	131,924	-
Human Resources and Skills Development Canada	171,955	388,418
Fisheries and Oceans Canada	668,676	665,711
Environment Canada	208,475	119,626
Nuclear Waste Management Organization	79,768	106,813
Justice Canada	-	59,743
Natural Resources Canada	100,000	-
Correctional Service Canada	40,000	-
Public Safety Canada	60,000	-
Province of Ontario	5,000	5,000
	<u>\$ 2,299,210</u>	<u>\$ 2,726,325</u>

**4. CAPITAL ASSETS**

	<u>2012</u>			<u>2011</u>
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Computer equipment	\$ 1,846,371	\$ 1,802,669	\$ 43,702	\$ 85,711
Office equipment	646,605	610,902	35,703	106,394
Leasehold improvements	1,451,240	1,055,972	395,268	536,291
	<u>\$ 3,944,216</u>	<u>\$ 3,469,543</u>	<u>\$ 474,673</u>	<u>\$ 728,396</u>

**5. CREDIT FACILITY**

The Corporation has a banking agreement which establishes a demand credit facility for general business purposes up to a maximum of \$2,500,000, bearing interest at prime plus 1%. The loan is secured by a general security agreement representing a first charge over all of the Corporation's assets. The balance outstanding at year-end is \$NIL (2011 - \$NIL).

**NATIONAL INDIAN BROTHERHOOD**  
**Notes to the Consolidated Financial Statements**  
year ended March 31, 2012

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**6. AMOUNTS HELD IN TRUST**

The Corporation is holding in trust an education fund totaling \$20,987 for Kelly Morrisseau's children. These funds were donated by individuals and organizations.

**7. DEFERRED CONTRIBUTIONS**

Changes in the deferred contributions balance are as follows:

	<u>2012</u>	<u>2011</u>
Balance, beginning of year	<b>\$ 2,059,937</b>	\$ 1,235,901
Contributions received during the year	<b>18,927,222</b>	19,853,331
Contributions recognized as revenue during the year	<b>(20,959,372)</b>	(19,029,295)
Balance, end of year contributions	<b>27,787</b>	2,059,937
Other deferred revenue	<b>20,606</b>	-
Balance, end of year total	<b>\$ 48,393</b>	\$ 2,059,937

The balance, end of year is comprised of the following:

	<u>2012</u>	<u>2011</u>
Health Canada	<b>\$ -</b>	\$ 2,055,333
Nuclear Waste Management Organization	<b>27,787</b>	-
Annual General Assembly	<b>20,365</b>	-
Canadian Partnership Against Cancer	<b>-</b>	4,604
Other	<b>241</b>	-
	<b>\$ 48,393</b>	\$ 2,059,937

**NATIONAL INDIAN BROTHERHOOD**  
**Notes to the Consolidated Financial Statements**  
year ended March 31, 2012

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**8. EXCESS CONTRIBUTIONS**

Excess contributions are as follows:

	<u>2012</u>	<u>2011</u>
Aboriginal Affairs and Northern Development Canada	\$ -	\$ 1,371
Health Canada	4,084	40,227
Environment Canada	19,521	19,521
Nuclear Waste Management Organization	1,494	1,494
	<u>\$ 25,099</u>	<u>\$ 62,613</u>

The Corporation has not recognized revenue from these excess contributions in either fiscal year.

**9. LONG-TERM DEBT**

	<u>2012</u>	<u>2011</u>
Leasehold improvements payable, maturing in 2012, unsecured and non-interest-bearing, payable by monthly installments of \$9,511	\$ -	\$ 86,095
Capital lease obligation, maturing in 2015, bearing interest at 3%, payable by monthly installments of \$1,793, including interest	50,487	77,085
	50,487	163,180
Current portion	(21,512)	(107,607)
	<u>\$ 28,975</u>	<u>\$ 55,573</u>

**NATIONAL INDIAN BROTHERHOOD**  
**Notes to the Consolidated Financial Statements**  
 year ended March 31, 2012

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**9. LONG-TERM DEBT (Continued)**

Principal payments required in each of the next four years are as follows:

<b>2013</b>	<b>\$ 21,512</b>
<b>2014</b>	<b>21,512</b>
<b>2015</b>	<b>7,463</b>

**10. CONTINGENCY**

The Corporation receives funding from various government agencies based on specific program needs and budgets and allocates certain expenses to the various programs. In many cases, the funding agent has the right to review the accounting records to ensure compliance with the terms and conditions of their programs. At this time, no estimate of the requirements, if any, to reimburse the agencies can be made. Management of the Corporation feels that their allocations of expenses are fair and appropriate in the circumstances. Adjustments to the financial statements as a result of these reviews, if any, will be recorded in the period in which they become known.

**11. THE NATIONAL INDIAN BROTHERHOOD TRUST FUND**

The consolidated financial statements include the accounts of the National Indian Brotherhood Trust Fund which is controlled by the Corporation. A summary description of this controlled entity is provided below.

The Trust Fund was established as a registered charity under paragraph 149 (i)(f) of the Income Tax Act and is comprised of the Language and Literacy Fund, the Youth Healing Fund, the Research Sponsor Fund and the Heroes Award Fund.

Restricted funds are comprised of the following and are to be used for the purposes described below:

- The Language and Literacy Fund was established to promote education of First Nations' citizens by way of scholarship awards and promotion research, seminars, conferences of an academic nature on First Nations rights, histories and cultures among First Nations' peoples as well as the Canadian public.

**NATIONAL INDIAN BROTHERHOOD**  
**Notes to the Consolidated Financial Statements**  
year ended March 31, 2012

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**11. THE NATIONAL INDIAN BROTHERHOOD TRUST FUND (Continued)**

- The Youth Healing Fund was established to support efforts to improve the self-esteem and profile of First Nations' Youth in Canada by organizing events which may bring together First Nations' Youth with political leaders and elders for spiritual and leadership training and support in the Youth's representation of the Nations at conferences and gatherings in Canada and internationally.
- The Research Sponsor Fund was established in 2001 with the purpose to participate in research into the economic, social and scientific problems of Indian communities with a view to proposing solutions to the problems.
- The Heroes Award Fund was established in 2001 with the purpose of giving recognition to those First Nations' citizens who demonstrate a proven record of intellectual and academic ability, integrity of character, interest and respect for fellow human beings, ability to lead, and the initiative to use their talents to the fullest.

The Corporation appoints the Executive Council of the Trust Fund and ensures that the Trust Fund operates in compliance with the Corporation's Charter.

**12. CHANGES IN NON-CASH OPERATING WORKING CAPITAL ITEMS**

	<u>2012</u>	<u>2011</u>
Grants and contributions receivable	\$ 427,115	\$ 255,594
Other accounts receivable	550,061	424,626
GST recoverable	(9,744)	(355,660)
Prepaid expenses	(69,726)	153,011
Inventory	6,455	(16,173)
Accounts payable and accrued liabilities	851,978	(2,598,386)
	<u>\$ 1,756,139</u>	<u>\$ (2,136,988)</u>

# NATIONAL INDIAN BROTHERHOOD

## Notes to the Consolidated Financial Statements

year ended March 31, 2012

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### 13. COMMITMENTS

The Corporation is committed to future minimum lease payments totaling \$4,947,134 under operating leases for office space and equipment for which minimum annual payments for each of the next five years are as follows:

2013	\$ 1,462,999
2014	1,445,704
2015	1,429,687
2016	602,667
2017	6,077
	<hr/>
	\$ 4,947,134

### 14. EXECUTIVE SALARIES

By virtue of an Annual General Assembly Resolution (62/98), the National Chief of the Assembly of First Nations (AFN) receives a salary which is adjusted annually in connection with the Consumer Price Index. Similarly, by virtue of a Confederacy of Nations resolution and an Executive Committee resolution, each Regional Chief is allocated a Director's fee. Management and unelected officials are compensated within average industry remuneration levels for their positions.

### 15. RETIREMENT ASSISTANCE

The Corporation contributes to a defined contribution pension plan for its employees and Regional Chiefs. Contributions are up to 6% of an employee's salary. The employer's contributions for the year were \$444,672 (2011 - \$412,742).

### 16. FINANCIAL INSTRUMENTS

#### *Fair value*

The fair value of long-term debt is determined using the present value of future cash flows under current financing agreements, based on the Corporation's current estimated borrowing rate for loans with similar terms and conditions. The fair value of the long-term debt as at March 31, 2012 approximates its carrying value.

# NATIONAL INDIAN BROTHERHOOD

## Notes to the Consolidated Financial Statements

year ended March 31, 2012

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### 16. FINANCIAL INSTRUMENTS (Continued)

#### *Credit risk*

The risk arises from the potential that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss.

The Corporation's various receivables represent credit provided for the Corporation's programs. The credit is provided mainly to the federal government and accordingly presents minimal credit risk to the Corporation.

The maximum credit exposure of the Corporation is represented by the fair value of the investments and various amounts receivable as presented in the consolidated statement of financial position.

#### *Interest rate risk*

Interest rate risk refers to the adverse consequences of interest rate changes on the Corporation's cash flows, financial position, investment income and interest expenses. The Corporation's cash, investments, long-term debt and demand credit facility are exposed to interest rate changes. The long-term debt generally bears interest at fixed rates, except for the leasehold improvements payable, which matures in 2012. Consequently, the cash flow exposure is not significant. However, the fair value of loans having fixed rates of interest could fluctuate because of changes in market interest rates. The interest bearing demand credit facility has a limited exposure to interest rate risk due to its short-term maturity. The impact of adverse changes in rates is not considered material.



**NATIONAL INDIAN BROTHERHOOD**

**Statement of Operations**

**Aboriginal Affairs and Northern Development Canada (AANDC)**

year ended March 31, 2012

	Basic Organizational Capacity	First Nations Policy Process Mandate for Change	Education & Jurisdiction & Secretariate	Housing and Infrastructure Technical Water Conference	Emergency Management Issues	Social Development	First Nations and Inuit Youth Employment Strategy - Summer Work Experience
Revenue							
Contribution/grant - AANDC	\$ 5,000,000	\$ 1,100,000	\$ 1,120,000	\$ 550,000	\$ 160,000	\$ 395,000	\$ 9,368
Miscellaneous	3,200	8,657	5,149	30,952	-	-	-
Registration fees	-	291,795	-	87,281	-	-	-
	<b>5,003,200</b>	<b>1,400,452</b>	<b>1,125,149</b>	<b>668,233</b>	<b>160,000</b>	<b>395,000</b>	<b>9,368</b>
Expenses							
Advertising, promotion and publications	7,772	10,102	2,000	2,755	3,089	54	-
Allocation of administrative expenses	-	-	-	16,539	-	-	-
Amortization of capital assets	-	-	-	-	-	-	-
Insurance	16,052	1,598	1,032	515	-	560	-
Miscellaneous	-	600	600	-	-	-	-
Office expenses	339,230	45,380	74,555	25,859	7,123	27,813	-
Professional fees	225,590	134,191	189,113	42,625	7,557	63,296	-
Regional service delivery	1,011,220	125,683	5,000	-	-	-	-
Rent	313,682	37,833	80,833	44,946	11,437	27,536	-
Salaries and benefits	2,775,514	260,514	643,042	394,798	104,173	206,130	9,368
Travel and meetings	430,571	799,374	129,349	141,220	27,141	70,517	-
	<b>5,119,631</b>	<b>1,415,275</b>	<b>1,125,524</b>	<b>669,257</b>	<b>160,520</b>	<b>395,906</b>	<b>9,368</b>
Excess (deficiency) of revenue over expenses	\$ (116,431)	\$ (14,823)	\$ (375)	\$ (1,024)	\$ (520)	\$ (906)	\$ -

## Schedule 1 (Continued)

**NATIONAL INDIAN BROTHERHOOD**  
**Statement of Operations**  
**Aboriginal Affairs and Northern Development Canada (AANDC)**  
**year ended March 31, 2012**

	Crown - First Nations Gathering	E-Community Capacity and Coordination	Band Membership and Citizenship	Economic Partnerships	Advocacy & Communications for the Indian Residential Schools Unit	Treaties I & II
<b>Revenue</b>						
Contribution/grant - AANDC	\$ 129,600	\$ 150,000	\$ 541,672	\$ 150,000	\$ 300,000	\$ 300,000
Miscellaneous	-	-	1,143	-	5,440	-
Registration fees	-	-	20,771	-	-	-
	<b>129,600</b>	<b>150,000</b>	<b>563,586</b>	<b>150,000</b>	<b>305,440</b>	<b>300,000</b>
<b>Expenses</b>						
Advertising, promotion and publications	-	212	-	157	23	-
Allocation of administrative expenses	-	-	-	-	-	-
Amortization of capital assets	-	-	-	-	-	-
Insurance	-	-	-	172	-	215
Miscellaneous	-	-	-	-	-	-
Office expenses	4,910	6,931	29,634	12,954	14,446	7,680
Professional fees	13,899	64,775	64,959	3,137	5,565	62,643
Regional service delivery	-	-	-	400	-	-
Rent	-	6,889	21,697	14,356	20,990	13,899
Salaries and benefits	3,604	43,079	145,223	112,918	200,944	179,218
Travel and meetings	114,873	28,249	302,333	8,243	88,258	47,957
	<b>137,286</b>	<b>150,135</b>	<b>563,846</b>	<b>152,337</b>	<b>330,226</b>	<b>311,612</b>
Excess (deficiency) of revenue over expenses	\$ (7,686)	\$ (135)	\$ (260)	\$ (2,337)	\$ (24,786)	\$ (11,612)

Schedule 1 (Continued)

**NATIONAL INDIAN BROTHERHOOD**

**Statement of Operations**  
**Aboriginal Affairs and Northern Development Canada (AANDC)**  
 year ended March 31, 2012

	Specific Claims	Comprehensive Claims Policy	Additions to Reserve	Total	
				2012	2011
Revenue					
Contribution/grant - AANDC	\$ 125,000	\$ 100,000	\$ 470,000	\$ 10,600,640	\$ 10,658,296
Miscellaneous	-	-	7,425	61,966	269,573
Registration fees	-	-	-	399,847	335,518
	<b>125,000</b>	<b>100,000</b>	<b>477,425</b>	<b>11,062,453</b>	<b>11,263,387</b>
Expenses					
Advertising, promotion and publications	21	25	74	26,284	48,087
Allocation of administrative expenses	-	-	-	16,539	-
Amortization of capital assets	-	-	-	-	97,587
Insurance	86	-	344	20,574	23,593
Miscellaneous	-	-	-	1,200	2,991
Office expenses	4,308	1,467	17,143	619,433	726,584
Professional fees	8,501	20,025	152,605	1,058,481	1,139,810
Regional service delivery	-	-	-	1,142,303	1,276,353
Rent	9,984	4,595	28,857	637,534	855,613
Salaries and benefits	75,018	37,394	145,492	5,336,429	5,257,958
Travel and meetings	27,413	37,375	133,871	2,386,744	2,484,789
	<b>125,331</b>	<b>100,881</b>	<b>478,386</b>	<b>11,245,521</b>	<b>11,913,365</b>
Excess (deficiency) of revenue over expenses	\$ (331)	\$ (881)	\$ (961)	\$ (183,068)	\$ (649,978)

## NATIONAL INDIAN BROTHERHOOD

### Statement of Operations

#### Other Funding Agencies

year ended March 31, 2012

	Health Canada	CPAC	Natural Resources Canada	HRSDC	Fisheries and Ocean Canada	Environment Canada
<b>Revenue</b>						
Contribution/grant	\$ 8,238,670	\$ 76,103	\$ 100,000	\$ 333,737	\$ 727,953	\$ 282,000
Sale of publications	-	-	-	-	-	-
Miscellaneous	73,351	-	50,137	3,295	1,316	-
Registration fees	29,558	-	-	-	-	-
	<b>8,341,579</b>	<b>76,103</b>	<b>150,137</b>	<b>337,032</b>	<b>729,269</b>	<b>282,000</b>
<b>Expenses</b>						
Advertising, promotion and publications	20,160	16	14	8,823	118	52
Allocation of administrative expenses	747,364	6,500	14,520	20,352	44,820	37,900
Amortization of capital assets	104,804	621	2,020	-	9,342	4,487
Insurance	8,090	116	-	172	800	-
Miscellaneous	3,075	-	-	-	-	-
Recovery of bad debt	-	-	-	-	-	-
Office expenses	240,126	2,219	1,213	21,738	26,532	15,423
Professional fees	1,575,324	670	2,015	76,773	9,498	19,421
Regional service delivery	40,394	-	-	-	59,276	6,271
Rent	493,901	8,086	15,956	23,044	41,599	34,249
Salaries and benefits	2,572,394	56,364	12,815	138,290	231,814	159,116
Travel and meetings	2,536,208	1,896	101,876	47,840	308,977	6,408
	<b>8,341,840</b>	<b>76,488</b>	<b>150,429</b>	<b>337,032</b>	<b>732,776</b>	<b>283,327</b>
Excess (deficiency) of revenue over expenses	\$ (261)	\$ (385)	\$ (292)	\$ -	\$ (3,507)	\$ (1,327)

Schedule 2 (Continued)

**NATIONAL INDIAN BROTHERHOOD**

**Statement of Operations**

**Other Funding Agencies**

year ended March 31, 2012

	Nuclear Waste Management Organization	Canadian Heritage	Other	Total	
				2012	2011
Revenue					
Contribution/grant	\$ 180,049	\$ 120,000	\$ 185,877	\$ 10,244,389	\$ 10,742,800
Sale of publications	-	-	515	515	339
Miscellaneous	-	-	952,220	1,080,319	636,488
Registration fees	-	-	279,843	309,401	-
	<b>180,049</b>	<b>120,000</b>	<b>1,418,455</b>	<b>11,634,624</b>	<b>11,379,627</b>
Expenses					
Advertising, promotion and publications	29	-	53,025	82,237	97,675
Allocation of administrative expenses	20,784	-	(908,779)	(16,539)	-
Amortization of capital assets	-	-	142,740	264,014	249,120
Insurance	319	-	1,245	10,742	8,015
Miscellaneous	-	-	(1,711)	1,364	9,459
Recovery of bad debt	-	-	-	-	(691,236)
Office expenses	4,901	-	108,037	420,189	617,646
Professional fees	976	-	354,557	2,039,234	1,488,355
Regional service delivery	-	-	246,799	352,740	2,574,584
Rent	19,542	-	87,796	724,173	848,990
Salaries and benefits	114,727	-	523,511	3,809,031	3,328,279
Travel and meetings	18,771	121,672	837,964	3,981,612	1,953,258
	<b>180,049</b>	<b>121,672</b>	<b>1,445,184</b>	<b>11,668,797</b>	<b>10,484,145</b>
Excess (deficiency) of revenue over expenses	\$ -	\$ (1,672)	\$ (26,729)	\$ (34,173)	\$ 895,482

**NATIONAL INDIAN BROTHERHOOD**  
**Statement of Operations**  
**National Indian Brotherhood Trust Fund**  
**year ended March 31, 2012**

	Language and Literacy Fund	Youth Healing Fund	General Fund	Total
				2012
				2011
Revenue				
Sponsorship	\$ -	\$ -	\$ -	\$ 21,485
Miscellaneous	2,879	452	3,331	-
	<b>2,879</b>	<b>452</b>	<b>3,331</b>	<b>21,485</b>
Expenses				
Bad debt	19,200	-	-	19,200
Scholarships	15,548	452	-	16,000
Professional services	6,035	-	-	6,035
Miscellaneous	134	-	-	134
	<b>40,917</b>	<b>452</b>	<b>41,369</b>	<b>23,769</b>
Deficiency of revenue over expenses	\$ (38,038)	\$ -	\$ -	\$ (38,038)
				\$ (2,284)



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