



ASSEMBLY OF FIRST NATIONS  
**Special Chiefs Assembly**

December 5-7, 2023

Shaw Centre – Ottawa, Ontario

*Ottawa is located on the unceded unsundered Territory of the Algonquin People.*

ASSEMBLÉE DES PREMIÈRES NATIONS  
**Assemblée extraordinaire des Chefs**

Du 5 au 7 décembre 2023 - Centre Shaw - Ottawa ( Ontario)

*Ottawa est située sur le territoire non cédé et non abandonné du peuple algonquin.*



## United Nations Declaration on the Rights of Indigenous Peoples Act

### History

The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) is an international instrument adopted by the United Nations on September 13, 2007, to enshrine the Rights that “constitute the minimum standards for the survival, dignity and well-being of the Indigenous peoples of the world” (Article 43, UNDRIP). The UN Declaration is the product of almost 25 years of deliberation by UN member states and Indigenous groups, particularly First Nations.

After decades of advocacy by First Nations, the Parliament of Canada passed the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA), providing a roadmap for the implementation of the UN Declaration based on lasting reconciliation, healing, and cooperative relations. The UNDA has three operative provisions that require Canada to: take all measures necessary to ensure alignment of Canada’s laws and policies with the UN Declaration (Section 5), develop a National Action Plan to implement the UN Declaration (Section 6), and to prepare Annual Reports (Section 7).

On June 21, 2023, the Department of Justice released Canada’s Action Plan. The Action Plan was created as an evergreen document in collaboration with Indigenous partners, including the Assembly of First Nations (AFN) and First Nations, to ensure the objectives of the UN Declaration are met through the UNDA. The Action Plan provides a roadmap for the Government of Canada to advance the rights and self-determination of First Nations, Métis, and Inuit, through 181 distinct measures aimed at upholding the human rights of Indigenous Peoples.

### AFN’s recent advocacy

Since Royal Assent of the UNDA in June of 2021, the AFN has continually advocated for First Nations rights holders to lead all processes related to implementation of the UN Declaration and for sufficient and sustained resources to support rights holders in doing this critical work in full consultation and collaboration with Canada, as required explicitly by the Act. Canada has recognized that initial processes regarding funding, engagement with First Nations and processes related to development of the National Action Plan, the Annual Reports and the alignment of laws processes require further funding and leadership by First Nations.

Since release of the Action Plan, the AFN immediately updated Leadership on the status of the Act at the 2023 Annual General Assembly, including hosting a keynote session for attendees from former Minister of Justice Jody Wilson-Raybould, as well as hosting the Minister of Justice at the time, David Lametti, for a question-and-answer session with Chiefs.

The AFN continued its advocacy throughout the summer and fall of 2023, reminding Canada that the Action Plan Measures are unclear about how implementation steps will be prioritized and that funding commitments



ASSEMBLY OF FIRST NATIONS  
**Special Chiefs Assembly**

December 5-7, 2023

Shaw Centre – Ottawa, Ontario

*Ottawa is located on the unceded unsurrendered Territory of the Algonquin People.*

ASSEMBLÉE DES PREMIÈRES NATIONS  
**Assemblée extraordinaire des Chefs**

Du 5 au 7 décembre 2023 - Centre Shaw - Ottawa ( Ontario)

*Ottawa est située sur le territoire non cédé et non abandonné du peuple algonquin.*



must be made. The AFN has continually engaged Canada to expand the overall amount of funding for rights holders to do this critical work in forthcoming Budgets, as well as learning from and improving the process of funding deployment. For Budget 2024, the AFN continues to advocate for \$1,517 billion over 5 years for First Nations-led coordination on implementation of the UN Declaration. The AFN has undertaken this advocacy at technical and political meetings with federal Ministries; AFN leadership, including Regional Chiefs and the Interim National Chief; as well as advocacy at Federal-Provincial-Territorial-Indigenous meetings throughout 2023.

The AFN also focused its advocacy on the first examples of UN Declaration implementation under Section 5's alignment of laws by strongly engaging on emerging legislative amendments. In November 2023, Cheryl Casimer appeared before the Senate Standing Committee on Legal and Constitutional Affairs, on behalf of AFN portfolio holder Regional Chief Terry Teegee, to testify on Bill S-13, *An Act to amend the Interpretation Act and to make related amendments to other Acts*. The AFN also submitted a written submission on this proposed legislation calling for Canada to uphold the UN Declaration.

### **Next Steps**

Moving forward, the AFN will focus on ensuring adequate funding and improved funding processes are implemented by Canada immediately to support rights holders in building First Nations-led processes for UN Declaration implementation. The AFN will also continue to advocate for more transparency on which Action Plan Measures are actively being prioritized, actioned, and funded by Canada for 2024. The AFN will continue to report out to First Nations, including by providing quarterly reports on the status of UN Declaration implementation.

The AFN will continue to advocate for the full implementation of Inherent Rights, and Treaty Rights of First Nations, and the inherent right to self-determination. A primary focus for early 2024 will be to ensure proper consultation and engagement is conducted for Canada's amendment of the *Immigration and Refugee Protection Act* (IRPA). Canada will be holding a series of roundtables about barriers and issues related to border crossings to develop changes to the IRPA.