
Assembly of First Nations

50 O'Connor Street, Suite 200
Ottawa, Ontario K1P 6L2
Telephone: (613) 241-6789 Fax: (613) 241-5808
www.afn.ca



Assemblée des Premières Nations

50, rue O'Connor, Suite 200
Ottawa, Ontario K1P 6L2
Téléphone: (613) 241-6789 Télécopieur: (613) 241-5808
www.afn.ca

ANNUAL GENERAL ASSEMBLY
September 3-4-5, 2025, Winnipeg, MB

Resolution no. 07/2025

TITLE: Advancing First Nations Trade and Economies Through a First Nations Trade Strategy

SUBJECT: Economic Development, Trade

MOVED BY: Chief Lance Haymond, Kebaowek First Nation, QC

SECONDED BY: Chief Brent Niganobe, Mississauga First Nation, ON

DECISION Carried; 1 Opposition; 7 Abstention

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- i. Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.
- ii. Article 20(1): Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
- iii. Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
- iv. Article 36(1): Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.
- v. Article 36(2): States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Certified copy of a resolution adopted on the 5th day of September, 2025 in Winnipeg, Manitoba

Cindy Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

07 – 2025

Page 1 of 5

ANNUAL GENERAL ASSEMBLY

September 3-4-5, 2025, Winnipeg, MB

Resolution no. 07/2025

- vi. Article 37(1): Indigenous peoples have 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.
- B. First Nations have engaged in trade across Turtle Island since time immemorial. Trade is fundamental to First Nations history, identity, values, culture, ancestry, and economic wellbeing.
- C. First Nations hold an Inherent right to self-determination, including determining policies, regulations, and legislations that dictate their participation and engagement on inter-nation, international, and internal trade.
- D. Assembly of First Nations (AFN) Resolution 70/2023, *Support for Treaty and Inherent Rights to Tax and Tariff Exemption*, provides that First Nations have Treaty and Inherent rights to exemption from all government-imposed taxes and tariffs.
- E. First Nations right to mobility of goods and person are affirmed and recognized under the UN Declaration and the *Treaty of Amity, Commerce, and Navigation of 1794* (Jay Treaty).
- F. Canada's progress in implementing mobility rights is lacking and there continues to be a lack of clarity and advancement on trade. While the United States (US) government allows Canada-born First Nations free entry to US for the purpose of employment, study, retirement, investing, and/or immigration, Canada does not have a reciprocal arrangement. Neither Canada nor the US have legislation to allow for the duty-free movement of First Nations goods under the Jay Treaty.
- G. The Canada-United States-Mexico Agreement (CUSMA) is a trade agreement signed in 2018 between Canada, US, and Mexico. This agreement evolved from the previous North American Free Trade Agreement (NAFTA). There is a scheduled review of CUSMA in 2026. CUSMA was the first trade agreement to begin engaging with First Nations. The participation of First Nations and other Indigenous Peoples in an Indigenous Working Group was a step towards achieving the promise of Article 19 of the UN Declaration and shows that better decisions can be reached in conjunction with First Nations people.
- H. AFN Resolution 30/2018, *Realizing Benefits for First Nations in the Implementation of International Trade and Investment Agreements*, provides direction for the establishment of a First Nations centre of excellence for international trade and investment, as well as a First Nations International Trade and Investment Implementation Committee which will provide implementation advice to the Minister of Foreign Affairs and the Minister of International Trade on all matters of interest and importance to First Nations in the implementation of international trade and investment agreements.
- I. AFN Resolution 37/2019, *Continued Advocacy on Canada's International Trade Agreements to Achieve Economic Reconciliation*, provides direction to the AFN to advocate for a 'Trade and Indigenous Peoples Chapter' in future international trade agreements, full participation of First Nations in international trade negotiations, and explores options for programs and policies to support First Nations exporters.
- J. A Foreign Trade Zone (FTZ) is generally known as a geographic location within a country that is exempt from tax and tariff. In the US, an FTZ is a secure area that is considered to be outside the official territory of US Customs and Border Control. The FTZ provides businesses with the ability to defer the payment of duties on imports until these imports leave the foreign trade zone and enters the commerce of the US. If

Certified copy of a resolution adopted on the 5th day of September, 2025 in Winnipeg, Manitoba

Cindy Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

07 – 2025

Page 2 of 5

ANNUAL GENERAL ASSEMBLY

September 3-4-5, 2025, Winnipeg, MB

Resolution no. 07/2025

the goods shipped to the FTZ are then later transferred to another FTZ or another country, a US duty will not be assessed on the exports.

- K. From February 2025 to April 2025, the US imposed several rounds of tariffs on imports from Canada under the rationale of a national emergency, citing the flow of fentanyl from Canada. As a direct response and countermeasure, Canada initially imposed 25% reciprocal tariffs on imports from the US. Some of these reciprocal tariffs have been 'quietly' removed.
- L. In response to the Canada-US tariffs and resulting global economic instability, Canada has committed to implementing a comprehensive Team Canada approach, including establishing the Prime Minister's Council on Canada-US Relations (the Council), composed of industry and political representatives, and convening a First Ministers table to gather insight and advice on Canada's response and remission strategy. Furthermore, Canada has committed to diversifying trading partners and breaking down internal trade barriers between provinces and territories.
- M. During this time, there has been a lack of First Nations representation in decision making and engagement on trade matters both international and internal. There are no representatives from First Nations leadership on the Council, nor the First Ministers Table. This differs from the previous NAFTA Council formed in 2017 where former National Chief Perry Bellegarde was invited to sit and take part in the negotiations leading up to CUSMA.
- N. First Nations representation will be crucial as the ongoing economic instability will have disproportionate negative impact on First Nations communities and businesses. Higher costs and reduced opportunities will have a direct effect on First Nations producers, many of whom already experience challenges in economic participation. Furthermore, rising costs will impact efforts to Close the Infrastructure Gap, which First Nations have long been urging the federal government to address. Housing, clean water, and other essential services will also be affected.
- O. There is a pressing need for economic unity amongst Indigenous Peoples nationally and internationally, particularly amidst ongoing trade tensions and a precarious economic landscape.
- P. Established in 2021, the Indigenous Peoples Economic and Trade Cooperation Arrangement (IPETCA) is a cooperation-based arrangement aimed at strengthening the economic inclusion of Indigenous Peoples through trade and investment, addressing Indigenous trade issues, raising awareness of Indigenous economies across the globe whilst increasing economic cooperation between Indigenous Peoples. The IPETCA is currently endorsed by Canada, Aotearoa New Zealand, Australia, and Chinese Taipei; and is open for other economies to join.
- Q. While participation at international multilateral forums will be a key way to engage with global Indigenous Peoples and governments, relationships with First Nations in Canada can be built through embassies, particularly those prioritizing Indigenous Peoples and trade.

Certified copy of a resolution adopted on the 5th day of September, 2025 in Winnipeg, Manitoba

Cindy Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

07 – 2025

Page 3 of 5

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Direct the Assembly of First Nations (AFN) to develop and implement a First Nations trade strategy, pending the acquisition of appropriate funding and resources, under the guidance and advice of the AFN Chiefs Committee on Economic Development (CCED) and AFN Councils that includes:
 - a. A long-term strategy to identify First Nations challenges, priorities, and opportunities in internal and international trade. This includes exploring alternative policy tools and advocacy activities to support First Nations trade and to alleviate challenges, such as Indigenous Foreign Trade Zones, procurement policies, Intellectual Property and Indigenous Traditional Knowledge policies;
 - b. The development of a First Nations trade entity, such as a Centre of Excellence, Trade Council, and/or Trade Taskforce;
 - c. The development of an implementation plan with clear timelines and deliverables, including reporting back to the First Nations-in-Assembly with a consultative draft at a future Assembly; and
 - d. Work in partnership with the First Nations of Quebec and Labrador Economic Development Commission (FNQLEDC) to consider the integration of the First Nations Identification (ID1N) initiative — a Canadian official mark, already recognized and used by major partners such as Hydro-Québec — into the First Nations trade strategy, as the Authenticity Seal for First Nations Businesses and Entrepreneurs, a mark created by and for First Nations.
2. In the interim, as immediate priorities:
 - a. Call on the Government of Canada to ensure that First Nations Inherent and Treaty rights are upheld in any Canada-United States-Mexico Agreement renegotiation or any new North American economic agreement through the inclusion of First Nations negotiators on any potential renegotiation or negotiation.
 - b. Call on the Government of Canada to ensure any new or modified trade and investment agreement aligns with First Nations' Inherent and Treaty rights, for example, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), and the Canadian Free Trade Agreement (CFTA). This includes calling on Canada to ensure international trade agreements are consistent with AFN Resolution 99/2023, *Opposition to Investor-State Dispute Settlement Mechanisms* which directed the AFN to urge the Government of Canada to remove Investor State Dispute Settlement (ISDS) mechanisms from existing trade and investment agreements and ensure that future trade and investment agreements do not include ISDS provisions.
 - c. Call upon Canada to include First Nations leaders as full participants at any First Ministers Table and or other intergovernmental meetings on trade matters.
 - d. Call upon Canada to ensure First Nations Inherent and Treaty rights are upheld in Canada's trade diversification and remission strategies, including policy, regulatory, and legislative amendments aimed at reducing internal trade barriers.

Certified copy of a resolution adopted on the 5th day of September, 2025 in Winnipeg, Manitoba

Cindy Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

07 – 2025

Page 4 of 5

ANNUAL GENERAL ASSEMBLY

September 3-4-5, 2025, Winnipeg, MB

Resolution no. 07/2025

- e. Call upon Canada to implement programs and policies to support exports from First Nations businesses such as trade missions, increased investment in First Nations businesses, and simplifying access to loans and grants for First Nations businesses.
- f. Direct the AFN to engage and collaborate with global Indigenous Peoples to expand Indigenous-to-Indigenous relations and find opportunities for Indigenous partnerships, amidst the ongoing geopolitical uncertainty, including with the National Congress of American Indians, the Jay Treaty Border Alliance, Te Taumata, Ngā Toki Whakarururanga, the Ambassador for First Nations People (Australia), and the Indigenous partners of the Indigenous Peoples Economic and Trade Cooperation Agreement (IPETCA).
- g. Direct the AFN to advocate for and increase awareness of Indigenous trade at international forums such as the World Trade Organization (WTO), Organisation for Economic Co-operation and Development (OECD), Organization of American States (OAS), Asia-Pacific Economic Cooperation (APEC), United Nations Permanent Forum on Indigenous Issues (UNPFII), and Expert Mechanism on the Rights of Indigenous Peoples (EMRIP).

Certified copy of a resolution adopted on the 5th day of September, 2025 in Winnipeg, Manitoba

Cindy Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

07 – 2025

Page 5 of 5