



Third annual progress report on implementation of the *United Nations Declaration on the Rights of Indigenous Peoples Act*

June 2024





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the implementation of the *United
Nations Declaration on the Rights
of Indigenous Peoples Act*.

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United Nations Declaration on the Rights of Indigenous Peoples Act
Implementation Secretariat
Department of Justice Canada
2024

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Minister's message

The *United Nations Declaration on the Rights of Indigenous Peoples Act* provides an historic opportunity to ensure Canada is a place where the human rights of Indigenous peoples, as affirmed in the UN Declaration on the Rights of Indigenous Peoples, are recognized and respected, upheld and implemented.

This third annual report tracks our progress to turn this opportunity into a reality by following our roadmap: the UN Declaration Act Action Plan. The Action Plan includes 181 measures intended to help achieve the objectives of the UN Declaration, setting out the important steps needed to advance reconciliation in a tangible way. Further, it demonstrates the federal government's firm commitment to collaborating with Indigenous peoples to build relationships based on the recognition of rights, including self-determination.

This annual progress report outlines the work undertaken from April 2023 to March 2024, to implement the Action Plan, in consultation and cooperation with Indigenous peoples (First Nations, Inuit and Métis), including measures taken to ensure the consistency of federal laws with the UN Declaration.

In the last year, progress has been made on many Action Plan measures, including:

- the development of an Indigenous Justice Strategy to address systemic discrimination and the overrepresentation of Indigenous people in the criminal justice system
- advancing water and wastewater service transfer to First Nations communities, including through the introduction of Bill C-61, *An Act respecting water, source water, drinking water, wastewater and related infrastructure on First Nation lands*
- addressing border crossing challenges faced by Indigenous peoples whose traditional territories are divided by Canada's colonial borders
- progress on the implementation of Indigenous languages revitalization through the *Indigenous Languages Act*

This year's report includes the perspectives and ideas of a significant number of Indigenous partners (First Nations, Inuit and Métis). From the start, we worked in consultation and cooperation with Indigenous partners to decide the report's topics. We also created a questionnaire that was sent to 151 Indigenous governments, representative organizations, groups and communities, to gather feedback on our work to implement the UN Declaration Act over the last year.

The 56 responses we received from Indigenous partners, along with reporting from 43 federal government departments and agencies, are the foundation of this report.



Indigenous peoples (First Nations, Inuit and Métis) told us that the UN Declaration Act and the Action Plan represent hope, positive change, and an opportunity to right historical wrongs.

They made important suggestions, including: the need for departments to expeditiously implement Action Plan measures; implementation plans, timelines, and metrics to evaluate progress; ensuring all Indigenous voices are included when advancing Action Plan measures; and the need for stable funding to support capacity to fully participate in implementation. Timelines must be directed and set by communities, not by the federal government. They also urged us to move faster because communities that are in crisis cannot wait.

Moreover, they offered insightful recommendations to remedy these issues. Their insights and experiences will guide us as we implement the Action Plan together.

We are heartened to be undertaking this work in a country where the UN Declaration Act continues to be incorporated into laws and practices, notably being cited in the Supreme Court's opinion this February affirming the validity of legislation that recognizes Indigenous jurisdiction over child and family services.

Every step forward moves us closer to making the objectives of the United Nations Declaration on the Rights of Indigenous Peoples a reality.

The road ahead is challenging, and there is much more work to be done. We are committed to walking it, side by side with Indigenous peoples (First Nations, Inuit and Métis), to create better outcomes for all.

The Honourable Arif Virani, P.C., M.P.

Minister of Justice and Attorney General of Canada



Messages from Indigenous leadership

“Aaanin/ Boozhoo’,

As National Chief for the Assembly of First Nations (AFN), I am honoured to advocate for the rights, interests, and priorities of First Nations, as directed by First Nations-in-Assembly, and ensure their voices are heard and respected on matters affecting their Nations. The Department of Justice’s Annual progress report on implementation of the United Nations Declaration on the Rights of Indigenous Peoples Act, provides an important opportunity to assess the Government’s progress and plan to enable First Nations jurisdiction and self-determination.

The UNDA represents decades worth of First Nations-led advocacy that has resulted in federal legislation that provides direction on how together, we can ensure alignment with all 46 articles of the UN Declaration. We lift up those provinces such as British Columbia and the Northwest Territories who are in the process of implementing similar legislation. First Nations also call on all provinces and territories to work with First Nations in accelerating the recognition of this important human rights framework.

While this annual report highlights important advancements made by Canada, First Nations and their governments continue to face barriers to designing, implementing, and evaluating alternatives to Canada’s current laws, policies and regulations that do not affirm our inherent and treaty rights, title, and jurisdiction. This is the important work we must accelerate together.

Implementing the UN Declaration cannot be achieved by the Department of Justice alone. There is an ongoing need for enhanced coordination between federal departments, along with transparent plans and commitments for whole-of-government approaches to addressing priorities that transcend the limits of any one federal department. The AFN looks forward to continuing to support First Nations as they advance this work with Canada.

Chi-meegwetch”,

Cindy Woodhouse Nepinak, National Chief
Assembly of First Nations



"This year's progress report highlights the urgent need to accelerate work on defining the meaning and application of the "consultation and cooperation" standard, as well as the need to develop a formal mechanism for systematically implementing section 5 of the *U.N. Declaration Act*. Much of the impact of the *U.N. Declaration Act* hinges on our ability to make progress in these areas. At the same time, only an independent human rights commission and tribunal can effectively monitor and enforce implementation of our human rights. ITK looks forward to prioritizing work with federal officials on these critical areas."

Inuit Tapiriit Kanatami President Natan Obed

"I want to acknowledge the important work that has been ongoing with UNDA and the Action Plan and offer support and optimism for the future based on this year's annual report. The Métis National Council, alongside Métis Governments, have worked hard to implement the Action Plan and will continue to work with federal partners to ensure that UNDA and the Action Plan, through consultation and cooperation, becomes more consistent in its application and usage across the federal government. We need to continue to move forward quickly and diligently to gain a shared understanding of consultation and cooperation and ensure a consistent whole of government approach for Canada's obligations under UNDA and the Action Plan. An Indigenous Human Rights Tribunal, as described in APM 19, is a necessary accountability mechanism. Appropriate consultation and cooperation on such a tribunal need to begin immediately, at the stage of conceptualization, for a truly co-developed, distinctions-based mechanism to be put into place."

President Caron, Métis National Council

"The Cree Nation Government has worked tirelessly for over four decades on the Declaration in the United Nations system to affirm the rights of Indigenous Peoples in Canada. Canada has now affirmed the rights in the Declaration as a part of Canada's positive law meaning laws and regulations current and future must comply with those rights. It is important moving forward with the National Action Plan Indigenous governments with nation-to-nation relationships work collaboratively and cooperatively with Canada to realize these rights for Indigenous Peoples in Canada."

Grand Chief Mandy Gull-Masty, Cree Nation Government



“The Manitoba Métis Federation - National Government of the Red River Métis - looks forward to partnering with Canada to protect and advance the rights, interests, and claims of Red River Métis through the implementation of the UNDA.

The soon to be introduced promised modern-day treaty, together with UNDA, will provide the guiding principles and framework for our Government-to-Government relationship with Canada and renew the broken constitutional promises from the Manitoba Act, 1870.

Accompanied by a distinct Red River Métis Action Plan, UNDA is an important step toward reconciliation and advancing our relationship with Canada. Its implementation must be carried out in good faith, fully and completely.”

President Chartrand, Manitoba Métis Federation - National Government of the Red River Métis



Prologue

We ask that readers acknowledge that we all bring ourselves to this work with good intentions and do our best to ensure that it is done in the most honest, respectful and transparent way possible. Our goal is to accurately reflect the perspectives of the Indigenous partners with whom we have spoken. We hope that the report is read objectively and with an open mind. Wela'liq, Marsi, Nanaskomowin, Phidámayaye, Chi-miigwetch, Woliwon, Nakurmiik, Gunalcheésh, Mahsi' Cho, Shawnithan, Soga senla, Tshinashkumitnau, and acknowledging the many other terms for thank you in various Indigenous languages that are not represented here!



Pjila’si, maajii, introduction

Since our last annual report, released in July 2023, we have been working to create an improved report that reflects our collective experiences over the course of the last reporting period. The 2023-2024 Annual Report captures both the completion of the [United Nations Declaration on the Rights of Indigenous Peoples Act \(UN Declaration Act\) Action Plan](#), released on June 21, 2023, and the subsequent launch of the implementation phase.

Purpose, scope and limitations

Section 7 of the UN Declaration Act states that annual reports must be prepared, in consultation and cooperation with Indigenous peoples, to report on progress made during the previous fiscal year (April 1, 2023 to March 31, 2024) to implement section 5 of the Act — measures to ensure consistency of laws with the UN Declaration, and section 6 — the development and implementation of the [Action Plan](#).

To inform this report, input was gathered from Indigenous partners from January 2024 through May 2024. This included input on the reporting template and the report. Although the number of Indigenous partners we engaged with on the annual report has more than tripled from last year, we acknowledge that 56 responses is still a small fraction of Indigenous perspectives. Considering the breadth, scope, and application of the [UN Declaration Act](#), we acknowledge that more time will be needed moving forward.

Methodology and approach

As the 2023-2024 Annual Report is the first following the release of the [Action Plan](#), we have begun tracking progress on implementation in a way that also reflects Indigenous peoples’ perspectives, to the extent shared with us by those who responded, with the hope of demonstrating transparency, accountability and responsiveness.

To improve this year’s report, we wanted to ensure that we acknowledged and responded to what we heard from Indigenous partners over the past year. One of the things that we heard loud, clear, and repeatedly was how important it is to Indigenous partners that their voices be heard and reflected in reporting. We also heard that a gender-based analysis plus ([GBA Plus](#)) lens needs to be woven throughout the report. What you will read is our best attempt to do this.

We also approached a few things differently this year. Instead of creating an outline for Indigenous partners to react to, we asked Indigenous partners what questions they considered most relevant to gather the information we needed to develop the report.



These questions and the responses from 56 Indigenous partners ([Annex A](#)) form an integral part of this report.

In addition, Justice Canada developed digital reporting tools to document and streamline implementation updates from across the federal government and from Indigenous partners more easily. Status updates, which can be found in [Annex B](#), were collected from 43 federal departments and agencies, covering 178 Action Plan measures. We will continue to work and commit to providing capacity support, to the extent possible, to ensure fulsome consultation and cooperation with Indigenous partners and collaboration with federal government departments, in every stage of the Action Plan implementation, to improve reporting as we continue along this journey of implementing the UN Declaration Act.



Year in recap: Consistency of laws

Section 5 of the UN Declaration Act states that the Government of Canada must, in consultation and cooperation with Indigenous peoples, take all measures necessary to ensure federal laws are consistent with the UN Declaration. This is an obligation relevant to developing new legislation and amending existing federal laws when they impact Indigenous peoples' rights. The [Action Plan](#) also includes specific measures directed at advancing implementation of section 5 generally, and measures aimed at specific regulatory and legislative initiatives.

A number of existing legislative frameworks contribute to advancing the objectives of the UN Declaration and are specifically designed to include the participation of Indigenous peoples in their implementation, or in related processes. Since the last reporting period, various pieces of legislation relevant to ensuring consistency with the UN Declaration have been moving through the legislative process and new legislative and regulatory initiatives have been developed in consultation and cooperation with Indigenous peoples. With the tabling of the Action Plan, specific Action Plan measures are themselves meant to advance implementation of section 5 in the coming months and years.

Legislative initiatives relevant to section 5 – key highlights

On February 9th, 2024, the Supreme Court of Canada (SCC) gave its unanimous opinion in the [Reference re An Act respecting First Nations, Inuit and Métis Children, Youth and Families](#)¹ (*Reference*). Writing as “the Court”, the Justices found that the legislation supports the objectives of the UN Declaration and the UN Declaration Act. This is the first time the SCC has commented on the role of specific legislation in contributing to achieving the objectives of the UN Declaration. The Court noted that [An Act respecting First Nations, Inuit and Métis Children, Youth and Families](#) was an example of legislative reconciliation that was undertaken in close consultation and cooperation with Indigenous peoples. The Court's opinion in this reference aligns with ongoing work associated with Shared Priority measure 29 and Métis measure 5 – both of which focus on the implementation of the Act.

Of the six legislative initiatives specifically reported on last year, two have come into force and are now law: [An Act to Amend the First Nations Fiscal Management Act, to](#)

¹ Reference re [An Act respecting First Nations, Inuit and Métis children, youth and families](#), 2024 SCC 5 [Reference]: [Reference re An Act respecting First Nations, Inuit and Métis children, youth and families - SCC Cases \(scc-csc.ca\)](#)



[make consequential amendments to other Acts, and to make a clarification relating to another Act](#) (previously Bill C-45) which received Royal Assent on June 20, 2023 and [An Act to provide for the establishment of a national council for reconciliation](#) (previously Bill C-29). Bill C-29 received Royal Assent on April 30, 2024. This initiative also helps to implement the [Truth and Reconciliation Commission Calls to Action](#) 53-56, which call on the Government of Canada to establish a National Council for Reconciliation.

As of March 31, 2024, three of the other legislative initiatives noted in last year's annual report are before Parliament:

- [Bill S-13, An Act to amend the Interpretation Act and to make related amendments to other Acts](#), is at second reading in the House of Commons after having been passed in the Senate. This initiative helps to implement Shared Priorities measure 2 of the [Action Plan](#) by including a non-derogation clause in the *Interpretation Act*
- [Bill C-61, An Act respecting water, source water, drinking water, wastewater and related infrastructure on First Nation lands](#), is at Standing Committee on Indigenous and Northern Affairs. This initiative supports First Nations priorities 16 and 17 of the [Action Plan](#) relating to First Nations drinking water and wastewater
- [Bill C-38, An Act to amend the Indian Act \(New Registration Entitlements\)](#), is at second reading in the House of Commons. By addressing a number of remaining inequities in registration and First Nations membership under the *Indian Act*, this initiative helps to implement First Nations Priorities measure 7

Several new legislative or regulatory initiatives aligned with section 5 also advanced between April 1, 2023, and March 31, 2024, and others, like the introduction of proposed amendments to the *Impact Assessment Act* (Bill C-69, introduced April 16, 2024), will continue to advance in the current fiscal year. While a more detailed list can be found in [Annex C](#), initiatives up to March 31, 2024, include:

Early learning and child care

[An Act respecting early learning and child care in Canada \(short title: Canada Early Learning and Child Care Act\)](#) received Royal Assent on March 19, 2024. This legislative measure reflects the Government of Canada's commitment to ensuring families in Canada have enduring access to affordable, inclusive and high-quality early learning and child care (ELCC). This initiative relates to Shared Priorities measure 103 in the [Action Plan](#), which involves continuing to advance and support self-determination in the provision of culturally competent early learning and child care for Indigenous children. This is to be achieved through a co-developed Indigenous Early Learning and Child Care (IELCC) Framework and dedicated federal investments to support its



implementation. Ongoing implementation of the Canada-wide ELCC system includes the [IELCC](#) initiative which is guided by partnership tables with representatives nominated by respective leadership from First Nations, Inuit and the Métis Nation at national and regional levels. The tables work in collaboration with federal partners to facilitate Indigenous-led planning, priority setting, and decision-making.

Haida Nation governance and self-determination

[Bill S-16, *An Act respecting the recognition of the Haida Nation and the Council of the Haida Nation \(Haida Nation Recognition Act\)*](#), is at third reading in the Senate. The legislation affirms the Government of Canada's recognition of the Haida Nation as the holder of inherent rights of governance and self-determination. If passed, the legislation will formally recognize the Council of the Haida Nation as the government of the Haida Nation. The Council is mandated, through The Constitution of the Haida Nation, to conduct the external affairs of the Haida Nation and to steward the lands and waters of Haida Gwaii on behalf of the Haida Nation. [The Nang K'uula • Nang K'úulaas Recognition Agreement](#) given effect by this Bill was negotiated with the Haida Nation. Consistent with the UN Declaration, Canada will continue to work with the Council of the Haida Nation to respect, uphold, and affirm the rights of the Haida people.

Sustainable jobs

[Bill C-50, *Canada Sustainable Jobs Act*](#), is at the report stage in the House of Commons. The proposed sustainable jobs legislation will create a framework to allow for ongoing dialogue with Indigenous peoples as part of Canada's approach to sustainable jobs. The Sustainable Jobs Partnership Council, proposed in this bill, will include three members who represent Indigenous peoples on a distinction basis.

Consultation and cooperation with Indigenous partners

This section includes reflections on the implementation of section 5 of the UN Declaration Act over the last year, both from Indigenous peoples and organizations and from federal departments and agencies engaged in this work. Two main themes have emerged from input received: transparency and clarity regarding the section 5 implementation process, and effective participation in associated consultation and cooperation processes.

Transparency and clarity in implementation

The mandate letters of all federal ministers direct them “to implement the United Nations Declaration on the Rights of Indigenous Peoples and to work in partnership with Indigenous peoples to advance their rights.” Ensuring consistency of federal laws (including regulations) in consultation and cooperation with Indigenous peoples is also



the work of every minister and department. Many departments have shared information on how they have worked with Indigenous peoples to advance this goal, as summarized in the annexes to this report.

Justice Canada has developed several tools and training materials to provide federal officials with information about the UN Declaration Act. Interim guidance on the application of section 5 of the UN Declaration Act has also been developed, informed by views shared by Indigenous peoples during the course of developing the Action Plan. Several departments have further adapted this general interim guidance into their own internal approaches on assessing consistency with the UN Declaration.

These interim approaches are just the beginning. Building on the work to date, the implementation of Shared Priorities measure 1 is intended to contribute to greater clarity, consistency, and transparency on the section 5 implementation process, including associated consultation and cooperation. As the Government of Canada works toward implementing Shared Priorities measure 1 in consultation and cooperation with Indigenous peoples, it is continuing to learn from experiences. Planning has begun in anticipation of initial consultation and cooperation on Shared Priorities measure 1 over the coming months.

The Government of Canada has worked to develop and will continue to build national and regional processes and bilateral relationships with Indigenous partners including, though not limited to, the Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)-led Permanent Bilateral Mechanisms. These partnerships are opportunities for cooperative work to advance implementation of section 5. Workplans, terms of reference and associated structures have been or are being developed with some national and regional representative bodies. These various processes and bilateral relationships will be used to work together on priority issues associated with section 5 of the UN Declaration Act.

As awareness about the UN Declaration Act and the section 5 obligation has increased, more departments and agencies are actively considering how to consult and cooperate with Indigenous peoples on legislative or regulatory initiatives that particularly impact them, to ensure consistency with the UN Declaration. Identifying best practices and learning from the experiences of Indigenous peoples — including as reflected during annual reporting cycles — will also contribute to greater awareness and application of the obligations described in this part of the UN Declaration Act.

Parliament has also been playing a role in bringing transparency and accountability to this requirement, including by asking sponsoring Ministers, officials and others about what consultation and cooperation has occurred on legislation that is being debated and studied (see for example the many questions raised by the Standing Senate Committee



on Indigenous Peoples in relation to [Bill S-13](#), and their related ongoing study to examine the implementation of the [United Nations Declaration on the Rights of Indigenous Peoples Act](#), 2021. This study is expected to conclude in 2025). Parliament has also been asked to consider potential amendments to proposed legislation relating to the UN Declaration during the course of the parliamentary process.

Both Indigenous peoples and federal officials see the need to ensure that section 5 of the UN Declaration Act is implemented with clarity and transparency and with Indigenous peoples' meaningful participation in related consultation and cooperation processes. Federal government departments continue to learn from experience and through training and sharing lessons learned and best practices across departments and with Indigenous peoples.

Ongoing training and awareness raising

The Government of Canada has raised awareness and continues to provide training across departments for federal officials, including federal lawyers, to understand and fulfill their section 5 obligations. Further, Shared Priorities measure 14 commits the Government of Canada to develop and implement foundational training co-created by Indigenous subject matter experts for federal public servants. The training is intended to build fundamental understanding and competence about the history and rights of Indigenous peoples in Canada. Cooperative development of this training is underway. In the meantime, Justice Canada and other departments have been proactive in seeking to ensure that public servants understand the obligations set out under the UN Declaration Act. The events listed below describe some of these training and awareness raising activities:

- A public service event on UN Declaration Act implementation was delivered in partnership by Justice Canada and the Canada School of Public Service on October 17, 2023. Over 1,800 federal officials attended. Indigenous panelists and federal officials spoke about their experiences and perspectives related to implementation of the UN Declaration Act. Short videos of the event have been created to make the training available as part of a new learning portal on the UN Declaration and UN Declaration Act and will be made available online in 2024.
- On October 18 to 19, 2023, Justice Canada's UN Declaration Act Implementation Secretariat hosted an interdepartmental workshop focused on bringing together officials from across departments and agencies to discuss and coordinate the implementation of the UN Declaration Act and the Action Plan. Over 130 officials from 35 federal departments and agencies attended in person, with an additional 225 officials listening online.



- Eleven in-house introductory and advanced UN Declaration Act training sessions were delivered through Justice Canada’s Centre for Legal Education Services to federal officials, reaching over 500 federal officials and over 450 Justice Canada lawyers.
- Natural Resources Canada (NRCan) and Justice Canada collaborated to provide training to 574 employees working at NRCan and the agencies under the department’s portfolio, with an emphasis on section 5 and other UN Declaration Act obligations. Most participants said that the sessions meaningfully increased their knowledge of the UN Declaration and the UN Declaration Act, and many voiced an interest in learning more about related topics.
- Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) developed and piloted a two-hour training module on human rights, the UN Declaration, the UN Declaration Act and the Action Plan, and how to integrate a UN Declaration lens into departmental work. Training was provided to 254 employees, and a joint training session with Indigenous Services Canada (ISC) reached 390 CIRNAC and ISC employees.
- Indigenous Services Canada (ISC) held educational awareness and training sessions to promote departmental awareness of the UN Declaration and the UN Declaration Act through an internal UN Declaration Network and presentations to almost 1000 employees.
- Presentations on the UN Declaration Act were also delivered to specific departments and a variety of interdepartmental committees and working groups, including Fisheries and Oceans Canada and the Department of National Defence, the Interdepartmental Strategic Policy Directors General Working Group and the Advancing and Influencing Reconciliation (AIR) Network. Presentations were also part of learning days in areas including legislative drafting and information and privacy law.

Indigenous partners’ reflections

When asked to provide perspectives on progress in relation to section 5 of the UN Declaration Act, some Indigenous partners indicated that the Government of Canada has not been transparent in explaining how this obligation will be fulfilled. Indigenous partners noted that there is uncertainty and a lack of clear direction amongst some departments about how to implement section 5. As a result, they find it difficult to assess whether an initiative is consistent with the UN Declaration. Indigenous partners expressed a need for departments and agencies to be more proactive in sharing information about their initiatives and processes and emphasized the importance of



early and ongoing communication and adequate timelines for participation. Ongoing work to implement section 5 related Action Plan measures, including Shared Priority measure 1, and the continued refinement of annual reporting processes should help to address some of these concerns over time as both federal government departments and Indigenous peoples gain experience in implementing the UN Declaration Act.

Some Indigenous partners also observed that the Government of Canada has been implementing the consistency of laws obligation without sufficiently consulting and cooperating with Indigenous peoples. Indigenous partners described a need to be provided with accessible information and resources, including digital formats, to participate in all aspects of section 5 implementation. Others emphasized the importance of addressing injustices and combatting all forms of discrimination including systemic discrimination as part of implementing the UN Declaration, including through ensuring the consistency of laws.

Participation in consultation and cooperation on measures to ensure consistency of laws

While there were Indigenous partners who reported being involved in specific legislative or regulatory processes, several indicated that they would have liked to be involved in other specific initiatives as well. In more than half of the written submissions received, Indigenous partners reported that they were not asked by federal government departments or agencies to participate in specific legislative or regulatory initiatives that affect them, though many indicated a desire to do so.

Some Indigenous partners indicated that Indigenous organizations, like the Assembly of First Nations, Inuit Tapiriit Kanatami and Métis National Council, seemed to be the ones primarily involved in the federal government's consultation and cooperation process. A concern was also raised that by focusing on a distinction-based approach to consultation and cooperation, the Government of Canada was not involving other Indigenous groups, such as Indigenous people living off-reserve and in urban centres. However, in some instances where the interests are more localized, Indigenous partners acknowledged that CIRNAC, ISC, Employment and Social Development Canada (ESDC), and NRCan have undertaken consultation and cooperation with local representative bodies, smaller representative institutions, organizations, and governments. Continuing work on consultation and cooperation approaches that respond to specific contexts will contribute to the meaningful participation of Indigenous peoples in processes impacting them and their rights.



Year in recap: Action Plan

Action Plan development and release

A [What We Learned to Date](#) report and a draft action plan were released for consideration on March 23, 2023. The draft action plan contained 101 measures over three chapters dedicated to: Shared Priorities; First Nations Priorities; and Métis Priorities.

Many Indigenous partners provided feedback on the measures included in the draft. Some were engaged with departments in co-developing measures, some were engaged in conversations about how the measures could be strengthened, while others provided submissions for consideration by departments. Between the release of the draft and final [Action Plan](#) on June 21, 2023, 80 new measures were added to the Action Plan, including distinct chapters responding to Inuit and Modern Treaty partner priorities. These measures were either directly co-developed with partners or were supported by various submissions.

Justice Canada worked intensively from April to June with a number of federal departments to convene over 100 bilateral meetings, thematic sessions, and roundtables to seek input on and further refine the Action Plan. Over 65 partners submitted feedback on draft measures, though not all of them were received in time to be considered in the development of the Action Plan.

Submissions, whether received before or after the Action Plan was finalized, were shared directly with relevant departments. Regardless of when submissions were received, departments are being encouraged to consider all submissions and to reach out to partners whose priorities intersect with their mandates to ensure that Indigenous organizations whose priorities align with Action Plan measures are included throughout the process of implementation.

While the timelines and resources available to Indigenous partners posed challenges and frustrations in developing the draft action plan, several partners expressed having a positive experience working with the Government of Canada to develop the Action Plan. Some Indigenous partners mentioned that they appreciated the flexibility gained by the use of confidentiality agreements to share sensitive documents while others spoke about collaborating on the development of specific Action Plan measures.

For example, the Indigenous Caucus of the Indigenous Advisory and Monitoring Committee (IAMC), Transmountain Pipeline (TMX) explained how it worked closely, prior to the release of the Action Plan, with the Canada Energy Regulator (CER) and Natural Resources Canada (NRCan) to co-develop Shared Priorities measure 34.



Further, the Indigenous Caucus of the IAMC TMX noted that, along with the Indigenous Caucus for the Line 3 IAMC, it facilitated a pipe ceremony in Tsuut'ina territory in February 2024 to guide the implementation work required under this measure. This ceremony was guided by Elders and involved representatives of the Indigenous Caucus, the CER and NRCan. In addition to the pipe ceremony, participants discussed how to coordinate work required under measure 34 and engaged in strategic planning regarding formalizing a leadership structure to ensure accountability in implementation.

While the co-development of Shared Priorities measure 34 is a success story, a number of Indigenous partners noted that it will be important that Indigenous peoples lead in the setting of goals and priorities for Action Plan measures and be properly resourced to do so to enhance the legitimacy of the process. Furthermore, while investments within federal government departments to help them advance this work are important, similar funding commitments need to be made to Indigenous organizations to allow them to fully participate in implementation.

Further to input received during this intensive period of consultation and cooperation, the Action Plan was expanded to include 181 measures that respond to a significant number of the 3,400 proposed measures received from over 150 Indigenous partners.

Indigenous partners' perspectives on the development and release of the Action Plan

The Action Plan was tabled in Parliament on June 21, 2023, and included an event held with leaders of the Assembly of First Nations, Inuit Tapiriit Kanatami, and the Métis National Council alongside the Ministers of Justice, Crown-Indigenous Relations, and Northern Affairs.

At that event, leaders spoke about the hope for the future and the achievement that the Action Plan represents. They also acknowledged that much work remains and that the Government of Canada needs to remain accountable and responsive to the evolving priorities of Indigenous peoples.

In their respective announcements marking the release of the Action Plan both Inuit Tapiriit Kanatami² and the Métis National Council³ spoke to the collaborative work done

² ITK Ready To Work With Federal Government To Implement UN Declaration Act Action Plan, <https://www.itk.ca/itk-ready-to-work-with-federal-government-to-implement-unda-action-plan/> (Accessed April 9, 2024).

³ Métis National Council Joins Announcement of the Release of UNDRIP Action Plan, <https://www.metisnation.ca/news-and-media/news/post/52/metis-national-council-joins-announcement-of-the-release-of-undrip-action-plan> (Accessed April 9, 2024).



in developing the Inuit and Métis chapters and acknowledged the importance of continued work on implementation.

Inuit Tapiriit Kanatami's release reiterated that the UN Declaration outlines fundamental human rights and not aspirational goals. It went further to emphasize the critical role of co-developing an effective monitoring and enforcement mechanism (Shared Priorities, 19) to ensure that these rights are interpreted and enforced as legal rights.

The Assembly of First Nations' statement⁴ emphasized the need to take "immediate and concrete actions to ensure the UN Declaration's effective implementation" including working with other levels of government. They also emphasized that this work needs to be led by First Nations.

We acknowledge there is a wide range and diversity of views and that not all Indigenous peoples expressed support for the [Action Plan](#). For example, 16 Treaty Nations from Treaty 4, 6, 7, and 8 territories criticized the Action Plan⁵, as did some organizations representing the interests of Indigenous people living off-reserve⁶ and some Indigenous women's organizations. Some also expressed disappointment at not having been invited to the launch announcement.

Some of the criticisms included that the UN Declaration Act undermines Indigenous sovereignty while other groups wanted to see chapters dedicated to Historic Treaty partners and off-reserve and non-status Indigenous people.

As we continue along the journey of reconciliation, we will need to work together to foster open, honest and constructive dialogue about issues on which there are divergent perspectives, while also seeking to find points of agreement and common interest on the way forward.

⁴ Assembly of First Nations (AFN) Acknowledges the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) Action Plan and Calls for Concrete Implementation, <https://afn.ca/all-news/press-releases/assembly-of-first-nations-afn-acknowledges-the-un-declaration-on-the-rights-of-indigenous-peoples-undrip-action-plan-and-calls-for-concrete-implementation/> (Accessed April 9, 2024).

⁵ Federal Action Plan for UNDRIP lacks input from rights holders, the treaty nations, says Crowchild, Windspeaker.com, <https://windspeaker.com/news/windspeaker-news/federal-action-plan-undrip-lacks-input-rights-holders-treaty-nations-says> (Accessed April 9, 2024).

⁶ <https://thenelsondaily.com/2023/06/open-letter-justice-minister-david-lametti-regarding-undrip-action-plan/> (Accessed April 29, 2024)



“First Nations are not subjects of the Crown. We have a Treaty between our two sovereign nations. This Treaty does not make us Indians, it makes us First Nations with a treaty. UNDRIP does not, can not, and will not ever replace, rewrite, nor reinterpret the Treaty we already have. Our rights are based in our Sovereignty, not Canada's assumed racial supremacy, not UNDRIP and not any colonial law.”

Jason Mercredi, Silent Drums Inc.

Action Plan implementation – key highlights

To prepare this report, Justice Canada requested information, in February 2024, from federal departments and agencies on Action Plan measure implementation in fiscal year 2023-24 (April 1, 2023, to March 31, 2024). The information requested included the current status of the measure, whether consultation and cooperation had taken place with Indigenous partners, links to other federal initiatives (e.g., [Truth and Reconciliation Commission's Calls to Action](#)), and whether measures contained legislative or regulatory initiatives affecting the rights of Indigenous peoples.

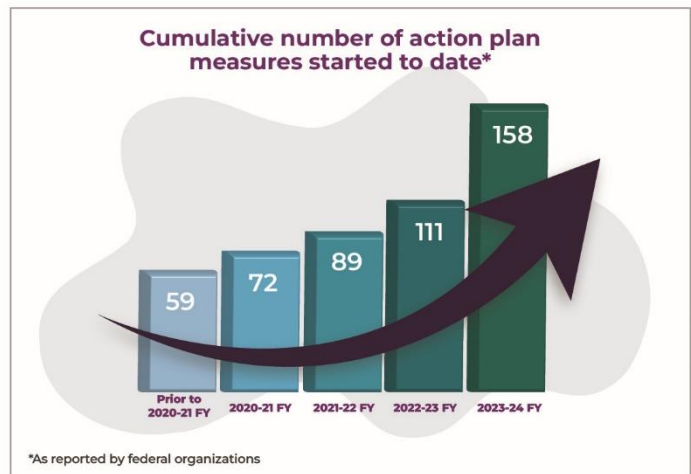
Justice Canada received submissions from 43 federal departments and agencies related to 178 of the 181 Action Plan measures. This includes submissions from federal organizations that are not explicitly named in the [Action Plan](#) but are doing work to support or advance implementation of the Action Plan measures. The three measures for which no submissions were received (MT12 - Modern Treaty partner collaboration and FPIC on environmental legislation and policies, MT14 - Respecting Modern Treaties in land and land use planning legislation, policies, and programs, and MT16 - Upholding Modern Treaty partners' rights across international borders) were due to ongoing work to identify the appropriate lead department.

While the work that has been completed to date is encouraging, departments have noted several factors that have contributed to delays, such as resource limitations, a need for greater clarity on departmental leads, and constraints on both federal and Indigenous peoples' capacity.

Of the 178 Action Plan measures for which 43 departments and agencies provided submissions, 128 Action Plan measures (or approximately 71%) have at least some funding allocated toward implementation. However, we heard that multiple departments are encountering implementation challenges due to broader constraints around the availability of funding. Indigenous organizations have also shared concerns over a lack of predictable and sustainable funding to participate in implementation.



Despite some challenges, departments have been moving forward with implementation. Work continues to advance on 111 Action Plan measures for which initial work had started in advance of the Action Plan's release. For a significant number of other Action Plan measures, planning has begun in earnest, while initial steps to advance implementation is still pending for 20 Action Plan measures.



The Action Plan measures highlighted below represent a sample of those where progress has been made. Most departments have been mobilizing internally, engaging, and seeking authorities/resources. The next 2 to 3 years are expected to see even greater progress on implementation of Action Plan measures. We look forward to working with federal government organizations and Indigenous partners over the coming year to continue bringing as much consistency as possible to the work being advanced towards the implementation of Action Plan measures.

For a detailed list of the status of Action Plan measures see [Annex B](#).

Chapter 1 - Shared priorities

Measures for ensuring that the laws of Canada are consistent with the UN Declaration (Shared Priorities, 1 to 3)

Shared Priorities measures 1, 2 and 3 relate to measures for ensuring the consistency of federal laws with the UN Declaration:

- Shared Priorities measure 1 of the Action Plan is focused on tools, processes and/or guidance that can assist departments at various stages of the legislative/regulatory process
- Shared Priorities measure 2 calls on the Government of Canada to include a non-derogation clause in the [Interpretation Act](#) and an interpretive provision related to the UN Declaration
 - These legislative amendments are meant to ensure that federal legislation is interpreted in a way that does not diminish section 35



Constitutional rights and in a manner consistent with the rights in the UN Declaration

- Shared Priorities measure 3 emphasizes that for statutes that relate to the rights in the UN Declaration that are already subject to review processes, these reviews provide an opportunity to ensure consistency with the UN Declaration in consultation and cooperation with Indigenous peoples

As noted above in “Year in recap: consistency of laws,” Justice Canada has developed tools and training intended to provide interim guidance to federal departments to support their work to ensure consistency between federal laws and the UN Declaration. The advancement of Shared Priorities measures 1, 2 and 3 acknowledges the need for additional work with Indigenous peoples on these tools and guidance, including based on lessons learned and emerging best practices as departments continue to advance a range of legislative and regulatory initiatives intended to align federal legislation with the UN Declaration.

Additionally, some Indigenous organizations have identified the need to co-develop an understanding on what consultation and cooperation entails and how to undertake such processes consistently across federal departments and agencies. Integrating the consent of Indigenous peoples into this process, where appropriate, including in administrative decision-making, will require planning and resourcing, building shared understandings of governance and mechanisms for obtaining consent, as well as how the UN Declaration builds on other international human rights instruments.

Addressing injustices, prejudice, violence, systemic racism and discrimination (Shared Priorities 4, 11, 12)

Employment and Social Development Canada leads on Shared Priorities measure 4 related to Canada’s Anti-Racism Strategy. In advancing its work, the department has consulted with several gender-based and intersectional Indigenous partners, including those representing 2SLGBTQI+ and persons with disabilities, as well as urban and off-reserve people. The department anticipates continued consultation which will include First Nations, Inuit, Métis, urban and off-reserve, rural, and northern, and non-status Indigenous organizations.

Women and Gender Equality Canada, which has a key role in implementing Shared Priorities measure 11 related to the federal 2SLGBTQI+ Action Plan, began undertaking broader engagements with several Indigenous 2SLGBTQI+ organizations and national Indigenous leaders and representatives. This work involved discussing roles, Indigenous community priorities, and implementation of the third priority area of the



federal 2SLGBTQI+ Action Plan, which seeks to support Indigenous 2SLGBTQI+ resilience and resurgence.

To inform their consultation and cooperation strategy on Shared Priorities measure 12 related to protecting the safety and security of Indigenous women, girls and 2SLGBTQI+ persons in the resources development industry, Natural Resources Canada conducted relationship building and pre-engagement with Les Femmes Michif Otipemisiwak-Women of the Métis Nation; Native Women’s Association of Canada; and Pauktuutit Inuit Women of Canada. The department also undertook consultation and cooperation activities with the National Family and Survivors Circle, Elders and Two-Spirited persons.

“An issue that [the Ontario Native Women’s Association (ONWA)] understands, but the government does not, is when the government wants input from Indigenous peoples, they do not consider grassroots organizations, they only consider large national organizations. When they do this, they miss the voices of us Indigenous women, because the voices they include are typically from a single or a number of representatives, not a group of Indigenous women.”

UN Declaration Engagement participant, Ontario Native Women’s Association

Monitoring the implementation of the Action Plan and reviewing and amending the Action Plan

Annual Report on progress (Shared Priorities, 20)

Shared Priorities measure 20 lays out the Government of Canada’s commitment to annual reporting – as required under section 7 of the UN Declaration Act – in consultation and cooperation with Indigenous peoples and led by Justice Canada. In addition to reporting on the implementation of the UN Declaration Act and Action Plan, the measure commits the Government of Canada to report on:

1. Dismantling of the [Indian Act](#) and taking measures to recognize the self-determination of Indigenous peoples (See [Annex D](#)) as well as monitoring and evaluating the application and outcomes of [GBA Plus](#) (See [Indigenous women, intersectional and gender-specific considerations](#) section)
2. Actions taken pursuant to section 5 (See [measures to ensure the consistency of laws](#) section)
3. Developing metrics to ensure that useful measurements are being reported on



While work on dismantling the [Indian Act](#) and measures to ensure the consistency of laws are reflected in this report, only preliminary planning has begun on developing metrics with Indigenous peoples. It is critical to develop metrics and useful measurements in consultation and cooperation with Indigenous peoples to ensure that measurements reflect their recommendations.

We recognize that many departments are engaged in this work, notably Indigenous Services Canada, which is working to co-develop data strategies with First Nations, Inuit and Métis and has made significant progress in introducing “outcomes” indicators as part of its [annual reporting](#). Justice Canada has had preliminary conversations with Indigenous organizations that have subject matter expertise in this area with the objective of creating a small technical working group to begin scoping the required work.

Monitoring the implementation of the Action Plan and reviewing and amending the Action Plan

Action Plan Advisory Committee (Shared Priorities, 22)

This measure commits the Government of Canada, led by Justice Canada, to establish an Action Plan Advisory Committee that will include First Nations, Inuit, and Métis experts selected by Indigenous governments and representative organizations. This committee is expected to be an important contributor to the overall implementation of the Shared Priorities chapter of the Action Plan, and some Indigenous peoples have recommended it include Elders and knowledge keepers. While implementation of this measure is still in the planning stage, preliminary conversations have begun with partners on next steps for implementing this measure, including committee composition and the need for expert selection as an initial step. It is anticipated that experts will be selected and appointed in 2024 so that the committee can begin its function as a valuable resource for implementation.

Self-determination, self-government, and recognition of treaties (articles 3, 4, 37)

Co-developing approaches to self-determination (Shared Priorities, 24)

In June 2023, legislation bringing into effect *A Self-Government Treaty Recognizing the Whitecap Dakota Nation / Wapaha Ska Dakota Oyate* received Royal Assent. The Treaty recognizes Whitecap as one of the "Aboriginal Peoples of Canada" and affirms the Whitecap Dakota Nation's inherent right to self-government. The Treaty establishes new arrangements to modernize and renew the Whitecap Dakota Nation's relationship with Canada and ensure Whitecap has increased control over their own affairs. This includes how Whitecap preserves, maintains, and enhances its culture and builds on its many successes in community, business, and economic development.



Improve the Implementation of Standalone Self-Government Agreements (Shared Priorities, 26)

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) is continuing its ongoing co-development work with Self-Government Arrangement Holders to improve the implementation of stand-alone self-government arrangements. Over the course of the year, CIRNAC and Self-Government Arrangement Holders have continued to engage in regular discussions through the collective co-development table, for the purpose of scoping specific policy impediments that are impacting implementation. CIRNAC remains committed to advancing shared priorities and co-developing solutions to these impediments with Self-Government Arrangement Holders.

Indigenous Justice Strategy (Shared Priorities, 28)

The Government of Canada is developing, in consultation and cooperation with First Nations, Inuit and Métis, an Indigenous Justice Strategy to address systemic discrimination and the overrepresentation of Indigenous people in the justice system. Given their key role and jurisdiction in relation to the administration of justice, this work is also being done in close collaboration with the provinces and territories.

To advance this priority, Justice Canada provided funding to 38 Indigenous governments, communities and organizations – reflecting a diversity of Indigenous perspectives - to undertake their own engagement with their members and citizens on what the Strategy could and should include. From November 2022 to December 2023, Justice Canada also engaged directly with a diverse representation of Indigenous voices, including Indigenous women, 2SLGBTQI+ people, Elders, youth, those residing in urban centres and those with lived experience in the justice system, through two waves of engagement. The outcome of the first wave of 26 virtual dialogue sessions are captured in a [What We Learned Report](#) accessible since September 2023 on the Justice Canada website.

The second wave of Justice Canada-led engagement consisted of in-person regional sessions and broader virtual gatherings that were held across the country. There were also 14 in-person sessions held in 11 federal correctional institutions and [section 81 facilities](#).

To date, Indigenous partners have emphasized that this strategy must take a culturally-sensitive and gender-based approach in addressing issues that span across the justice system continuum, from prevention to re-integration. This includes crime prevention, restorative and Indigenous justice approaches, community-led alternatives to upholding community safety, revitalization of Indigenous justice systems and legal traditions, self-governance in the administration of justice and legislative reforms. Indigenous partners also expressed the importance of a funding structure that increases the access and availability of Indigenous-led, community-based alternatives, as well as a need for an



increase in referrals to these programs as an important feature in reducing overrepresentation.

Justice Canada has also been working to obtain and share more reliable, disaggregated data to enable better tracking of trends in relation to Indigenous overrepresentation in the criminal justice system (see, for example, data available [here](#)). It is acknowledged that the Indigenous Justice Strategy must include a data component that will help to evaluate, based on evidence, whether the Strategy is having its intended effect. At present, the data continues to be pan-Indigenous. Canada will continue to focus on and build data that is distinctions-based in a manner that highlights data for First Nations, Inuit, and Métis.

Advancing Indigenous data sovereignty (Shared Priorities, 30)

The discussions around the complexities of Indigenous data sovereignty, led by seven federal organizations, are of utmost importance, given their intersection with other federal initiatives, such as economic reconciliation, climate change mitigation and adaptation and access to healthcare services, among others. Collaborative efforts, in partnership with Indigenous peoples, must be aimed at upholding their authority over how information is collected, used, stored, transmitted, and shared. This approach, which would be enriched with dialogues on data governance and protocols, is essential for sharing with provinces, territories, municipalities, and band councils considering their distinct information and privacy policies.

Through the Transformational Approach to Indigenous Data initiative, Indigenous Services Canada continues to support Indigenous partners in developing their data strategies and in strengthening their data capacity. This is expected to culminate in First Nations, Inuit, and Métis-led statistical capacity in the form of distinctions-based institutions, organizations, or functions that are structured and governed according to the unique needs and perspectives of each distinctions group.

The Canada Energy Regulator within NRCan is one of the lead agencies on Shared Priorities measure 34 and is also involved in supporting Indigenous data sovereignty. This agency implemented an evergreen service for access and control of First Nations, Inuit and Métis transcripts and audio files based on guidance provided from Elders from Treaty 7 and urban settings.



Lands, territories and resources (articles 10, 26, 27, 28, 30, 32)

Enhance collaborative tools agreements, and increase capacity (Shared Priorities, 36, 37, 38, and 41)

Project Finance for Permanence

Fisheries and Oceans Canada advanced collaborative efforts with First Nations and Inuit partners toward implementing Indigenous-led conservation models in the marine environment. The Project Finance for Permanence (PFP) initiative leverages government and private funding to support Indigenous-led conservation initiatives and brings together partners from Indigenous governments and communities, other levels of government, and the philanthropic community to work toward shared goals for protecting nature and halting biodiversity loss. The initiative is a collaborative effort that embodies the spirit of the UN Declaration. It fosters a partnership-based approach to conservation and sustainable development that respects and promotes the rights and well-being of Indigenous peoples in Canada with the objectives of protecting lands and waters, building community capacity, and contributing to healthy and equitable economies.

Rights Reconciliation Agreements

In Eastern Canada, in 2023, Fisheries and Oceans Canada (DFO), one of the lead departments on Shared Priorities measure 37, signed four Rights Reconciliation Agreements (RRA) and an addendum to an existing RRA with 13 First Nations. These agreements provide for the establishment of new collaborative management processes, to be implemented through joint committees and/or oversight boards and will be comprised of DFO and First Nations representatives, who will provide advice and recommendations to the Minister of Fisheries, Oceans and the Canadian Coast Guard and Chiefs on various fisheries activities and issues of interest.

Collaboration and innovation: Protecting Pacific salmon in xʔəlilwətaʔ (Indian River) amidst B.C.'s 2023 drought conditions

Through the leadership of Indigenous peoples and other partners and organizations such as the Pacific Salmon Foundation, collaborative restoration work under [Fisheries and Oceans Canada's Pacific Salmon Strategy Initiative](#) helped ensure that salmon populations were given a fighting chance to navigate the challenging conditions brought about by this year's extreme drought. These collaborative efforts not only saved thousands of salmon but also provided valuable lessons for addressing future drought-related challenges. As we continue to grapple with the impacts of climate change, collaboration and innovative interventions like this play a key role in safeguarding the future of Pacific salmon in British Columbia.



Salmon collaboration in the Thompson-Shuswap

Collaborative undertakings like the [Thompson Shuswap Salmon Collaborative](#) (TSSC) are exactly what DFO's [Pacific Salmon Strategy Initiative](#) is geared to support. Originally formed in 2021 by the [Secwepemc Fisheries Commission](#), Fisheries and Oceans Canada and British Columbia's Ministry of Water, Land and Resource Stewardship, the TSSC is a non-political, collaborative structure focused on proactively identifying, prioritizing and coordinating local salmon conservation and restoration actions. The TSSC is currently building an Integrated Salmon Ecosystem Plan for the Thompson-Shuswap area.

Civil and political rights (articles 6, 7, 9, 17, 33, 35, 36)

Indigenous Border Mobility (Shared Priorities, 52)

In March 2023, Prime Minister Trudeau and President Biden committed to working in partnership with First Nations, Inuit, and Métis in Canada and Tribal Nations and Alaska Native Villages in the United States to find solutions to the challenges that creating the international border between Canada and the US placed on Indigenous communities. Since then, Immigration, Refugees, and Citizenship Canada (IRCC) and the Canada Border Services Agency (CBSA) have been working to implement Shared Priorities measure 52.⁷

Over the course of the year, IRCC and CBSA engaged in nation-to-nation, Inuit-Crown, and government-to-government discussions about Indigenous border mobility. From October 2023 to February 2024, they invited Indigenous partners and the organizations that represent them to take part in Regional Roundtables and share their perspectives on border mobility⁸ and engaged in bilateral, parallel discussions with First Nations, Inuit, and Métis partners. Following these consultation and cooperation activities, the report, "[Indigenous Mobility and Canada's International Borders: Reflecting back and looking forward](#)" was published in March 2024.

⁷ ARCHIVED – Context on Indigenous border mobility in Canada, <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/transparency/consultations/indigenous-border-mobility/context.html> (Accessed April 19, 2024)

⁸ ARCHIVED – Consulting and cooperating with Indigenous Peoples on border mobility, <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/transparency/consultations/indigenous-border-mobility.html> (Accessed April 19, 2024)



Civil and political rights (articles 6, 7, 9, 17, 33, 35, 36)

Indigenous Community Corrections Initiative and reintegration (Shared Priorities, 61)

Public Safety Canada has renewed and expanded the [Indigenous Community Corrections Initiative](#) (ICCI), in conjunction with Shared Priorities measure 61, to broaden the reach and scope of the program to create tailored opportunities for 2SLGBTQI+ persons and Indigenous women. These groups have also been identified as a priority for the ICCI National Call for Proposals.

The ICCI supports alternatives to incarceration and reintegration projects responsive to the unique circumstances of Indigenous peoples in Canada. ICCI projects provide culturally relevant services that may include counselling, treatment, life skills coaching, family reunification, and addressing the effects of residential schools and involvement with child welfare systems.

The [Aboriginal Community Safety Planning Initiative](#) supports Indigenous communities in the development of Community Safety Plans that define community safety concerns and identify solutions to respond to root causes and aggravating factors through a facilitated, community-driven process. In addition, the [Aboriginal Community Safety Planning Initiative](#) coordinates within the federal apparatus, as well as external stakeholders, such as provincial/territorial/municipal partners, industry and others, to support the implementation of components identified in the Community Safety Plan.

Additionally, Correctional Service Canada delivers the Community Reintegration Fund that aims to address the overrepresentation of Indigenous peoples in the federal correction system and facilitate their successful reintegration into communities. This fund is disbursed through transfer payments and procurements to provide culturally responsive services that support the reintegration of federally incarcerated Indigenous persons, while addressing recidivism and the overrepresentation of Indigenous people in federal custody.

Cultural, religious and linguistic rights (articles 8, 11, 12, 13, 25, 31)

Indigenous languages revitalization through the *Indigenous Languages Act* (Shared Priorities, 92)

Canadian Heritage has made progress on the implementation of Indigenous languages revitalization through the [Indigenous Languages Act](#) by working with Indigenous partners. For example, in the 2023-24 fiscal year, the Department introduced new distinction-based funding models for Indigenous languages. These models move away from a departmental-led approach to new models that provide greater Indigenous



autonomy, long-term funding and better responsiveness to First Nations, Inuit and Métis priorities.

Chapter 2 - First Nations priorities

Civil and political rights (articles 6, 7, 9, 17, 33, 35, 36)

Recognize First Nations police service as essential services (First Nations Priorities, 10)

Since 2022, Public Safety Canada conducted a variety of broad engagement sessions with key partners (i.e. provinces and territories, the Assembly of First Nations, the First Nations Chiefs of Police Association and the First Nations Police Governance Council) to discuss the recognition of First Nations policing as an essential service. Public Safety participated in over 230 meetings with First Nations and representative organizations to discuss their priorities for this legislation. In winter 2024, an Indigenous-led engagement guided by the Indigenous Leadership Development Institute was held to engage First Nations, police services and representative organizations on the proposed elements that set the policy objectives for the legislation. Moving forward into 2024-25, Public Safety Canada will continue to work with these key partners and First Nations to finalize the elements to support the tabling of a bill.

Economic, health and social rights (articles 20, 21, 22, 23, 24)

First Nations increased control over health services delivery (First Nations Priorities, 12)

Health Transformation is a process within the First Nations and Inuit Health Branch of Indigenous Services Canada that collaboratively works with First Nations partners to establish health organizations and build public service capacity. In addition, this process also strengthens provincial partnerships as new First Nations health organizations prepare to assume control over the design, delivery, management, and administration of federally funded health services.

To date, the [First Nations Health Authority](#) is an existing example of a First Nations health model that has successfully assumed full control over the design, delivery, and management of federally funded health services for over 200 communities in British Columbia. Significant progress has been made on Health Transformation projects across Canada, including in Saskatchewan, Manitoba, Ontario, Quebec, and Nova Scotia, representing more than 150 First Nations.



Economic, health and social rights (articles 20, 21, 22, 23, 24)

Lifting drinking water advisories (First Nations Priorities, 16)

Since 2015, and as of February 20, 2024, 144 long-term drinking water advisories have been lifted on public water systems on reserve. There remain 28 active long-term advisories in 26 communities. Over this same period, 271 short-term drinking water advisories have been lifted and avoided becoming long-term. Canada will continue to work on ensuring that all reserves have access to clean drinking water.

Chapter 3 – Inuit priorities

Health and wellness

Inuit health equity and self-determination over health services (Inuit Priorities, 13)

With support from Indigenous Services Canada’s [Addressing Anti-Indigenous Racism in Canada’s Health Systems initiative](#), [Nunavut Tunngavik Incorporated](#) is currently working to establish an Inuit Ombudsperson Office that will provide advocacy and recourse supports that are culturally safe and Inuit-focused. As part of the commitment to co-develop distinctions-based Indigenous health legislation, opportunities will be explored to support the improvement of health equity for Inuit and further the advancement of Inuit self-determination over health services, including by applying an Inuit Nunangat approach.

Inuit education, early learning and skills development (Inuit Priorities, 21)

Implementation of the Inuit Priorities measure 21 of the UN Declaration Act (“in order to enable Inuit rights holders to exercise their right to establish and control their own educational systems and educational institutions, subject to any self-government agreement...”), has entailed work towards the co-development of a federal policy on Inuit elementary and secondary education. This work takes place under the purview of the Inuit-Crown Partnership Committee’s (ICPC) Education, Early Learning and Skills Development (EELSD) Working Group. Collaboration and discussions between Inuit and federal partners are ongoing to refine the policy parameters and necessary implementation elements, including engagement with provinces and territories.



Chapter 4 - Métis priorities

Participation in decision-making and Indigenous institutions (articles 5, 18, 19, 34)

Métis co-development principles (Métis Priorities, 10)

Leadership from across the Métis National Council and Governing Members met with federal cabinet ministers on January 31, 2024. At the meeting, leaders endorsed the co-development principles – a set of guiding principles that will determine how Canada and the Métis Nation will work together going forward. Next, these endorsed Principles will move towards signing by the Prime Minister and respective Métis Presidents.

The agreed upon Principles reflect recognition that reconciliation requires hard work and demonstrate all parties' commitment to work together towards meaningful reconciliation.

The Manitoba Métis Federation is pursuing its own bilateral work with the federal government, consistent with the self-government agreement signed in 2021.

Chapter 5 – Modern Treaty Partner priorities

Indigenous Modern Treaty Partner priorities

Co-development of Modern Treaty Implementation Policy (Modern Treaty Priorities, 1)

Just prior to the 2023-24 fiscal year, Canada and Indigenous Modern Treaty partners launched the co-developed Canada's Collaborative Modern Treaty Implementation Policy. The new policy, in effect as of February 2023, provides new implementation tools to complement existing mechanisms and seeks to strengthen oversight and accountability by federal departments and agencies in carrying out Canada's modern treaty obligations. The policy is a continually evolving document that will be updated as new annexes are collaboratively developed. Implementation work on the policy accelerated throughout the 2023-24 year, including joint efforts towards the establishment of an independent oversight body headed by the Commissioner for Modern Treaty Implementation and other initiatives.

In tandem with the policy, Crown-Indigenous Relations and Northern Affairs Canada has worked collaboratively with Modern Treaty partners to make progress on a number of related objectives. These have included the creation of two new permanent intergovernmental fora: the Intergovernmental Leaders' Forum, an annual forum for engagement between the Prime Minister, federal ministers, and Modern Treaty and self-governing leaders, which had its inaugural meeting in May 2023; and the Intergovernmental Policy Circle, an officials-level forum that met in the spring and fall of

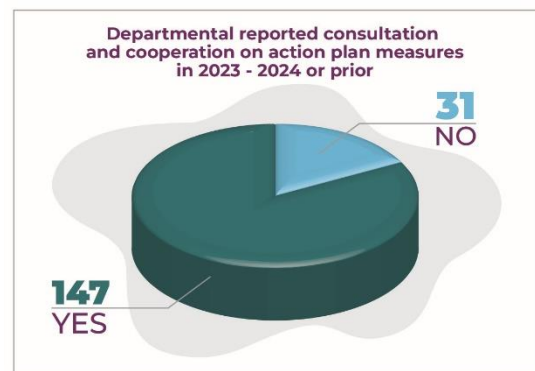


2023, and in January 2024, with plans for future meetings. These fora continue to promote and facilitate ongoing dialogue between Canada and Indigenous partners on shared priorities and areas of concern.

Additionally, Canada continues to address Modern Treaty and self-government priorities on an ad hoc basis in order to live up to related expectations under the Action Plan. As a key example, officials have worked to support the expansion of child and family services jurisdiction for Indigenous Modern Treaty Partners through the conclusion of protocol arrangements related to the *Act Respecting First Nations, Métis and Inuit Children, Youth and Families*.

Consultation and cooperation with Indigenous partners

Federal organizations self-reported that at least some consultation and cooperation has taken place to date with Indigenous partners in support of 147 Action Plan measures. These consultations included First Nations, Inuit and Métis governments and representative organizations from across the country. Departments indicated diversity groups such as Indigenous women, youth, 2SLGBTQI+, as well as urban and off-reserve partners have been or will be engaged as part of the implementation of their measures.



Some Indigenous partners indicated that not having an agreed-upon definition or shared understanding of how the terms ‘consultation’ and ‘cooperation’ apply in different contexts contributes to uncertainty and variations between processes. They note that it makes it difficult to understand what activities are being described when using these terms, or what to expect when a department says it plans to consult and cooperate. Several Indigenous partners also continue to advocate for the systematic inclusion of Indigenous women and diversity groups in consultations on Action Plan measures that affect them. The well-known expression of “nothing about us, without us” is a consistent theme for Indigenous women’s organizations and diversity groups, who have advocated for consultations to include a broad spectrum of voices, including urban and off-reserve people, youth, as well as organizations representing 2SLGBTQI+ and Indigenous persons with disabilities. We also heard that meaningful consultation requires that the Crown act in good faith in balancing competing Indigenous interests and ensuring that the process is consistent with the objectives of the UN Declaration.



Indigenous Partnership Fund

Budget 2022 allocated a total of \$37 million over five years (\$11 million annually for 2023-24 and 2024-25, \$5.5 million annually for 2025-26 and 2026-27, \$4 million for 2027-28 and ongoing) to Justice Canada to provide funding to support Indigenous peoples' continued participation in the various implementation, monitoring and oversight processes described in the Action Plan. Justice Canada administered this funding through a new grants and contributions program called the [Indigenous Partnership Fund \(IPF\)](#).

In 2023-24, \$9 million was allocated to Indigenous national and regional representative organizations, as well as individual First Nations, Modern Treaty and self-governing partners, national Indigenous women's and urban and off-reserve organizations, Métis governments and Tribal Councils to support the development and maintenance of their ongoing core capacity to participate in UN Declaration Act and Action Plan implementation. Part of the funding was allocated through targeted grants while Justice Canada also invited Indigenous partners to submit proposals through an open Call for Proposals from December 6, 2023, to January 30, 2024. A total of 207 funding proposals, exceeding \$19 million, were received through this call which points to a substantial demand for this funding. A list of all partners who received funding in 2023-24 through the Indigenous Partnership Fund can be found in [Annex E](#).

Indigenous partners' reflections

Indigenous partners' perspectives on the Action Plan

We heard from Indigenous partners that the Action Plan generated feelings of hope. Partners expressed that the Action Plan presents an opportunity for positive change, leading to a more prosperous and sustainable future.

“The [National Action Plan (NAP)] is a promising first step, but without a defined, coordinated, distinctions-based, whole-of-government approach to implementation, founded on the recognition of First Nations' right to self-determination, self-government and the requirement to receive First Nation's free, prior and informed consent,



and supported by accountability and transparency mechanisms, which respect the capacity and priorities of First Nations, there is no feasible way to co-develop or action any of the priorities and principles contained within the NAP, or for the Government of Canada to claim that its processes pertaining to the development of its national Action Plan are aligned with the UN Declaration.”

Terry Teegee, Regional Chief, British Columbia, Assembly of First Nations

Many Indigenous partners welcomed the explicit commitments to consult and cooperate, with an emphasis to co-develop specific measures. Some noted that this is a positive change from previous approaches taken by Canada. Some partners emphasized that consultation and cooperation will need to be based on the understanding that the articles of UN Declaration are interrelated and interdependent, meaning they are meant to be read together and understood as an indivisible whole.

Partners shared that the Action Plan is a good start and a positive step forward in the recognition and realization of the rights of Indigenous peoples. They noted that it represents a vision for the future and sets out a strong foundation and a clear policy framework for Indigenous peoples and the Government of Canada to work together on a wide range of issues. The implementation of the UN Declaration Act will require establishing a process to foster consultation and cooperation.

Several partners viewed the Action Plan as a roadmap towards true and lasting reconciliation, and renewed relationships between Indigenous peoples and the Government of Canada. They described the Action Plan as an opportunity for the Government of Canada to right historical and ongoing wrongs and injustices, including the potential to fully implement Treaties. The rapid pace of changes proposed in the Action Plan was a concern to many Indigenous peoples, since the actions often involve core issues concerning rights, recognition, and implementation. Partners also noted that the *Indian Act* is inconsistent with the UN Declaration and must be dismantled, and that Canada has statutory, contractual, and common law obligations to consult with Indigenous peoples. International human rights instruments dealing with Indigenous rights, racial discrimination, and the elimination of all forms of discrimination must also inform this work.

The Action Plan must address the circumstances of Nations that have land claim and self-government agreements and enhance the implementation and enforcement of those agreements. It must also establish specific measures to protect the rights, titles and interests of Nations that have not entered into self-government agreements and



establish new collaborative relationships with provincial and municipal governments with respect to land and resource management.

Partners said that we must advance the rights to self-determination, self-government and participation in decision-making, including where it implicates free, prior, and informed consent (FPIC). There is a widespread recognition among partners and federal government departments of the crucial role of other levels of government in realizing Indigenous rights, and the need to increase our work with provinces, territories, and municipalities on jurisdictional barriers, including those that prevent urban and off-reserve peoples' access to programs, benefits, and services. Barriers to effective steps for implementation of the UN Declaration, including conflicting interpretations concerning Indigenous rights, must be closely tracked and appear in annual reporting and resolved in action plans.

Partners expressed the need to acknowledge, consider and to respect the wide diversity of Indigenous peoples, their traditions, languages, and governance systems, and to recognize Nation-to-Nation relationships, as distinct from other engagements with non-rights-holding entities. The distinctions-based approach was seen by some as vague, imprecise, and discriminatory contrary to Article 2 of the UN Declaration, the International Covenant on Civil and Political Rights, as well as section 15 of the Canadian Charter of Rights and Freedoms, while others have emphasized its importance in respecting the inherent collective rights of Indigenous peoples.

Indigenous women, intersectional and gender-specific considerations

Indigenous partners, including national and regional Indigenous women's organizations, youth, and urban and off-reserve organizations, have wide-ranging views on whether the [Action Plan](#) meaningfully addresses intersectional and gender-specific priorities.

Most partners indicated that more should be done to address the specific needs of Indigenous women and diversity groups, including youth, urban and off-reserve people. Some partners pointed to the lack of key gender-specific priorities. These priorities include the creation of safe, suitable, and affordable housing for Inuit women and their families and ending police violence and misconduct against all Inuit.

One partner pointed to the exclusion from the Action Plan of the Red Dress Alert System, an emergency notification system that could significantly help to address the crisis of missing and murdered Indigenous women, girls and 2SLGBTQI+ persons. Some partners commended the inclusion of intersectional and gender-specific priorities in the [Action Plan](#). For instance, they pointed to measures that advance Indigenous women and girls' safety in resource development projects (Shared Priorities 12), and those that address violence against Indigenous women and girls (Shared Priorities 9). Others supported the [Action Plan](#)'s recognition of the leadership and advocacy efforts of



Indigenous women’s organizations (Shared Priorities 69) including economic security with access to postsecondary skills education and employment opportunities (Shared Priorities 16, 102).

“Actions must be taken to acknowledge that the country is in a crisis: the greater belief system appears that Indigenous peoples are believed to be inferior and do not have human rights - that this is directly connected to the disappearance, violence and murder of Indigenous peoples. Our women are the heartbeat of our communities; if they are not well and prospering then no one is.”

Théla:ylexw awtxw Foundation – Stó:lō Women

Indigenous women’s organizations noted that some Action Plan measures recognize the leadership of Indigenous women, and present opportunities to build capacity (such as Shared Priorities 9, 69, 70 and 77). Urban Indigenous partners also spoke positively about some measures that could serve to advance their priorities (Shared Priorities 84 and 90, in particular). Some Indigenous women and urban Indigenous partners highlighted regular and open communication with the team in Justice Canada’s UN Declaration Act Implementation Secretariat as a success.

“We as an Indigenous women’s organization in Alberta, appreciate the opportunity to amplify the voices of Indigenous women in the development of UNDRIPA (the *United Nations Declaration on the Rights of Indigenous Peoples Act*). We look forward to being involved in the future implementation plans.”

Institute for the Advancement of Aboriginal Women

Several partners communicated varying degrees of skepticism as to whether gendered and intersectional priorities would be given enough attention to ensure meaningful implementation. To determine meaningfulness, some partners believed that more time and concrete action is required, while others pointed to the need for quantifiable metrics, measurable commitments, and clear indicators of progress for each diversity group across all chapters of the Action Plan.

Indigenous partners’ perspectives on Action Plan implementation

Partners have shared mixed experiences which reflect the different stages at which Action Plan measures are advancing, the challenges of both partners and departments in connecting with one another, and the different levels to which different partners have and continue to be engaged.



According to some, it is necessary to fund and implement both national and region-specific plans, in a way that is relevant, appropriate, and applicable to the many diverse Indigenous populations across Canada. For example, [Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls and Two-Spirit+ People Strategy](#) is a Yukon-specific plan that provides the roadmap for how this work should be done in the Yukon to meet the needs of Yukon First Nations.

Some Indigenous partners who engaged in the development of this Annual Report expressed:

- Disappointment in not having been engaged to date by any departments to implement measures
- Concern that the current funding does not allow for depth of time or knowledge, ability to adequately prepare for consultation and cooperation. Instead it is a surface level of effort on what is purported to be a deep and meaningful purpose, and that without adequate funding some Indigenous partners are made to feel as though they are merely being brought along to a defined outcome, regardless of their input
- A need for adequate time to prepare for consultations, to do analysis and consult with community members and meaningfully contribute to annual reporting on Action Plan implementation
- The risk they are facing that the Government of Canada's consultation and cooperation obligations are being inconsistently applied
- Frustrations over lack of follow-up, resistance or unreasonable delays by departments
- Disappointment that solutions to issues seemed to have been already decided by departments prior to meeting
- The challenge presented by insufficient and limited recognition of Indigenous data sovereignty, community-owned data protocols, and community open-sourcing, alongside the ethical considerations amidst the rapidly advancing technology. Technology not only serves as a tool for connection and belonging among diverse communities but also acts as a central platform for storing and transmitting traditional knowledge systems. These systems could potentially support various measures for economic and environmental resilience, among other benefits



- The need to improve Canadian citizens' knowledge about Treaties and Treaty implementation

Some partners expressed frustration at the slow pace of implementation as they experience overwhelming health care crises, a housing crisis, food insecurity, and many other issues that are in urgent and critical need of attention and advancement.

“A pressing concern that was brought up during both youth and grassroots engagements is the right to access clean water. One youth participant described the dire situation within their community: “The water that goes into the houses is not clean, not clean for drinking, not clean for your skin.” The participant highlights the widespread nature of the problem, noting that residents must travel to neighbouring communities to obtain safe drinking water. This violation not only exacerbates the hardship but also underscores the systemic failure to provide essential infrastructure for basic human needs. This widespread issue also exposes the psychological toll of the water crisis, with some community members resorting to collecting water for bathing from alternative sources out of fear of using the contaminated water.”

Native Women's Association of Canada

Need for more coordination and consistency in consultation and cooperation

We heard from partners that meaningful consultation needs to be coordinated and comprehensive across the whole of government, not ad hoc or siloed; should seek free, prior and informed consent; and should ensure that Indigenous partners are included in future consultations.

Some expressed that the federal government should support self-determination, and de-centre settler Canadian and government priorities and voices, and support collaborative networks with Indigenous peoples that promote lateral compassion rather than lateral violence. We also heard that there should be a focus closer to where the work is, directly with communities and grassroots rather than just with national bodies. We heard that it is imperative to adequately fund grassroots and community-driven initiatives, especially of a collaborative nature, as a manifestation of governmental support. This measure fosters empathetic collaboration and strengthens networking, storytelling, and sharing of best practices that benefit all communities involved.



We heard frustration with the federal government's timelines for collecting feedback on the Action Plan, with some saying that the feedback process itself contradicts the principles of the UN Declaration.

In conveying lived experiences and on-the-ground perspectives, Indigenous women's organizations and diversity groups hope to show the need to strike a balance between grassroots input and those of experts, and the importance of including regional and local groups' perspectives to address specific community needs. We heard from the Assembly of First Nations, Yukon Region, that there is a strong desire on the part of Yukon First Nations to host dialogue sessions with their citizens on the UN Declaration. The federal and provincial governments can support these organizations through funding community-based initiatives and mechanisms proactively and by participating in consultations in good faith.

Many partners, including Indigenous women's organizations and diversity groups, mentioned that consultation and cooperation should be Indigenous-led, including planning and facilitating, setting agendas and directing the conversations on issues directly affecting their safety, health and well-being, and ability to exercise their rights under the UN Declaration. It is their overarching desire to have their expertise genuinely considered and reflected in decision-making on UN Declaration Act implementation, monitoring, and evaluation.

Some partners emphasized that the rights in the UN Declaration need to be effectively enforceable and that where such rights are not adequately upheld there should be avenues for collective redress. Partners also expressed the importance of connecting in-person, including attending events to hear directly from communities about consultation and cooperation, and consent, as well as the need for open, proactive, and transparent communication around consultation and cooperation opportunities, adding that it would be beneficial for contact information of federal leads to be made available.

Several partners said that successful implementation requires the involvement of all orders of government, including provinces, territories, and municipalities which are not part of the Action Plan. While neither the UN Declaration Act nor the Action Plan compel coordinated action, capacity building for Indigenous organizations, as well as commitment and cooperation from jurisdictions who have not adopted the UN Declaration, can nevertheless contribute to achieving the objectives of the UN Declaration.



Need for a clear implementation plan and reporting framework

For many partners, these feelings of hope and optimism are accompanied by doubts about whether the Action Plan will lead to meaningful change and improvements for Indigenous peoples. In this context, one partner noted the potential challenges of ensuring that the UN Declaration and UN Declaration Act have a long term domestic legal effect.

They noted that the Action Plan does not contain concrete workplans, milestones, specific time-bound objectives, or measurable targets, which are necessary for successful implementation.

Nearly all partners spoke of the need to co-develop an accountability and monitoring framework, establishing clear benchmarks, milestones, and progress indicators that should be accessible, in digital format, for all networks to accurately assess the overall progress of UN Declaration Act implementation. Several partners emphasized the importance of rigorously tracking progress on how implementation of specific Action Plan measure(s) impacts Indigenous women and diversity groups, as well as urban and off-reserve people.

“The First Nations in northern Manitoba affiliated with the Manitoba Keewatinowi Okimakanak recognize the need to design and create frameworks, processes and solutions that build familiarity, confidence and trust – and so “muscle memory” – as Canada and First Nations transition into true co-development and necessarily evolve – as quickly as possible – from engagement for the purpose of conceptualizing to engagement for the purpose of actualizing the principles of the Declaration in Canada.”

Manitoba Keewatinowi Okimakanak

Many also expressed that the Action Plan does not go far enough in its vision and favours the status quo by centering federal government priorities over Indigenous priorities. They expressed that many measures represent existing commitments where work was already underway. Some noted a tendency by some departmental officials towards aspirational goals instead of concrete commitments, as well as a perceived unwillingness to seek expanded mandates or authorities to pursue measures beyond what departments are already doing. It was conveyed that a meaningful process for UN Declaration implementation should involve a national legislative framework to repeal and replace the *Indian Act* and other colonial and discriminatory doctrines and laws.



Partners recommended rigorous tracking to help identify gaps in implementation, including areas requiring gendered and intersectional analysis to help increase transparency and the ability for Indigenous partners to evaluate the meaningfulness of Action Plan implementation. According to some partners, critical implementation gaps exist between the rights set out in the UN Declaration and actions on the ground. These partners recommend that such gaps must be identified, and solutions made to form a key part of the implementation strategy for the Action Plan as part of a comprehensive approach to implementing the UN Declaration in Canada.

Indigenous partners noted that some departments have started monitoring implementation of measures to determine if implementation is benefitting Indigenous communities and peoples, and to make improvements when barriers are identified. Partners also spoke of the potential to benefit from leveraging existing reports and Action Plans during implementation, including implementing all [Calls for Justice](#) from the [Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls](#).

Need for ongoing and adequate funding

As outlined in the [What We Learned to Date](#) report, one of the most frequently cited requirements to ensure effective implementation of the UN Declaration is fair, equitable, ongoing and sustainable funding. A variety of partners, including organizations representing national and regional Indigenous women’s interests, youth, urban and off-reserve people, and grassroots organizations, emphasized that without adequate funding to support their full participation in implementation, monitoring and evaluation, the results will be modest to minimal, and systemic change will remain elusive. Increased capacity funding would demonstrate respect for Indigenous views, experiences and knowledge throughout UN Declaration Act implementation. It would thus ensure the work is truly done in consultation and cooperation with Indigenous peoples, rather than unilaterally, in a prescribed and predetermined manner.

Many partners stressed the need for core capacity funding, rather than time-limited, proposal-based project funding, to effect lasting change in how Canada consults and cooperates. Such funding would allow them to increase their capacity by recruiting, retaining, and training staff and accessing facilities, tools and materials, enabling full consultation on projects, and revitalizing of culture and language. Partners pointed to Article 39 of the UN Declaration which refers to Indigenous peoples’ “right to have access to financial and technical assistance from states through international cooperation, for the enjoyment of rights contained in this Declaration.” In turn, they can ensure continuity in culturally-based policy research, communications, participation in consultations, legislative and policy development, decision-making and relationship building that contributes to UN Declaration Act implementation.



“Eskasoni First Nation has worked with the Mawio’mi to create a respectful relationship that affirms the UN Declaration in Canada’s law. Eskasoni has worked with the Canada Justice Secretariat on the UNDA between April 2022 and March 2023 on developing material to engage with Mi’kmaw in comprehending the legacy of the Mawio’mi’s participation in the UN Declaration and the UNDA. It has translated the UN Declaration into Mi’kmaw and has organized, implemented, and recorded (audio and visually) the achievement and the various session groups. We have developed a website (<https://mawiomi.com/>) and an established professional audio and visual recording studio to create communication strategies to communicate with Mi’kmaq (kij-Wikuom). Eskasoni has also distributed recordings with our diverse Mi’kmaw communities and beyond through various pathways ([YouTube](#), social media, news outlets, cable networks, etc.). A more recent project has created a working-level knowledge of the UN Declaration and UNDA in the districts of the Mawio’mi in Atlantic Canada, which is essential to generating material for Mi’kmaw comprehending the UNDA Action Plan.”

Eskasoni First Nation

Gender-based analysis plus (GBA Plus) and culturally relevant lens

Indigenous partners hold the solutions to ensure that the entire Indigenous community - women, youth, children, 2SLGBTQI+, persons with disabilities, Elders, as well as urban and off-reserve people have the same opportunity to exercise their collective and individual rights under the UN Declaration, and to participate and have their perspectives reflected in UN Declaration Act implementation.

An overarching priority of Indigenous partners representing gender-based and intersectional priorities is for Canada to recognize and prioritize the safety, well-being and specific needs of Indigenous women and girls, as well diversity groups and urban and off-reserve people. Ensuring the basic right to human security for vulnerable populations is a first step in ensuring the safe and full exercise of all Indigenous rights under the UN Declaration. Providing much needed safe spaces would help support these groups’ participation and ensure their perspectives are given full consideration in UN Declaration Act implementation, monitoring, and evaluation.



"At the core, UNDRIP and UNDA are about people, our connections and our commitments to each other. Pauktuutit continues, in partnership with Justice Canada, to advance Inuit women's rights. We value this dialogue and remain optimistic that Indigenous Peoples' rights will be protected throughout government and civil society."

Pauktuutit Inuit Women of Canada

Applying a GBA Plus and culturally relevant lens to Action Plan implementation was deemed critical to its success. As noted in the [What We Learned to Date](#) report, such an approach ensures that relevant intersectional factors and social determinants of health and well-being, such as gender, disability, socio-economic and educational status, as well as cultural considerations, informs the effective implementation of all 181 Action Plan measures.

To ensure effective application of a GBA Plus and culturally relevant lens to their work, many federal departments are undertaking analysis during the early stages of Action Plan implementation. For example, many departments are consulting with GBA Plus practitioners, within government and Indigenous organizations with expertise in culturally relevant GBA Plus. Some are conducting GBA Plus assessments, including research and analysis on gendered and intersectional impacts of specific Action Plan measures. Recognizing that it is the Indigenous community that holds the knowledge, many have or plan to consult and cooperate with Indigenous partners representing Indigenous women, 2SLGBTQI+ persons and other diversity groups to ensure their perspectives are considered throughout implementation.

Links to other government commitments

The UN Declaration Act coming into force and the development of the Action Plan are important milestones on the path to reconciliation, but they do not stand alone. They are situated within a historical and political context that stretches back in an unbroken thread from the Royal Commission on Aboriginal Peoples, through to the Truth and Reconciliation Commission and the National Inquiry into Missing and Murdered Indigenous Women and Girls. The preamble of the Action Plan clearly states that, "This Action Plan has been informed by, builds upon and should be read in harmony with the recommendations made by the Royal Commission on Aboriginal Peoples, the Truth and Reconciliation Commission and the National Inquiry into Missing and Murdered Indigenous Women and Girls."

The 181 measures outlined in the Action Plan align with and reinforce multiple commitments the Government of Canada has made, including the commitments to address the Truth and Reconciliation Commission's 94 Calls to Action and the 231 Calls for Justice resulting from the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.



Approaching these commitments in a coherent and coordinated way is important to ensure successful outcomes and efficient use of resources. It also ensures that analyses such as GBA Plus or measuring successes is conducted from a multi-dimensional and wholistic perspective.

In providing feedback on the Action Plan, some partners considered the Action Plan inaccessible to many Indigenous peoples because of the way it was written. Partners noted that a lack of transparency and the sheer number of commitments between the Truth and Reconciliation Commission, the National Inquiry into Missing and Murdered Indigenous Women and Girls, and the Action Plan are frustrating and can lead to cynicism about how partners are supposed to be engaged on all these actions.

Partners also specifically noted that providing core capacity funding to organizations for implementation of the Act and Action Plan ensures a holistic approach and coordinated progress across initiatives, especially work on the [Calls for Justice](#) and [Calls to Action](#). In reporting on progress on Action Plan measures, departments identified that 160 of the 181 measures, or 88% linked to one or more initiatives across the Government of Canada.

As implementation of the Action Plan progresses, the Government of Canada will endeavour to find ways to report on progress, in respect of these complementary initiatives, in a more holistic, coherent way. Indigenous partners suggested a greater role for technology in supporting transparency in communicating progress on implementation of the UN Declaration Act and other whole of government initiatives. Cooperation between Indigenous organizations and federal officials in reporting was also highlighted, so that reporting on progress addresses difficult issues and agreement can be reached in advance of decision-making and reporting.

Sustainable Development Goals

The 17 Sustainable Development Goals (SDGs) were adopted by United Nations member states to address social, economic, and environmental challenges and advance sustainable development. The goal is to implement these SDGs by 2030. In 2021, Canada released its strategy to meet the goal of achieving the SDGs by 2030, and in 2023, Canada presented its second Voluntary National Review. Both documents speak to the advancement of reconciliation in Canada through the SDGs and Indigenous peoples' fundamental role in Canada's ability to achieve the SDGs. Both documents also reference that advancement of the SDGs will be done in alignment with the UN Declaration. The Voluntary National Review notes the passage of the UN Declaration Act and that it:

“...supports various SDGs and will advance actions to support sustainable development, enable self-determination and Indigenous stewardship, respond to impacts of climate change on Indigenous peoples and recognize their role in contributing to sustainable



development (SDG 13). It also supports concrete measures to address injustices, combat prejudice and eliminate all forms of violence, racism and discrimination, including systemic racism and discrimination (SDG 10). The Act will help build stronger relationships, close socio-economic gaps, and promote greater prosperity for Indigenous peoples and all Canadians (SDG 16).”⁹

Other initiatives that advance reconciliation

While the Action Plan makes direct mention of the [Calls to Action](#) and [Calls for Justice](#), it also includes measures that connect with other initiatives and principles that support the advancement of reconciliation at the federal level. The presence of these measures related to these strategies or principles in the Action Plan speaks to the commitment to implement them in alignment with the UN Declaration. Their implementation will require increased commitment, care and cooperation with Indigenous peoples to achieve the goals of transparency, accountability and responsiveness across the Government of Canada’s reconciliation work. The following Action Plan measures directly relate to or reference ongoing national reconciliation strategies, principles, or publications by Indigenous partners:

- SP6; SP7 - [Joyce’s Principle](#)
- SP9 - [Federal Pathway to Address Missing and Murdered Indigenous Women, Girls and 2SLGBTQQIA+ People](#)
- SP15 - RCMP Intercultural Learning Strategy
- SP28 - [Indigenous Justice Strategy](#)
- SP74 - [National Indigenous Economic Strategy](#) and [the RoadMap Project](#)
- SP88 - [The Urban, Rural and Northern Indigenous Housing Strategy](#)

The Action Plan also reinforces the [Inuit Nunangat Policy](#) and the [Modern Treaty Implementation Policy](#).

In addition to the above measures, the Minister of Justice and Attorney General of Canada has proactively worked to ensure that more Indigenous judges are appointed to the bench in Canada. Significant reforms to enhance the independence and transparency of the superior court judicial appointments process were introduced in

⁹ Canada’s 2023 Voluntary National Review – A Continued Journey for Implementing the 2030 Agenda and the Sustainable Development Goals, pg. 12, <https://www.canada.ca/en/employment-social-development/programs/agenda-2030/voluntary-national-review/2023-report.html> (Accessed April 19, 2024)



October 2016. Since that time, over 3% of judges appointed to date have been Indigenous. Of the judicial appointments announced since the current Minister of Justice and Attorney General of Canada began serving in July 2023, 3% thus far have been Indigenous, including the Honourable Leonard Marchand, appointed Chief Justice of British Columbia in December 2023, becoming the first Indigenous person in the province's history to hold this position. The presence of more Indigenous Justices in Canada can bring a better understanding of Indigenous cultures and traditions, as well as valuable lived experience, to the bench.

Other national initiatives

The Action Plan also creates connections to other national initiatives that seek to improve or combat systemic issues that are not specific to Indigenous communities, but by which Indigenous peoples are disproportionately impacted. By specifically referencing these initiatives in the Action Plan, the Government of Canada reinforces its commitment to delivering these strategies, and to ensure their alignment with the UN Declaration. It ensures that Indigenous perspectives and realities are fundamentally woven into these strategies and their implementation. The following Action Plan measures directly relate to or reference ongoing national strategies:

- SP4, SP7 - [Canada's new Anti-Racism Strategy](#)
- SP10 - [National Action Plan to End Gender-Based Violence](#)
- SP11 - [Federal 2SLGBTQI+ Action Plan](#)
- SP41 - [Pacific Salmon Strategy Initiative](#)
- SP50 - [Federal Sustainable Development Strategy](#)
- SP56 - [National Strategy to Combat Human Trafficking](#)
- SP57 - [National Crime Prevention Strategy](#)
- SP75 - [Poverty Reduction Strategy](#)



Update on provincial and territorial and international developments

Indigenous partners have encouraged us to include other perspectives on UN Declaration implementation and to learn from practices in other jurisdictions and other countries. Although Canada is the first country to publish and begin work toward implementing an Action Plan on the UN Declaration, we continue to study how other provinces and territories and other countries approach the UN Declaration. This section provides a few highlights of recent developments in other Canadian jurisdictions and around the world. It is by no means intended to be comprehensive, but rather to identify efforts and experiences across a range of jurisdictions on the UN Declaration and its implementation.

We thank partners at Global Affairs Canada, the Ministry of Indigenous Relations and Reconciliation and the Declaration Act Secretariat (British Columbia), the Department of Executive and Indigenous Affairs and the Legislative Assembly (Northwest Territories), the National Indigenous Australians Agency, Te Puni Kōkiri (Aotearoa – New Zealand), and the White House Council on Native American Affairs (United States) for their input into this section.

Provincial and territorial perspectives

The Action Plan focuses on measures to achieve the objectives of the UN Declaration in areas of federal authority and responsibility. We know that some measures will be more effectively implemented through cooperative approaches with provinces and territories. The Government of Canada will continue to seek every opportunity to collaborate with provinces and territories as they pursue UN Declaration implementation and reconciliation initiatives in their own jurisdictions. For example, Shared Priorities measure 111 commits Canada to collaborate “with Indigenous partners and the Province of British Columbia on the implementation of provincial measures in support of British Columbia’s Declaration Act Action Plan.”

British Columbia

In 2019, British Columbia (B.C.) became the first Canadian jurisdiction to adopt the UN Declaration through legislation.

The Act mandates the provincial government to bring all laws, policies, programs, and practices into alignment with the UN Declaration, in true consultation and cooperation with Indigenous Peoples (section 3). Since 2022, the Province has amended several pieces of legislation to align with the UN Declaration, including amendments that uphold



First Nations jurisdiction over education, support Indigenous peoples in exercising their jurisdiction over child and family services, and take significant steps to dismantle systemic racism and discrimination through the [Anti-Racism Data Act](#).

The Act also provides a mechanism to negotiate joint and consent-based decision-making agreements with Indigenous governing bodies (sections 6 and 7). Whether joint or consent based, Declaration Act decision-making agreements help address the legacy of colonialism by allowing the province to work shoulder-to-shoulder with First Nations on decisions that affect them.

To support First Nations' capacity to engage in the Declaration Act work, the province is providing funding through the \$200 million [Declaration Act Engagement Fund](#). The fund supports First Nations' capacity to engage with the Province on implementation of the action plan and align provincial legislation with the UN Declaration.

B.C. released its [Declaration Act Action Plan](#) in March 2022. The five-year, cross government action plan includes 89 tangible, achievable actions in the areas of self-determination and self-government, rights and title, ending anti-Indigenous racism, and enhancing social, cultural, and economic well-being. Steady progress has been made to implement the Action Plan across government sectors. B.C. will report its progress this year through its 5th annual report, developed in consultation and cooperation with Indigenous Peoples, which will be publicly released by June 30, 2024.

Northwest Territories

In October 2023, the Commissioner of the Northwest Territories granted assent to [Bill 85, the United Nations Declaration on the Rights of Indigenous Peoples Implementation Act](#). The Northwest Territories became the second province or territory to pass legislation to implement the UN Declaration in Canada, and also to use it as the framework for reconciliation between the territorial Government and Indigenous Governments. The Act requires the Government of the Northwest Territories to table a statement of consistency with each bill to confirm it is consistent with the UN Declaration. The Government is also working with Indigenous Governments to establish a consistency process to review all existing legislation and policies. The Act was co-developed with Indigenous Governments and provides for an Action Plan to be co-developed no later than October 2025. Work is underway between the Government of the Northwest Territories and Indigenous Governments via the Action Planning Committee to develop the Action Plan.

The [Intergovernmental Council Legislative Development Protocol](#) is the first agreement of its kind in Canada. It formalizes the Government of the Northwest Territories and Indigenous Governments' collaborative development of land and resource statutes and



regulations that was set out as part of the devolution of lands and resources in 2014. The protocol supports UN Declaration implementation by respecting, consulting, and collaborating with Indigenous Governments on land and resource management. Separately, the [Legislative Assembly's Consensus Government Process Convention](#) guides how legislation on land and resources, which are co-developed with Indigenous Governments, is introduced, considered, and enacted in the legislature. The Process Convention is a feature of the Northwest Territories' unique parliamentary democracy and creates space for Indigenous Governments in the legislature while providing for Indigenous Governments' attendance and participation at different stages.

International perspectives

Canada is a major proponent of the [Universal Periodic Review](#) (UPR) and contributed significantly to the process's elaboration as part of the UN human rights reporting system. Canada actively participates in other country reviews and encourages countries to participate in their own UPR processes in an open, transparent, and cooperative manner. Canada leads by example in the UPR process as part of its ongoing efforts to promote and protect human rights at home and abroad.

The UPR process provides an opportunity for Canada to assess its domestic human rights implementation. This includes identifying areas where progress has been made on strengthening human rights protections and recognizing policy areas where improvements are needed. The Action Plan's objectives regarding implementation of the UN Declaration align with several recommendations made by other UN Member States and which were accepted by Canada as part of its most recent UPR in 2023. Canada included verbatim input from national Indigenous organisations in the "What We Heard" annex of its UPR report and carried out targeted engagement with Indigenous partners as part of preparing Canada's response to the UPR recommendations received. These actions reflect Canada's commitment to involving Indigenous peoples in the UPR process. Documents related to Canada's UPR cycles can be found on the [Universal Periodic Review section of the United Nations website](#).

Australia

Australia endorsed the UN Declaration in 2009. Since then, Australia has committed to taking actions to implement the UN Declaration and promote Indigenous peoples' enjoyment of rights on an equal basis. Australia identified its [Closing the Gap strategy](#) as its key policy platform to give effect to the UN Declaration. Through the 2020 [National Partnership Agreement on Closing the Gap](#), Australia committed to better involve the Coalition of Aboriginal and Torres Strait Islander Peak Bodies as partners and decision makers in the Strategy. The Australian Government released the [2023 Closing the Gap report and corresponding 2024 Implementation Plan](#) in February 2024.



This year's report noted that areas which are improving and on track to meet targets include: engaging children in early education, economic participation, and youth detention statistics. In addition, the 2023 Australian Indigenous Voice referendum on October 14 proposed an alteration to the Australian constitution that would recognize Indigenous peoples in the document through an advisory body to Parliament called the Aboriginal and Torres Strait Islander Voice. The majority of Australian voters rejected the proposal.

Under existing legislation, when a bill is introduced in the Federal Parliament, it must have a statement of compatibility with international human rights—defined as the rights set out in the seven international human rights treaties that Australia has ratified. In 2023, a joint committee of the Australian Parliament undertook an inquiry into the application of the UN Declaration. In November 2023, the committee tabled its report with six recommendations, including the development of a national Action Plan and legislative action to include the UN Declaration in the parliamentary compatibility statements. The Australian Government is currently considering the recommendations.

Aotearoa – New Zealand

Aotearoa – New Zealand undertook work to implement the UN Declaration starting [in 2019](#). In June 2021, the then Cabinet [approved a two-step engagement and consultation process](#) to develop a draft UN Declaration Action Plan. Between September 2021 and February 2022, Te Puni Kōkiri (the Ministry of Māori Development), representatives from the National Iwi Chairs Forum, a national tribal organization, and the New Zealand Human Rights Commission held over 70 targeted engagement workshops to hear from Indigenous communities about their aspirations for a UN Declaration Action Plan.

A [theme](#) from the targeted engagement was for government to share its power and support Māori to exercise their right to participate in decision-making on issues that affect them. This applied to a range of topics, from justice, health, and education, to housing, the environment, and cultural expression and identity. The COVID-19 pandemic disrupted the original timelines for the draft UN Declaration Action Plan, and in December 2022, the Government deferred the draft UN Declaration Action Plan's development until 2024. In October 2023, Aotearoa – New Zealand held its general election. The new Government is still considering the Declaration within the wider work programme for the term.



United States

The United States first expressed its support for the UN Declaration in 2010 through President Obama. The following year, in 2011, the Department of State issued a statement clarifying the United States' support. In 2014, the United States' support for the United Nations Resolution known as the "Outcome Document of the World Conference on Indigenous Peoples" further demonstrated that the United States had committed to undertaking certain measures, plans, and strategies to achieve the ends of the Declaration.

Since then, several federal agencies, including the Environmental Protection Agency, Advisory Council for Historic Preservation, and United States Agency for International Development (USAID), have developed policies and guidance referencing the Declaration. The International Indigenous Issues Committee of the White House Council on Native American Affairs (WHCNA) continues to work with and evaluate various aspects of the UN Declaration, including the consideration of how the Declaration is being implemented in other countries. In the United States, several Tribal Nations have adopted the Declaration as a matter of their own tribal law. The United States Congress has not taken any legislative action on the UN Declaration.



Conclusion

This year's Annual Report is the first to report on implementation of the UN Declaration Act Action Plan. Indigenous partners shared their hopes and concerns, and made many recommendations, while federal government departments and agencies reported on their progress and the challenges they faced.

The Action Plan reflects the ambition of Canada and Indigenous peoples to make concrete progress to advance and uphold Indigenous human rights over the next five years.

This year we've seen progress in the areas of Indigenous justice, border mobility, Indigenous languages, Indigenous jurisdiction in child and family services, recognizing and affirming First Nations jurisdiction in relation to water on First Nations lands, Indigenous-led conservation, health and education, and UN Declaration Act training for federal public servants. Many other Action Plan measures are underway.

We are grateful to the 56 Indigenous partners whose feedback and recommendations form the basis of this report. We hear your calls for more detail regarding Action Plan implementation, including time-bound objectives, work plans, measurable commitments, and clear indicators of progress, to ensure effective implementation. Indigenous partners want to be included in all aspects of Action Plan measures including design, implementation, reporting and monitoring. We acknowledge the need to consult and cooperate broadly on Action Plan implementation. This will ensure the voices of First Nations, Inuit, and Métis governments and representative organizations, Modern Treaty and self-governing nations, Indigenous women, youth, children, 2SLGBTQI+, persons with disabilities, Elders, as well as urban and off-reserve people are reflected and respected as we move forward together toward reconciliation and achieving the objectives of the UN Declaration.

Both federal government and Indigenous partners highlighted the need for ongoing, sustainable funding.

Both Indigenous peoples and Government of Canada officials see the need for section 5 of the UN Declaration Act to be implemented with clarity and transparency. As the Government of Canada continues to advance laws affecting the rights of Indigenous peoples, it continues to reflect, learn from these experiences and develop best practices to implement section 5 of the UN Declaration Act.

Despite their concerns, Indigenous partners shared that the Action Plan is a positive step forward in the recognition and realization of the rights of Indigenous peoples. It represents a vision for the future and sets out a strong foundation and a clear policy



framework for Indigenous peoples and the Government of Canada to work together on a wide range of issues.

We must remain accountable and be responsive to the evolving priorities of Indigenous peoples. In this way, we will build a better, more equitable future where the rights of Indigenous peoples are respected, protected, and fulfilled.

“In summary, the UNDA National Action Plan can both be a beacon of hope and a call to action. It’s a roadmap toward positive change, but its successful implementation requires dedication, collaboration, and overcoming capacity constraints.”

Blood Tribe



Annex A: List of Indigenous nations, organizations and governments that provided input in the development of the Annual Report

This list includes groups who participated in at least one of the development phases of this report: developing the questionnaire, sharing perspectives on progress, and providing feedback on the circulation draft. The groups listed do not necessarily endorse all sections of the report.

National

- Assembly of First Nations
- Inuit Tapiriit Kanatami
- Métis National Council
- Native Women’s Association of Canada
- Pauktuutit Inuit Women of Canada
- Les Femmes Michif Otipemisiwak-Women of the Métis Nation
- Congress of Aboriginal Peoples

Networks

- First Nations Financial Management Board
- Indigenous Advisory and Monitoring Committee
- Indigenous Federal Employee Network
- Indigenous Youth Roots
- Indspire

Regional

Newfoundland and Labrador

- Newfoundland Indigenous Peoples Alliance

Nova Scotia

- Assembly of Nova Scotia Mi’kmaw Chiefs
- Eskasoni First Nation
- Native Council of Nova Scotia

New Brunswick

- Wolastoqey Nation in New Brunswick



Prince Edward Island

- L'nuey – Epekwitk Assembly of Councils
- Native Council of Prince Edward Island

Quebec

- Cree Nation Government
- First Nations Education Council
- First Nations of Quebec and Labrador Sustainable Development Institute
- Innu TakuaiKAN Uashat Mak Mani-Utenam
- Kebaowek First Nation
- W8banaki
- Wendake

Ontario

- Algonquins of Pikwakanagan First Nation
- Anishinabek Nation-Union of Ontario Indians
- Chiefs of Ontario
- Indigenous Friends Association
- Métis Voyageur Development Fund
- Ontario Federation of Indigenous Friendship Centres
- Ontario Native Women's Association

Manitoba

- Anishinaabe Nation in Treaty 2 Territory
- Assembly of Manitoba Chiefs
- Infinity Women Secretariat
- Keewatin Tribal Council
- Manitoba Keewatinowi Okimakanak
- Manitoba Métis Federation
- Silent Drums Inc.
- Southern Chiefs Organization

Saskatchewan

- Federation of Sovereign Indigenous Nations
- Métis Nation – Saskatchewan

Alberta

- Acimowin Opaspiw Society, Chief Blue Quills reserve #127



- Blood Tribe
- Indigenous Congress of Alberta Association
- Institute for the Advancement of Aboriginal Women

British Columbia

- Aboriginal Life in Vancouver Enhancement Society
- First Nations Health Authority
- First Nations Leadership Council
- Métis Nation British Columbia
- Thélá:ylexw awtxw Foundation – Stó:lō Women
- Tsawwassen First Nation

Northwest Territories

- Behdzi Ahda” First Nation (BAFN) and Ayoni Keh Land Corporation (Sahtu)
- Déljñę Got’jñę Government

Yukon

- Assembly of First Nations - Yukon



Annex B: Status of Action Plan measures

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Overview

This Annex provides a high-level overview of the current status of each of the Action Plan measures (APM) as reported by Departments and Agencies. Where multiple submissions were received for a single measure Justice Canada performed an analysis to determine its **overall** start date, status, if consultation and cooperation occurred, and links to other federal initiatives.

APM status

Departments and agencies were asked to self-evaluate the status of each of the action plan measures they were working on and make a selection from one of the following options:

Not started: Action Plan Measure may or may not be assigned to a team / Planning work has yet to start

Planning stage: Assignments, scoping, consultation and cooperation plans are being developed - this could be internal only or in consultation and cooperation with partners

Fully underway: Work towards delivering on the Action Plan measure has begun but is not yet complete or finalized

Implementation complete: For actions with discrete endings (for example development of a policy, tool, or legislation), the end date will be when the work is completed (in the case of legislation this would be when Royal Assent is received)

Implementation ongoing: For actions where the commitment will continue indefinitely (for example, ongoing trainings, programs, etc.) or where the objective of the action requires ongoing commitments (for example, eliminating racism, honouring the treaties, etc.)

Other: Write-in option (for example, on hold, canceled, etc.)

Where federal organizations provided multiple submissions for an Action Plan measure, Justice Canada performed an analysis to determine its overall status. Action Plan measures with sub-elements and multiple submissions from federal organizations show a range of their “current status” as they may be at various stages of implementation.

Consultation and cooperation

Departments and agencies were asked whether they had consulted and cooperated with Indigenous peoples on the action plan measure or legislative / regulatory initiative



in the 2023-24 fiscal year. The options departments and agencies had to select were 'Yes', 'No', and 'Consultation and cooperation took place prior to 2023-24.' Where multiple submissions were received with differing answers, a judgement call was made to determine a suitable response. A 'Yes' or 'No' response does not mean that all elements of the Action Plan measure or all departments working on the Action Plan measure did or did not consult and cooperate on that measure during the 2023-24 fiscal year.

Link to other federal initiatives

Departments and agencies were asked whether the action plan measure they were working on linked to other federal initiatives such as responding to the Calls to Action of the Truth and Reconciliation Commission, the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls, the Sustainable Development Goals, etc.



Shared Priorities (SP)

Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP1 - Processes and guidance on consistency of laws	Justice Canada, Treasury Board Secretariat, Privy Council Office, Various	4	2023 - 2024 Fiscal year	Planning to underway	No	Yes
SP2 - Consistency of laws – review/amendment of specific statutes	Justice Canada, Various	3	2020 - 2021 Fiscal year	Planning to underway	Yes	Yes
SP3 - Consistency of laws – periodic statutory reviews	All	2	2021 - 2022 Fiscal year	Implementation ongoing	No	Yes
SP4 - Canada's Anti-Racism Strategy	Employment and Social Development Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	Yes
SP5 - Community initiatives to combat anti-Indigenous racism	Canadian Heritage	1	Prior to 2020 - 2021 Fiscal year	Underway	No	Yes
SP6 - Indigenous health legislation and Joyce's Principle	Indigenous Services Canada	1	2020 - 2021 Fiscal year	Underway	Yes	Yes
SP7 - Addressing anti-Indigenous racism in health systems	Indigenous Services Canada, Health Canada	4	2020 - 2021 Fiscal year	Underway	Yes	Yes
SP8 - FPTI collaboration for culturally safe health services	Indigenous Services Canada, Health Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
SP9 - Ending systemic violence against Indigenous women, girls and gender-diverse people	Various	3	Prior to 2020 - 2021 Fiscal year	Underway to implementation ongoing	Yes	Yes
SP10 - MMIWG and the National Action	Various	2	Prior to 2020 -	Underway to implementation ongoing	Yes	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
Plan to End Gender-Based Violence			2021 Fiscal year			
SP11 - Federal 2SLGBTQI+ Action Plan	Various	2	2023 - 2024 Fiscal year	Underway	Yes	Yes
SP12 - Safe and secure resource development for Indigenous women, girls and 2SLGBTQI+	Natural Resources Canada	2	2022 - 2023 Fiscal year	Planning stage	Yes	Yes
SP13 - Ending coerced sterilization	Justice Canada	1	Unsure	Planning stage	No	No
SP14 - Federal public service training on the UN Declaration	Justice Canada, Various	10	2023 - 2024 Fiscal year	Planning to underway	No	Yes
SP15 - RCMP Intercultural Learning Strategy	Royal Canadian Mounted Police	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
SP16 - Ensuring inclusive federally regulated workplaces	Employment and Social Development Canada	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
SP17 - Judiciary training options on UN Declaration	Justice Canada	1	2023 - 2024 Fiscal year	Implementation ongoing	No	No
SP18 - Public education on UN Declaration and Indigenous human rights	Justice Canada, Various	1	2023 - 2024 Fiscal year	Planning stage	No	Yes
SP19 - Indigenous rights monitoring mechanism(s)	Justice Canada	1	2023 - 2024 Fiscal year	Planning stage	No	Yes
SP20 - UNDA Annual Reporting	Crown-Indigenous Relations and Northern Affairs Canada, Justice Canada, Various	2	2022 - 2023 Fiscal year	Planning to underway	Yes	No
SP21 - Updating UNDA Action Plan	Justice Canada	2	To be determined	Not started / Pending	No	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP22 - UNDA Action Plan Advisory Committee (APAC)	Justice Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP23 – Issuing a public statement and withdrawal of Comprehensive Land Claims and Inherent Right Policies	Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP24 - Co-developing approaches to self-determination	Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Underway	Yes	No
SP25 - Implementing historic and modern treaties/self-government	All	3	Prior to 2020 - 2021 Fiscal year	Underway to implementation ongoing	Yes	Yes
SP26 - Implementing standalone self-government agreements	Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	Yes
SP27 - Indigenous Service Transfer Policy Framework	Indigenous Services Canada	1	2023 - 2024 Fiscal year	Planning stage	No	Yes
SP28 - Indigenous Justice Strategy and revitalization of Indigenous laws	Justice Canada, Public Safety Canada, Various	1	2020 - 2021 Fiscal year	Underway	Yes	Yes
SP29 - Implementation of an Act respecting First Nations, Inuit and Métis children, youth and families	Indigenous Services Canada	2	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP30 - Supporting Indigenous data sovereignty	Indigenous Services Canada, Treasury Board Secretariat, Library and	7	Prior to 2020 - 2021 Fiscal year	Planning to underway	Yes	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
	Archives Canada, Various					
SP31 - Ongoing section 35 rights-based policy and program reforms	Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Underway	No	No
SP32 - Guidance on engaging on natural resources projects to obtain FPIC	Various	4	2023- 2024 Fiscal year	Planning	Yes	Yes
SP33 - Increasing economic participation in natural resources projects	Natural Resources Canada	1	2022 - 2023 Fiscal year	Underway	Yes	Yes
SP34 - Enhancing participation in natural resource projects regulated by the CER	Natural Resources Canada, Canadian Energy Regulator	3	2020 - 2021 Fiscal year	Planning to underway	Yes	Yes
SP35 - Harvesting rights, Indigenous Guardians, and Parks Canada	Parks Canada	2	Prior to 2020 - 2021 Fiscal year	Underway	Yes	No
SP36 - Fishing rights – legislative, regulatory, or policy amendments and reforms	Fisheries and Oceans Canada	1	Prior to 2020 - 2021 Fiscal year	Planning stage	Yes	No
SP37 - Collaborative fisheries management and fish habitat conservation	Fisheries and Oceans Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes
SP38 - Capacity funding for fisheries, oceans and marine-related services and decision-making	Fisheries and Oceans Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	No



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP39 - Support for fisheries Guardians	Fisheries and Oceans Canada	1	2023 - 2024 Fiscal year	Underway	Yes	No
SP40 - Incorporation of Indigenous knowledge related to fisheries	Fisheries and Oceans Canada	2	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes
SP41 - Pacific Salmon Strategy Initiative	Fisheries and Oceans Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
SP42 - Marine Indigenous Protected and Conserved Areas	Fisheries and Oceans Canada	1	2020 - 2021 Fiscal year	Planning stage	Yes	Yes
SP43 - Addressing systemic racism in enforcement of fisheries laws and regulations	Fisheries and Oceans Canada	1	2022 - 2023 Fiscal year	Implementation ongoing	Yes	Yes
SP44 - National aquaculture legislation	Fisheries and Oceans Canada	1	To be determined	Planning stage	No	Yes
SP45 - Aligning DND and CAF programs with the UN Declaration	Department of National Defence	1	2023 - 2024 Fiscal year	Planning stage	Yes	Yes
SP46 - Indigenous Climate Leadership Agenda	Crown-Indigenous Relations and Northern Affairs Canada, Environment and Climate Change Canada	2	2022 - 2023 Fiscal year	Underway	Yes	Yes
SP47 - Indigenous leadership in conservation	Environment and Climate Change Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP48 - Indigenous science in ECCC scientific inquiry	Environment and Climate Change Canada	1	2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP49 - Canada Water Agency and the Canada Water Act	Environment and Climate Change Canada	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
SP50 - Federal Sustainable Development Strategy	Environment and Climate Change Canada	1	2022 - 2023 Fiscal year	Implementation ongoing	Yes	Yes
SP51 - Impact assessments and alignment with UN Declaration	Impact Assessment Agency of Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP52 - Indigenous border mobility	Canada Border Services Agency, Immigration, Refugees and Citizenship Canada	2	2022 - 2023 Fiscal year	Underway	Yes	Yes
SP53 - Discussions related to R. v. Desautel decision	Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Planning stage	No	Yes
SP54 - First Nations and Inuit Policing Program (FNIPP)	Public Safety Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP55 - Community Safety Officer Programming	Public Safety Canada	1	2023 - 2024 Fiscal year	Implementation ongoing	No	No
SP56 - National Strategy to Combat Human Trafficking	Public Safety Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP57 - Northern and Indigenous Crime Prevention Fund	Public Safety Canada	1	2022 - 2023 Fiscal year	Implementation ongoing	Yes	Yes
SP58 - Aboriginal Community Safety Planning Initiative	Public Safety Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP59 - RCMP National Office of Investigative Standards and Practices	Royal Canadian Mounted Police	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	No	Yes
SP60 - Indigenous overrepresentation in correctional facilities	Correctional Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP61 - Indigenous Community Corrections Initiative and reintegration	Public Safety Canada	1	2024 - 2025 Fiscal year	Not started / Pending	No	Yes
SP62 - Parole and conditional release	Parole Board of Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	No
SP63 - Indigenous emergency management working group	Public Safety Canada	1	2022 - 2023 Fiscal year	Underway	Yes	Yes
SP64 - National security information-sharing	Canadian Security Intelligence Service	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP65 - Firearms legislation and section 35 Aboriginal rights	Public Safety Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP66 - Participation in decision-making, including articles 18 and 19	Various	4	Prior to 2020 - 2021 Fiscal year	Planning to underway	Yes	Yes
SP67 - Co-development and self-determination	Crown-Indigenous Relations and Northern Affairs Canada, Various	5	Prior to 2020 - 2021 Fiscal year	Planning to underway	Yes	Yes
SP68 - Participation in decision-making related to	Crown-Indigenous Relations and	2	Unsure	Planning to underway	Yes	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
consultation and accommodation	Northern Affairs Canada					
SP69 - Relationship agreements with Indigenous Women's Organizations	Crown-Indigenous Relations and Northern Affairs Canada	2	Unsure	Planning stage	No	No
SP70 - Indigenous women's and 2SLGBTQI+ grassroots organizations	Crown-Indigenous Relations and Northern Affairs Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
SP71 - Strengthening Indigenous engagement across public health and health care systems	Indigenous Services Canada, Health Canada, Public Health Agency of Canada	3	2022 - 2023 Fiscal year	Underway to implementation ongoing	Yes	Yes
SP72 - International issues and United Nations system	Global Affairs Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP73 - UNDA engagement principles in policy and program documents	Canadian Heritage	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP74 - Advancing economic reconciliation	Indigenous Services Canada, Various	9	Prior to 2020 - 2021 Fiscal year	Underway to implementation ongoing	Yes	Yes
SP75 - Poverty Reduction Strategy	Employment and Social Development Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP76 - Increased access to federal benefits and programs	Employment and Social Development Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	No
SP77 - Increasing Indigenous women's entrepreneurship	Indigenous Services Canada, Various	2	2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP78 - Participation in gaming industry	Justice Canada	1	2023 - 2024 Fiscal year	Planning stage	No	No
SP79 - Award a minimum of 5% of the total value of all federal contracts to Indigenous businesses	Public Services and Procurement Canada	1	2022 - 2023 Fiscal year	Underway	Yes	Yes
SP80 - New, holistic long-term and continuing care framework	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes
SP81 - Addressing mental health, suicide and addictions	Indigenous Services Canada	2	2021 - 2022 Fiscal year	Underway to implementation ongoing	No	Yes
SP82 - Palliative and end of life care framework	Health Canada	1	2022 - 2023 Fiscal year	Implementation ongoing	Yes	Yes
SP83 - Indigenous knowledge and MAID	Health Canada	1	2022 - 2023 Fiscal year	Implementation ongoing	Yes	Yes
SP84 - Support for Friendship Centres and urban/off-reserve communities	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	No	Yes
SP85 - Equality rights of Indigenous persons with disabilities	Employment and Social Development Canada	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
SP86 - Access to traditional foods and local food systems	Crown-Indigenous Relations and Northern Affairs Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP87 - Indigenous food security, sovereignty and sustainability	Agriculture and Agri-Food Canada	1	To be determined	Not started / Pending	Yes	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP88 - Urban, Rural and Northern Indigenous Housing Strategy	Indigenous Services Canada, Canada Mortgage and Housing Corporation	1	2024 - 2025 Fiscal year	Not started / Pending	No	Yes
SP89 - Mental health promotion and prevention initiatives	Public Health Agency of Canada	1	2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP90 - Addressing gaps and intergovernmental relations consistent with CAP/Daniels decision	Crown-Indigenous Relations and Northern Affairs Canada	1	To be determined	Not started / Pending	Yes	Yes
SP91 - Strengthening the Indigenous Languages Act	Canadian Heritage	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP92 - Indigenous languages revitalization through the Indigenous Languages Act	Canadian Heritage	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP93 - Access to federal services in Indigenous languages	Canadian Heritage	1	2020 - 2021 Fiscal year	Implementation ongoing	Yes	No
SP94 - Indigenous engagement in arts, culture, commemorations and heritage	Canadian Heritage	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP95 - Indigenous-led management of heritage places	Parks Canada	2	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes
SP96 - Indigenous cultural connections in heritage places	Parks Canada	1	Prior to 2020 - 2021 Fiscal year	Planning stage	Yes	No



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP97 - Indigenous knowledge and data sovereignty in heritage places	Parks Canada	1	Prior to 2020 - 2021 Fiscal year	Planning stage	Yes	Yes
SP98 - Returning Indigenous cultural belongings and ancestral remains	Canadian Heritage	1	To be determined	Not started / Pending	Yes	Yes
SP99 - MMIWG and support for Indigenous-led cultural initiatives	Canadian Heritage	1	To be determined	Not started / Pending	No	Yes
SP100 - Supporting Indigenous artists and organizations	Canadian Heritage	1	Prior to 2020 - 2021 Fiscal year	Planning stage	Yes	Yes
SP101 - Indigenous cultural heritage and intellectual property	Canadian Heritage, Innovation, Science and Economic Development Canada	2	Prior to 2020 - 2021 Fiscal year	Planning stage	Yes	Yes
SP102 - Indigenous post-secondary education, skills training, and employment	Indigenous Services Canada, Employment and Social Development Canada	2	Prior to 2020 - 2021 Fiscal year	Underway to implementation ongoing	Yes	Yes
SP103 - Indigenous Early Learning and Childcare Framework	Indigenous Services Canada, Employment and Social Development Canada	2	Prior to 2020 - 2021 Fiscal year	Underway to implementation ongoing	Yes	Yes
SP104 - Options for TRC Call to Action 66	Crown-Indigenous Relations and Northern Affairs Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
SP105 - Indigenous Screen Office Program	Canadian Heritage	1	2022 - 2023 Fiscal year	Underway	Yes	Yes



Action Plan measure	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
SP106 - Northern Aboriginal Broadcasting	Canadian Heritage	1	2023 - 2024 Fiscal year	Planning stage	No	No
SP107 - Special Interlocutor for Missing Children and Unmarked Graves	Justice Canada	1	2022 - 2023 Fiscal year	Underway	Yes	Yes
SP108 - Sharing Indian Residential School documents	Crown-Indigenous Relations and Northern Affairs Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
SP109 - Participation in processes for implementing international human rights treaties	Canadian Heritage	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
SP110 - Commitment to redress in Parks Canada heritage places	Parks Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
SP111 - British Columbia Action Plan implementation	Various	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	No



First Nations Priorities (FN)

Action Plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
FN1 - New fiscal relationship to support self-determination	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	No
FN2 - Honouring pre-1975 treaties and treaty relationships	Crown-Indigenous Relations and Northern Affairs Canada	1	2020 - 2021 Fiscal year	Planning stage	Yes	Yes
FN3 - Specific Claims program and resolution process reforms	Crown-Indigenous Relations and Northern Affairs Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
FN4 - Collaboration on mechanisms and initiatives related to financial management	Crown-Indigenous Relations and Northern Affairs Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes
FN5 - Additions to Reserve Policy redesign	Crown-Indigenous Relations and Northern Affairs Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
FN6 - Waste management solutions for reserve lands	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
FN7 - Indian Act registration and membership amendments through Bill C-38	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
FN8 - Indian Act consultation process on registration and band membership reforms	Indigenous Services Canada	1	2022 - 2023 Fiscal year	Underway	Yes	Yes



Action Plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
FN9 - Opt-in alternatives to Indian Act registration and membership	Crown-Indigenous Relations and Northern Affairs Canada, Indigenous Services Canada	2	To be determined	Not started / pending	Yes	Yes
FN10 - First Nations policing legislation	Public Safety Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes
FN11 - First Nations jurisdiction of on-reserve housing programs	Canada Mortgage and Housing Corporation	1	To be determined	Not started / pending	No	Yes
FN12 - First Nations increased control over health services delivery	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
FN13 - First Nations health programs and services transfer	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	No	Yes
FN14 - Income Assistance program improvements on reserve	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
FN15 - Housing and infrastructure improvements on reserve	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes
FN16 - Lifting drinking water advisories	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
FN17 - First Nations drinking water and wastewater legislation	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes



Action Plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
FN18 - Accessible Canada Act implementation on First Nations reserves	Employment and Social Development Canada	1	Unsure	Planning stage	Yes	Yes
FN19 - First Nations control of First Nations education	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes

Inuit Priorities (IN)

Action plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
IN1 - Co-developing approaches to implement Inuit self-determination	Crown-Indigenous Relations and Northern Affairs Canada	1	2022 - 2023 Fiscal year	Underway	Yes	Yes
IN2 - Inuit Nunangat approach to modern treaty implementation	Crown-Indigenous Relations and Northern Affairs Canada	1	2024 - 2025 Fiscal year	Not started / Pending	Yes	Yes
IN3 - Amending Inuit modern treaties	Crown-Indigenous Relations and Northern Affairs Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
IN4 - ICPC as the primary mechanism to advance priorities	Crown-Indigenous Relations and Northern Affairs Canada	2	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes



Action plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
IN5 - ICPC as a mechanism to implement UNDA	Justice Canada, Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	No
IN6 - Periodic reporting to ICPC	Justice Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
IN7 - ICPC as the exclusive body to review and amend the Action Plan's Inuit chapter	Justice Canada	1	To be determined	Not started / Pending	No	No
IN8 - ICPC permanency	Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
IN9 - Inuit-Crown Co-Development Principles and Inuit Nunangat Policy	Crown-Indigenous Relations and Northern Affairs Canada	1	2022 - 2023 Fiscal year	Underway	Yes	No
IN10 - Guidelines to engage Inuit Treaty Organizations on international issues	Global Affairs Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
IN11 - Co-developing regulations for Inuktit federal services	Canadian Heritage	1	2021 - 2022 Fiscal year	Planning stage	Yes	Yes
IN12 - Inuit country or traditional foods framework	Agriculture and Agri-Food Canada, Canadian Food Inspection Agency	2	2024 - 2025 Fiscal year	Not started / Pending	Yes	Yes
IN13 - Inuit health equity	Indigenous Services Canada	1	2021 - 2022 Fiscal year	Underway	Yes	Yes



Action plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
and self-determination over health services						
IN14 - FPTI collaboration on Inuit social conditions and health services	Various	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
IN15 - Supporting Inuit with disabilities	Employment and Social Development Canada	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
IN16 - National defence infrastructure for Inuit	Department of National Defence	1	2023 - 2024 Fiscal year	Planning stage	Yes	Yes
IN17 - Inuit inclusion in national defence policies and programs	Department of National Defence	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
IN18 - Inuit access to national defence procurement	Department of National Defence	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
IN19 - Inuit Nunangat approach to national defence programs and conduct	Department of National Defence	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
IN20 - Sharing national security information with Inuit Treaty Organizations	Canadian Security Intelligence Service	1	2022 - 2023 Fiscal year	Underway	Yes	Yes
IN21 - Supporting Inuit primary and secondary education	Crown-Indigenous Relations and Northern Affairs Canada, Indigenous Services Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	Yes



Action plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
IN22 - Co-developing Nunavut Fishery Regulations	Fisheries and Oceans Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes

Métis Priorities (ME)

Action Plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
ME1 - Métis self-determination and self-government	Crown-Indigenous Relations and Northern Affairs Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	Yes
ME2 - Redress for Métis claims and historical wrongs	Crown-Indigenous Relations and Northern Affairs Canada	1	2021 - 2022 Fiscal year	Planning stage	Yes	No
ME3 - Co-developed approach to Métis rights recognition and consultation and accommodation	Crown-Indigenous Relations and Northern Affairs Canada	1	2024 - 2025 Fiscal year	Not started / Pending	No	No
ME4 - Reconciliation with Métis Nation British Columbia	Crown-Indigenous Relations and Northern Affairs Canada	1	2022 - 2023 Fiscal year	Underway	Yes	No
ME5 - Upholding Métis self-determination through implementation	Indigenous Services Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes



Action Plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
of child welfare legislation						
ME6 - Métis implementation of Self-Government Fiscal Policy	Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
ME7 - Canada-Métis Nation Accord and renewed fiscal relationship	Crown-Indigenous Relations and Northern Affairs Canada	1	Prior to 2020 - 2021 Fiscal year	Underway	Yes	No
ME8 - National security threats to Métis	Canadian Security Intelligence Service	1	2023 - 2024 Fiscal year	Planning stage	Yes	No
ME9 - Justice and Policing Sub-Accord with Métis Nation	Justice Canada, Public Safety Canada	2	2023 - 2024 Fiscal year	Planning stage	Yes	Yes
ME10 - Métis co-development principles	Crown-Indigenous Relations and Northern Affairs Canada, Justice Canada, Various	3	2023 - 2024 Fiscal year	Planning to underway	No	Yes
ME11 - Métis co-development of distinctions-based health legislation	Indigenous Services Canada	1	2020 - 2021 Fiscal year	Underway	Yes	Yes
ME12 - Métis indicators of poverty and well-being	Employment and Social Development Canada	1	Prior to 2020 - 2021 Fiscal year	Planning stage	Yes	Yes
ME13 - K-12 Métis education co-development	Indigenous Services Canada	1	2023 - 2024 Fiscal year	Planning stage	Yes	Yes



Indigenous Modern Treaty partner priorities (MT)

Action Plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
MT1 - Co-development of Modern Treaty Implementation Policy	Crown-Indigenous Relations and Northern Affairs Canada, Various	3	Prior to 2020 - 2021 Fiscal year	Planning to underway	Yes	Yes
MT2 - Federal implementation of Modern Treaties	Crown-Indigenous Relations and Northern Affairs Canada, Various	4	2021 - 2022 Fiscal year	Underway to implementation ongoing	No	Yes
MT3 - Consistency of laws and policies in Modern Treaty implementation	Crown-Indigenous Relations and Northern Affairs Canada, Various	3	2021 - 2022 Fiscal year	Not started / Pending	Yes	Yes
MT4 - Modern Treaty implementation and Honour of the Crown	Crown-Indigenous Relations and Northern Affairs Canada, Various	3	Prior to 2020 - 2021 Fiscal year	Underway to implementation ongoing	Yes	Yes
MT5 - Fulfilling treaty promises through Modern Treaty Implementation Policy	Crown-Indigenous Relations and Northern Affairs Canada, Various	2	Unsure	Underway	Yes	Yes
MT6 - FPTI collaboration in Modern Treaty implementation	Crown-Indigenous Relations and Northern Affairs Canada	1	To be determined	Not started / Pending	Yes	Yes
MT7 - P/T collaboration to advance Modern Treaty rights	Crown-Indigenous Relations and Northern Affairs Canada	1	2022 - 2023 Fiscal year	Underway	Yes	Yes
MT8 - Co-developing funding approaches to Collaborative	Crown-Indigenous Relations and Northern Affairs Canada, Various	1	2020 - 2021 Fiscal year	Underway	Yes	Yes



Action Plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
Self-Government Fiscal Policy						
MT9 - Co-developing a Modern Treaty oversight mechanism	Crown-Indigenous Relations and Northern Affairs Canada	1	2023 - 2024 Fiscal year	Implementation ongoing	Yes	Yes
MT10 - UN Declaration as an interpretive tool for Modern Treaty implementation	Crown-Indigenous Relations and Northern Affairs Canada, Various	2	2021 – 2022 Fiscal year	Implementation ongoing	No	Yes
MT11 - Modern Treaty tax policies, systems, arrangements, and incentives	Finance Canada	1	Prior to 2020 - 2021 Fiscal year	Implementation ongoing	Yes	Yes
MT12 - Modern Treaty partner collaboration and FPIC on environmental legislation and policies	Crown-Indigenous Relations and Northern Affairs Canada, Various	0	No submission	No submission	No Submission	No submission
MT13 - Modern Treaty partner collaboration and FPIC on fisheries legislation and policies	Fisheries and Oceans Canada	1	Prior to 2020 - 2021 Fiscal year	Planning stage	Yes	Yes
MT14 - Respecting Modern Treaties in land and land use planning legislation, policies, and programs	Crown-Indigenous Relations and Northern Affairs Canada	0	No submission	No submission	No submission	No submission
MT15 - Supporting Modern Treaties evolution to	Crown-Indigenous Relations and	1	2022 - 2023 Fiscal year	Planning	No	Yes



Action Plan measure number and title	Lead federal organization(s)	Number of federal organizations who provided input for the specified action plan measure	Start date	Current status	Consultation and cooperation occurred in 2023 – 2024 fiscal year	Link to other federal initiatives
reflect Indigenous rights developments	Northern Affairs Canada					
MT16 - Upholding Modern Treaty partners' rights across international borders	Crown-Indigenous Relations and Northern Affairs Canada	0	No submission	No submission	No submission	No submission

List of departments who provided input for the Annual Report

1. Agriculture and Agri-Food Canada
2. Atlantic Canada Opportunities Agency
3. Canada Border Services Agency
4. Canada Energy Regulator
5. Canada Mortgage and Housing Corporation
6. Canada Revenue Agency
7. Canadian Food Inspection Agency
8. Canadian Heritage
9. Canadian Institutes of Health Research
10. Canadian Northern Economic Development Agency
11. Canadian Nuclear Safety Commission
12. Canadian Security Intelligence Service
13. Correctional Service Canada
14. Crown-Indigenous Relations and Northern Affairs Canada



15. Canada Economic Development for Quebec Regions
16. Employment and Social Development Canada
17. Environment and Climate Change Canada
18. Federal Economic Development Agency for Northern Ontario
19. Federal Economic Development Agency for Southern Ontario
20. Finance Canada
21. Fisheries and Oceans Canada
22. Global Affairs Canada
23. Health Canada
24. Immigration Refugees and Citizenship Canada
25. Impact Assessment Agency of Canada
26. Indigenous Services Canada
27. Innovation Science and Economic Development Canada
28. Justice Canada
29. Library and Archives Canada
30. National Defence
31. Natural Resources Canada
32. Pacific Economic Development Agency of Canada
33. Parks Canada
34. Parole Board of Canada
35. Prairies Economic Development Canada
36. Public Health Agency of Canada
37. Public Safety Canada
38. Public Services and Procurement Canada
39. Royal Canadian Mounted Police
40. The Canada School of Public Service



41. Transport Canada

42. Treasury Board of Canada Secretariat

43. Women and Gender Equality



Annex C: Legislation, regulations and legislative and regulatory amendments advanced during the reporting period

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

Statutes and Bills

An Act to amend the First Nations Fiscal Management Act, to make consequential amendments to other Acts, and to make a clarification relating to another Act

Royal Assent June 20, 2023

UN Declaration alignment (thematic cluster): Economic, health and social rights (Articles 20, 21, 22, 23, 24); Participation in decision-making and Indigenous institutions (Articles 5, 18, 19, 34)

Description: Among other things, the Act updates and modernizes the mandates of the First Nations Financial Management Board and the First Nations Tax Commission, stabilizes the operation of the regime and the institutions, and establishes a fourth institution under the *First Nations Fiscal Management Act* (FNFMA), the First Nations Infrastructure Institute.

Indigenous consultation and cooperation: CIRNAC and the First Nations-led institutions under the FNFMA have established a strong working relationship over the past two decades. The legislative amendments were co-developed with the First Nations Tax Commission, the First Nations Financial Management Board, the First Nations Finance Authority, and the First Nations Infrastructure Institute Development Board. They originate from enhancements to the regime proposed directly by the institutions and the feedback of the First Nations who have chosen to participate under this Act, in order to address some of the institutional and regulatory gaps that First Nations are facing, and to improve their operations.

Amendments to the *Yukon Act*

Royal Assent June 22, 2023

UN Declaration alignment (thematic cluster): Lands, territories and resources (Articles 10, 26, 27, 28, 30, 32)



Description: The Yukon Act was amended to authorize the Minister of Northern Affairs to take any measures on certain public real property that the Minister considers necessary to prevent, counteract, mitigate or remedy any adverse effect on persons, property or the environment. The Amendment ensures that the federal Minister has the same powers related to the remediation of the Faro Mine as the provincial Minister does.

Indigenous consultation and cooperation: Consultations on the proposed amendments to the *Yukon Act* concluded in December 2020. Consultations took place with all Yukon First Nations and the Yukon Government. The Indigenous groups consulted were all supportive of the transfer of the Faro Mine site and the proposed amendments.

An Act to Give Effect to the Self-Government Treaty Recognizing the Whitecap Dakota Nation / Wapaha Ska Dakota Oyate and to Make Consequential Amendments to Other Acts

Royal Assent June 22, 2023

UN Declaration alignment (thematic cluster): Civil and political rights (Articles 6, 7, 9, 17, 33, 35, 36); Cultural, religious and linguistic rights (Articles 8, 11, 12, 13, 25, 31); Economic, health and social rights (Articles 20, 21, 22, 23, 24); Education, information and media (Articles 14, 15, 16); Lands, territories and resources (Articles 10, 26, 27, 28, 30, 32); Participation in decision-making and Indigenous institutions (Articles 5, 18, 19, 34)

Description: This legislation gives effect to a self-government treaty as negotiated with Whitecap Dakota Nation.

Indigenous consultation and cooperation: Over the fiscal year, CIRNAC consulted with Indigenous Governments and treaty organizations who are understood to represent their community members as their governing body.

Bill C-29 - An Act to provide for the establishment of a National Council for Reconciliation

Royal Assent April 30, 2024

UN Declaration alignment (thematic cluster): Participation in decision-making and Indigenous Institutions (Articles 5, 18, 19, 34)

Associated Action Plan Measure: SP074 - Advancing economic reconciliation



Description: The *National Reconciliation Council Act* has the effect of establishing an independent, non-profit organization led by Aboriginal people (the Council). This body is responsible, among other things, for monitoring, evaluating and reporting on progress made in reconciliation in Canada.

Indigenous consultation and cooperation: Consultations with selected groups conducted prior to fiscal year 2024-2025 and others to be scheduled as required.

S-16 – An Act respecting the recognition of the Haida Nation and the Council of the Haida Nation (Haida Nation Recognition Act)

At third reading in the Senate

UN Declaration alignment (thematic cluster): Civil and political rights (Articles 6, 7, 9, 17, 33, 35, 36); Participation in decision-making and Indigenous institutions (Articles 5, 18, 19, 34); Self-determination, self-government and recognition of treaties (Articles 3, 4, 37)

Description: S-16 implements certain sections of the agreement entitled “Nang K’uula • Nang K’úulaas Recognition Agreement”.

Indigenous consultation and cooperation: The agreement given effect by this Bill was negotiated with the Haida Nation.

Regulations

Order Amending the Order Prohibiting Certain Activities in Arctic Offshore Waters, 2022: SOR/2023-268

Regulations came into force on December 8, 2023

UN Declaration alignment (thematic cluster): Economic, health and social rights (Articles 20, 21, 22, 23, 24); Environment (Article 29)

Description: Under the *Canadian Petroleum Resources Act*, the *Order Prohibiting Certain Activities in Arctic Offshore Waters* was extended to December 31, 2028. The purpose of this order is to freeze the terms of existing oil and gas licences in the Arctic offshore and to suspend any oil and gas activities for the duration of the Arctic offshore oil and gas moratorium.

Indigenous consultation and cooperation: Over the fiscal year, CIRNAC consulted with the Inuvialuit Regional Corporation and the Nunavut Tunngavik Inc. who supported the Order while the moratorium is maintained.



Orders Amending the Schedule to the First Nations Fiscal Management Act: SOR/2023-164, SOR/2023-225, SOR/2023-259 and SOR/2024-2

SOR/2023-164: Order came into force on July 20, 2023, SOR/2023-225 came into force October 24, 2023; SOR/2023-259: Order came into force on December 5, 2023; SOR/2024-2 Came into force January 15, 2024

UN Declaration alignment (thematic cluster): Economic, health and social rights (Articles 20, 21, 22, 23, 24)

Description: These orders add specific First Nations to the schedule of the FNFMA: Batchewana First Nation (Ontario); Eskasoni (Nova Scotia); Lyackson (British Columbia); Nation Huronne Wendat (Quebec); Prophet River First Nation (British Columbia); Tahltan (British Columbia); Fox Lake (Manitoba), Louis Bull Tribe (Alberta) and Natoaganeg (New Brunswick); Liard First Nation (YT), Loon River Cree (AB), Pabineau (NB) and Wolf Lake (QC); and Binche Whut'en (British Columbia), Gitanyow (British Columbia) and Mikisew Cree First Nation (Alberta).

Indigenous consultation and cooperation: Over the fiscal year, CIRNAC consulted with Indigenous Governments and Treaty Organizations who are understood to represent their community members as their governing body. Participation in the First Nations Fiscal Management Act (FNFMA) is optional. In order to participate, a First Nation must submit a Band Council resolution to the Minister of Crown-Indigenous Relations requesting that they be added to the schedule of the FNFMA.

Order Bringing Individual Agreements with First Nations into Effect SOR/2023-128

Order came into force on July 1, 2023

UN Declaration alignment (thematic cluster): Cultural, religious and linguistic rights (Articles 8, 11, 12, 13, 25, 31); Education, information and media (Articles 14, 15, 16); Self-determination, self-government and recognition of treaties (Articles 3, 4, 37)

Description: Sectoral self-government jurisdiction over education. Recognizing the authority of Squamish Nation, Ditidaht First Nation, and Canim Lake to make laws related to primary and secondary education on reserve, including education curricula, graduation requirements, teacher certification, and school certification. These education jurisdiction agreements will help ensure that the participating First Nations have the tools and authority they need to develop and deliver culturally relevant and community-tailored education programs.



Indigenous consultation and cooperation: CIRNAC has an active negotiation and implementation relationship with the First Nations Education Steering Committee and the First Nations Education Authority regarding the education jurisdiction initiative to support participating First Nations in assuming jurisdiction over education. Engagement with these organizations is ongoing pertaining to this initiative which will see additional First Nations signing Education Jurisdiction Agreements in subsequent years.

Regulations Amending the Preliminary Screening Requirement Regulations and the Exemption List Regulations of the Mackenzie Valley Resource Management Act

Regulations came into force June 24, 2023

UN Declaration alignment (thematic cluster): Environment (Article 29); Lands, territories and resources (Articles 10, 26, 27, 28, 30, 32)

Description: The Preliminary Screening Requirement Regulations list the provisions of federal and **territorial** acts that require a regulatory authority or designated regulatory agency to undertake a preliminary screening of a proposed development when they receive an application for a permit, licence or other authorization. A preliminary screening is conducted to determine if a proposed project might be cause for public concern or might have a significant adverse impact on the environment. The preliminary screening will determine whether the project should proceed without environmental assessment or if it will be referred to environmental assessment. When a proposed development's impact on the environment in the Mackenzie Valley would be insignificant, an exemption from preliminary screening may apply. The Exemption List Regulations specify the types of proposed developments that would not require a preliminary screening.

Indigenous consultation and cooperation: Over the fiscal year, CIRNAC consulted with Indigenous Governments and organizations and Modern Treaty partners with rights in the Mackenzie Valley region.

Department of Justice Canada

Statutes and Bills

An Act to amend the Criminal Code (bail reform)

Royal assent December 5, 2023



UN Declaration alignment (thematic cluster): Civil and political rights (Articles 6, 7, 9, 17, 33, 35, 36)

Description: Bill C-48, *An Act to amend the Criminal Code (bail reform)*, made targeted amendments to the bail provisions of the *Criminal Code* to enhance public safety and public confidence in the administration of justice. The amendments included changes at the bail stage to address serious repeat violent offending involving firearms, other dangerous weapons, and intimate partner violence. The legislation also added a requirement for courts to state on the record for any bail decision how they have considered the particular circumstances of Indigenous accused persons or accused persons who are members of vulnerable populations, as required by section 493.2 of the *Criminal Code*.

Indigenous consultation and cooperation: The office of the Minister of Justice discussed the subject of bail in meetings with representatives from National Indigenous Organizations. This engagement underscored the importance of ensuring that the changes in the legislation took into account the potential impacts on Indigenous peoples, who are overrepresented in Canada's criminal justice system.

Bill S-13 – An Act to amend the Interpretation Act and to make related amendments to other Acts

At second reading in the House of Commons

UN Declaration alignment (thematic cluster): Civil and political rights.

Associated Action Plan Measure: SP 2 non-derogation clause in the *Interpretation Act*

Description: A non-derogation clause (NDC) is a statement in legislation that indicates the law should be interpreted to uphold, and not diminish, the rights of First Nations, Inuit and Métis affirmed by section 35 of the Constitution Act, 1982. The addition of a NDC in the federal Interpretation Act has long been a priority for many Indigenous partners. The Bill was introduced in the Senate on June 8, 2023.

Indigenous consultation and cooperation: Justice Canada consulted with First Nations, Inuit, Métis, Modern Treaty partners, and Urban / Off-reserve organizations prior to the introduction of the bill.



Employment and Social Development Canada (ESDC)

Statutes and Bills

An Act respecting early learning and child care in Canada (short title: Canada Early Learning and Child Care Act)

Royal Assent March 19, 2024

UN Declaration alignment (thematic cluster): Economic, health and social rights (Articles 20, 21, 22, 23, 24), Education, information, and media (Articles 14, 15, 16)

Associated Action Plan Measure: SP103 - Indigenous Early Learning and Childcare Framework

Description: This legislative measure marks a historic milestone in the Government's commitment to ensuring families in Canada have enduring access to affordable, inclusive and high-quality early learning and child care – and will help further the progressive realization of Canada's human rights commitments, including those outlined in the *United Nations Declaration on the Rights of Indigenous Peoples*.

Indigenous consultation and cooperation: Ongoing implementation of the Canada-wide ELCC system includes the Indigenous Early Learning and Child Care initiative which is guided by partnership tables with representatives nominated by respective leadership from First Nations, Inuit and the Métis Nation at national and regional levels. The tables work in collaboration with federal partners to facilitate Indigenous-led planning, priority setting, and decision-making. The tables include early learning and child care experts, program administrators, and regional or community technicians who are mandated by Indigenous leadership to work with the Government of Canada on strengthening early learning and child care for Indigenous children.

Canada Disability Benefit Act

Royal Assent on June 22, 2023

UN Declaration alignment (thematic cluster): Economic, health and social rights (Articles 20, 21, 22, 23, 24), Participation in decision-making and Indigenous institutions (Articles 5, 18, 19, 34)

Associated Action Plan Measure: IN15 - Supporting Inuit with disabilities; SP085 - Equality rights of Indigenous persons with disabilities



Description: The *Canada Disability Benefit Act* (full title An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the *Income Tax Act*), which sets out the framework for the Canada Disability Benefit (CDB), paving the way for its development and eventual future delivery, with details such as eligibility and benefit amount to be in future regulations. The aim of the CDB will be to supplement, not replace, existing federal, provincial and territorial supports with a goal of reducing poverty and improving financial security for working-age persons with disabilities.

Indigenous consultation and cooperation: During the 2023-2024 reporting period, the Office for Disability Issues engaged with National Indigenous Organizations and thirty-three holders of Modern Treaty and Self-Government agreements in the pre-regulatory phase of the Canada Disability Benefit via letters, emails and an online engagement tool. In early 2024, a discussion guide was provided to all National Indigenous Organizations with Engagement Protocol Agreements and with holders of Modern Treaty and Self-Government agreements. Bilateral meetings were held with Pauktuutit, Les Femmes Michif Otipemisiwak, the Assembly of First Nations, and Congress of Aboriginal Peoples; and with the Tlicho Government. As of early 2024, Métis National Council (MNC), Pauktuutit – Inuit Women of Canada and National Association of Friendship Centres (NAFC) have signed amendments to EPAs. Agreements and funding will be in place this fiscal year 2023-24 to support their engagement on the Disability Inclusion Action Plan (DIAP) and the National Autism Strategy (NAS).

Indigenous Services Canada (ISC)

Statutes and Bills

Bill C-61 – An Act respecting water, source water, drinking water, wastewater and related infrastructure on First Nation lands

At second reading in the House of Commons

UN Declaration alignment (thematic cluster): Self-determination, self-government and recognition of treaties (Articles 3, 4, 37); Participation in decision-making and Indigenous institutions (Articles 5, 18, 19, 34); Cultural, religious and linguistic rights (Articles 8, 11, 12, 13, 25, 31); Lands, territories and resources (Articles 10, 26, 27, 28, 30, 32); Economic, health and social rights (articles 20, 21, 22, 23, 24); Environment (Article 29)

Associated Action Plan Measure: FN017 – First Nations drinking water and wastewater legislation



Description: Bill C-61 (short form title: the *First Nations Clean Water Act*) aims to address key concerns expressed by First Nations about the now repealed 2013 *Safe Drinking Water for First Nations Act*. The Bill will do the following:

- recognize and affirm the existing inherent right of First Nations to self-government, including jurisdiction in relation to water, source water, drinking water, wastewater and related infrastructure on First Nation lands;
- strengthen funding commitments through best efforts to provide adequate and sustainable funding for water services on First Nation lands comparable to services received in non-First Nations communities;
- establish minimum national standards for the delivery of drinking water and wastewater services on First Nation lands, based on First Nation choice;
- facilitate transboundary source water protection agreements;
- provide pathways for ongoing engagement, including through consultation and cooperation on federal regulations.

Indigenous consultation and cooperation: Since 2018, Indigenous Services Canada has been engaging First Nation rights-holders and First Nation organizations on legislative reform related to safe drinking water. Beginning in 2022, Indigenous Services Canada worked with the Assembly of First Nations to develop legislation to replace the *Safe Drinking Water for First Nations Act* (which was repealed on June 23, 2022). In the development of water legislation, ISC reached out to all 634 First Nations in Canada, and First Nation organizations. ISC met with over 100 First Nations and First Nation organizations as part of the process. Two consultation drafts of a legislative proposal were shared with all First Nations communities and posted online to support broad public review. Since summer 2022, hundreds of engagement sessions have taken place virtually or in-person, with groups of First Nations or individual First Nations, based on partner preferences.

Bill C-38 – *An Act to amend the Indian Act (new registration entitlements)*

At second reading in the House of Commons

UN Declaration alignment (thematic cluster): Civil and political rights (articles 6, 7, 9, 17, 33, 35, 36)

Associated Action Plan Measure: FN007 - *Indian Act* registration and membership amendments through Bill C-38



Description: Addressing remaining inequities in registration and First Nations membership under the *Indian Act*.

Indigenous consultation and cooperation: Over the fiscal year, Indigenous Services Canada consulted and cooperated with the Assembly of First Nations, Congress of Aboriginal People, Native Women’s Association of Canada, Feminist Alliance for International Action, Ontario Native Women’s Association and Indigenous Bar Association, Métis National Council and 395 First Nation communities.

Regulations

Regulations Amending the Fort McKay First Nation Oil Sands Regulations

The Amendments to the Regulations came into force on December 19, 2023

UN Declaration alignment (thematic cluster): Economic, health and social rights (articles 20, 21, 22, 23, 24)

Associated Action Plan Measure: SP074 - Advancing economic reconciliation

Description: The *Fort McKay First Nation Oil Sands Regulations* (SOR/2007-79) came into force in 2007 under the *First Nations Commercial and Industrial Development Act* (FNCIDA). The Regulations were developed at the request of Fort McKay First Nation to enable oil sands mining on Fort McKay First Nation Indian Reserve No. 174C. Updates to the Regulations were required to align with changes to Alberta legislation since 2007 so they can function seamlessly with the current provincial oil sands regulatory regime that applies to off-reserve lands. With provincial collaboration, these Regulations align laws and regulations governing the project lands on reserve with the laws and regulations of Alberta. The Regulations incorporate by reference essential elements of the provincial regime into federal regulations, which creates regulatory harmony between governments, as well as increased regulatory compatibility between similar projects on and off reserve. Multiple ministries within the Province of Alberta were involved in the development of the amended Regulations. A Fort McKay First Nation– Alberta– Canada agreement describes how the amended Regulations will be implemented.

Indigenous consultation and cooperation: These regulatory amendments respond to a request made by the Fort McKay First Nation and support the needs and interests of the First Nation in relation to an oil sand mining project on their reserve lands.



Regulations Amending the Fort William First Nation Sawmill Regulations

Regulations enacted on November 24, 2023

UN Declaration alignment (thematic cluster): Economic, health and social rights (articles 20, 21, 22, 23, 24)

Associated Action Plan Measure: SP074 - Advancing economic reconciliation

Description: The Regulations Amending the *Fort William First Nation Sawmill Regulations* were enacted on November 24, 2023, under the *First Nations Commercial and Industrial Development Act* (FNCIDA) to incorporate by reference provincial laws and regulations that govern the operation of sawmills in Ontario. The Regulations create regulatory symmetry between governments and increases regulatory compatibility on and off reserve. Regulatory cooperation is exemplified through the tripartite agreement, which sets out a shared administrative framework. Multiple ministries within the Province of Ontario have been involved in the development of the Regulations and the tripartite agreement. A management committee, comprised of the Fort William First Nation, the Province of Ontario and Canada, is established through this agreement to ensure efficient implementation of the Regulations and to address any issues that may arise, including potential changes needed to the Regulations.

Indigenous consultation and cooperation: Over the fiscal year, Indigenous Services Canada consulted and cooperated with the Fort William First Nation. Other First Nations were not specifically consulted as the Regulations are only applicable to the Fort William First Nation project lands that are listed in the Regulations.

Squamish Nation Residential Tenancy Regulations

Regulations enacted on June 19, 2023

UN Declaration alignment (thematic cluster): Economic, health and social rights (articles 20, 21, 22, 23, 24)

Associated Action Plan Measure: SP074 - Advancing economic reconciliation

Description: A Band Council Resolution in March 2021 formalized the request for regulations to be developed under the *First Nations Commercial and Industrial Development Act* (FNCIDA) to support the projects to address housing affordability issues and establish homes for the Squamish Nation. With provincial collaboration, the *Squamish Nation Residential Tenancy Regulations* were enacted on June 19, 2023, under the FNCIDA to incorporate by reference provincial residential tenancy regulations



for both Seḥ ákw and Hiýám housing projects on the identified Squamish Nation reserve lands in British Columbia. The Regulations incorporate by reference the provincial residential tenancy regime, which creates regulatory symmetry between governments and increases regulatory compatibility between residential tenancies on and off reserve. Regulatory cooperation is exemplified through the tripartite agreement, which sets out a shared administrative framework. Multiple ministries within the Province of British Columbia have been involved in the development of the Regulations and the tripartite agreement. A management committee, comprised of the Squamish Nation, the Province of British Columbia and Canada, is established through this agreement to ensure efficient implementation of the Regulations and to address any issues that may arise, including potential changes needed to the Regulations.

Indigenous consultation and cooperation: Over the fiscal year, Indigenous Services Canada consulted and cooperated with the Squamish Nation. Other First Nations were not specifically consulted as the Regulations are only applicable to the Squamish Nation project lands that are listed in the Regulations.

Natural Resources Canada (NRCan)

Statutes and Bills

Bill C-49 – An Act to amend the Canada–Newfoundland and Labrador Atlantic Accord Implementation Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to other Acts

At Committee in the House of Commons

UN Declaration alignment (thematic cluster): Lands, territories and resources (Articles 10, 26, 27, 28, 30, 32)

Description: Bill C-49 proposes to amend the *Canada–Newfoundland and Labrador Atlantic Accord Implementation Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act* in order to create the legislative framework necessary for offshore renewable energy development in the joint-management Canada-Nova Scotia and Canada-Newfoundland and Labrador Offshore Areas, as well as targeted amendments to the existing provisions in both Acts related to offshore petroleum.

Indigenous consultation and cooperation: NRCan reached out to 59 Indigenous communities and organizations across Atlantic Canada (NL, NS, PEI, NB, and parts of QC) on two separate occasions to provide information and solicit feedback on the



amendments proposed in Bill C-49. NRCan also met with two of those Indigenous groups in the 2023/24 fiscal year to provide information on Bill C-49; Sipekne'katik First Nation; Maritime Aboriginal Peoples Council.

Bill C-50 – Canadian Sustainable Jobs Act

At report stage in the House of Commons

UN Declaration alignment (thematic cluster): Participation in decision-making and Indigenous institutions (Articles 5, 18, 19, 34); Environment (Article 29); Economic, health and social rights (Articles 20, 21, 22, 23, 24)

Description: The proposed sustainable jobs legislation will create a framework to allow for sustained and ongoing dialogue with Indigenous Peoples as part of Canada's approach to sustainable jobs in a net-zero economy. The intent is to ensure that the Government's sustainable jobs approach, grounded in the proposed legislation, is reflective of the views of stakeholders and partners, including Indigenous Peoples. The sustainable jobs bill makes reference to Indigenous Peoples within the guiding principles found in the preamble, in regard to ensuring a sustainable jobs approach is inclusive. Furthermore, across the bill, there is a broad commitment to ongoing social dialogue with all partners and stakeholders, including Indigenous Peoples, who are specifically mentioned.

Indigenous consultation and cooperation: The Sustainable Jobs Partnership Council, proposed in this bill, will include three members who represent Indigenous peoples on a distinction basis. As part of this Council's functions, it will undertake outreach across Canada, including with Indigenous groups and use the input received to provide independent advice to Government on the most effective measures to encourage the creation of sustainable jobs and to support workers and communities in the transition to a net-zero economy.

Regulations

Frontier and Offshore Regulatory Renewal Initiative (FORRI): Canada-Newfoundland and Labrador Offshore Area Petroleum Operations Framework Regulations and Canada–Nova Scotia Offshore Area Petroleum Operations Framework Regulations

UN Declaration alignment (thematic cluster): Environment (Article 29); Lands, territories and resources (Articles 10, 26, 27, 28, 30, 32)



Description: Regulations pertaining to offshore petroleum safety, environmental protection and resource conservation

Indigenous consultation and cooperation: No, consultation and cooperation took place prior to the 2023 - 2024 fiscal year. The regulations were published in Canada Gazette Part II on February 28, 2024. Future consultation and cooperation with Indigenous Partners is scheduled for 2024 - 2025 Fiscal year and 2025 - 2026 Fiscal year.

Public Health Agency of Canada (PHAC)

Statutes and Bills

An act respecting a federal framework on autism spectrum disorder

Royal assent March 30, 2023

UN Declaration alignment (thematic cluster): Economic, health and social rights (Articles 20, 21, 22, 23, 24)

Description: Under the Act, which came into force in March 2023, the Minister of Health must prepare a federal framework on autism spectrum disorder, which is to be developed in consultation with organizations that focus on autism spectrum disorder in Indigenous communities, representatives of the federal, provincial and territorial governments, and other relevant stakeholders. The Framework for Autism in Canada (the Framework) is a national, multi-jurisdictional common policy direction for autism initiatives in Canada, with a limited number of federal measures to be implemented by the Minister of Health. It is intended to be a high-level, static document highlighting key findings from stakeholder consultations, as well as best practices and opportunities.

Indigenous consultation and cooperation: Since 2022, PHAC has been engaged with six organizations to facilitate an Indigenous-led approach to informing a National Autism Strategy. This work is ongoing and is expected to continue through to 2025. As engagement for the Strategy was already underway at the time the Act came into force, PHAC leveraged this ongoing work to also inform the Framework. Over the fiscal year, PHAC consulted with Assembly of First Nations; Inuit Tapiriit Kanatami; Native Women's Association of Canada; Les Femmes Michif Otipemisiwak; Metis National Council; Congress of Aboriginal Peoples; National Association of Friendship Centres; Pauktuutit – Inuit Women of Canada. The information gathered from these completed engagements have supported the development of the Framework. In keeping with the Government of Canada's commitment to reconciliation, PHAC will continue to support Indigenous-led engagement with First Nations, Inuit, Métis and Urban-Indigenous



Peoples, communities and organizations as we move forward with a co-developed approach to identifying distinctions-based autism priorities.

Public Safety Canada

Statutes and Bills

An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act

Royal assent October 26, 2023

UN Declaration alignment (thematic cluster): Civil and political rights (Articles 6, 7, 9, 17, 33, 35, 36)

Description: This legislation is a response to Supreme Court of Canada decision *R. v. Ndhlovu*, 2022 SCC 38. The legislation ensures continued and effective operation of the sex offender registry regime, enhances the response to sexual offending by improving the publication ban provisions and enhances victims' right to information.

Indigenous consultation and cooperation: Public Safety Canada consulted and cooperated with Indigenous women's groups in the 2023-2024 fiscal year.



Annex D: Actions taken towards dismantling of the *Indian Act* and to recognizing self-determination of Indigenous nations

Progress towards dismantling the *Indian Act*

Indigenous Services Canada reports on progress towards dismantling the *Indian Act* and recognizing the self-determination of Indigenous nations through reports like the Statutory Report Pursuant to Section 2 of the *Indian Act Amendment and Replacement Act*, Statutes of Canada, Chapter 38, 2014 and the Annual Report to Parliament.

The Statutory Report Pursuant to Section 2 of the *Indian Act Amendment and Replacement Act* highlights the Government of Canada's focus on implementing its commitments for reconciliation with Indigenous Peoples. This includes creating and implementing policies to recognize the inherent rights of self-government and self-determination of First Nations, Inuit, and Métis. Canada recognizes Indigenous rights, and a commitment to affirmation of jurisdiction by First Nations and their movement out from under the *Indian Act*.

The Annual Report to Parliament outlines measures that Indigenous Services Canada is currently taking to achieve key objectives, including an objective on transferring responsibility for departmental services to First Nations, Inuit, and Métis control. This key objective is paramount for supporting the self-determination of First Nations, Inuit, and Métis communities and partners.

For a more comprehensive update on the work undertaken by Indigenous Services Canada, please consult the aforementioned reports on the Indigenous Services Canada [Annual Reports page](#).

Self-determination

Federal measures that respond to and support the rights of Indigenous Peoples to self-determination are needed to strengthen Indigenous communities by addressing core public services, improving economic opportunities and access to lands and resources. In the context of Indigenous Peoples in Canada, and as indicated in the UN Declaration, self-determination can be defined as the ability to determine political status and to freely pursue economic, social, and cultural development. In exercising their right to self-determination, First Nations, Inuit and Métis might exercise the right to autonomy or self-government in matters relating to their internal local affairs and for financing their autonomous functions. Self-determination can be advanced in several different ways, through: treaties (modern and historic); self-government agreements; sectoral



agreements (e.g. health, education); constructive arrangements; local/regional governance; and, taking part in decision-making processes (e.g. environmental assessments and international Treaty negotiations).

For more detailed insights on recent progress made in *creating conditions for self-determination and renewed relationships*, please see [Fourth Annual Statutory Report \(2023\) Pursuant to Section 10 of the Department of Crown-Indigenous Relations and Northern Affairs Act, Statutes of Canada, Chapter 29, 2019 \(rcaanc-cirnac.gc.ca\)](#).

Enacted in 2019, the *Impact Assessment Act* provides a new opportunity to enact regulations that would allow the Minister to enter into agreements with Indigenous governing bodies to be considered as jurisdictions on specific lands. Section 114(d) and (e) of the *Impact Assessment Act* allows the Minister, once regulations are in place, to enter into agreements with Indigenous Governing Bodies to take on federal impact assessment powers, duties, and functions on specified lands, and to be considered jurisdictions for the application of the Act.

The Impact Assessment Agency co-developed a discussion paper with a Circle of Experts, a subcommittee of the Indigenous Advisory Committee, that outlines options to enact regulations that would allow the Minister to enter into agreements with Indigenous governing bodies to be considered as jurisdictions on specific lands and share decision making throughout the Impact Assessment process. These agreements are the first step in opening that dialogue to explore the potential benefits, limitations, and challenges related to implementation of a new mechanism.



Annex E: List of Indigenous Partnership Fund recipients for 2023-2024¹⁰

National

- Assembly of First Nations
- Inuit Tapiriit Kanatami¹¹
- Métis National Council
- Native Women's Association of Canada
- Pauktuutit Inuit Women of Canada
- Les Femmes Michif Otipemisiwak-Women of the Métis Nation
- Congress of Aboriginal Peoples

Networks

- National Association of Friendship Centres

Regional

Newfoundland and Labrador

- Assembly of First Nations - Newfoundland (Regional Chief's Office)
- Indian Head First Nation

Nova Scotia

- Assembly of First Nations - Nova Scotia (Regional Chief's Office)
- The Confederacy of Mainland Mi'kmaq
- Union of Nova Scotia Mi'kmaq

New Brunswick

- Wolastoqey Nation in New Brunswick
- Mi'gmawe'l Tplu'taqnn Inc.
- Tobique (Neqotkuk) First Nation (Maliseet Nation at Tobique)

¹⁰ Indigenous nations, organizations and governments who receive funding through the Indigenous Partnership Fund in subsequent fiscal years will be identified in future annual reports.

¹¹ Includes all four Inuit regions and regional Inuit land claims organizations: Nunatsiavut (Nunatsiavut Government), Inuvialuit Settlement Region (Inuvialuit Regional Corporation), Nunavut (Nunavut Tunngavik Inc.), and Nunavik (Makivvik).



Prince Edward Island

- L'nuey – Epekwitk Assembly of Councils

Quebec

- Assembly of First Nations of Québec and Labrador
- Algonquin Anishinabeg Nation Tribal Council (QC) / Algonquins of Pikwakanagan First Nation (ON)¹²
- Atikamekw Sipi – Conseil de la Nation Atikamekw
- Conseil de la Nation Huronne-Wendat
- Cree Nation Government
- Kebaowek First Nation
- W8banaki

Ontario

- Anishinabek Nation-Union of Ontario Indians
- Chiefs of Ontario
- Chippewas of Kettle and Stony Point First Nation
- Chippewas of Nawash Unceded First Nation
- Chippewas of the Thames First Nation
- Grand Council Treaty 3
- Métis Nation of Ontario
- Mushkegowuk Council
- Nishnawbe Aski Nation

Manitoba

- Assembly of Manitoba Chiefs
- Manitoba Keewatinowi Okimakanak
- First Nations in the Treaty 2 Territory - Anishinaabe Agowidiwinan Secretariat
- Keewatin Tribal Council
- Manitoba Métis Federation
- Northlands Denesuline First Nation
- Treaty One Nations Inc.
- Wuskwi Sipiik First Nation

Saskatchewan

- Federation of Sovereign Indigenous Nations
- File Hills Qu'Appelle Tribal Council

¹² These partners provided a joint proposal.



- Métis Nation – Saskatchewan
- Prince Albert Grand Council
- Shoal Lake Cree Nation
- Yorkton Tribal Administration
- Zagimē Anishinabēk

Alberta

- Blackfoot Confederacy Tribal Council (Treaty 7)
- Blood Tribe
- Driftpile Cree Nation
- Louis Bull Tribe
- Métis Nation of Alberta
- Samson Cree Nation
- Stoney Nakoda – Tsuut’ina Tribal Council
- Treaty 8 First Nations of Alberta
- Tribal Chiefs Ventures (Treaty 6)

British Columbia

- First Nations Leadership Council
- Huu-ay-aht First Nations
- Kanaka Bar Indian Band
- Kispiox Band
- Maa-nulth Treaty Society First Nations
- Métis Nation British Columbia
- Squamish Indian Band #555 (Squamish Nation)
- T̓kemlúps te Secwépemc
- Tl'etinqox Government
- Toquaht Nation
- Tsawwassen First Nation
- Uchucklesaht Tribe Government
- Witset First Nation
- Yunešit'in Government (T̓silhqot'in Nation)
- Yuułuʔiłʔatḥ Government (Ucluelet First Nation)

Northwest Territories

- Déljñę Got'jñę Government
- Yellowknives Dene First Nation



Yukon

- Assembly of First Nations Yukon (Regional Chief's Office)
- First Nation of Nacho Nyak Dun
- Teslin Tlingit Council, Dakhka Nation - Taku River Tlingit First Nation and Carcross/Tagish First Nation



Annex F: List of abbreviations

Abbreviation	Definition
AIR	Advancing and Influencing Reconciliation
CBSA	Canada Border Services Agency
CER	Canada Energy Regulator
CIRNAC	Crown-Indigenous Relations and Northern Affairs Canada
DFO	Fisheries and Oceans Canada
ELCC	Early Learning and Child Care
ESDC	Employment and Social Development Canada
FPIC	Free, Prior, and Informed Consent
GBA Plus	Gender-Based Analysis Plus
IAMC	Indigenous Advisory and Monitoring Committee
ICCI	Indigenous Community Corrections Initiative
IELCC	Indigenous Early Learning and Child Care
IPF	Indigenous Partnership Fund
IRCC	Immigration, Refugees, and Citizenship Canada
ISC	Indigenous Services Canada
NRCan	Natural Resources Canada
PFP	Project Finance for Permanence
RRA	Rights Reconciliation Agreement
SCC	Supreme Court of Canada
SDGs	Sustainable Development Goals
TMX	Transmountain Pipeline Expansion Project
TSSC	Thompson Shuswap Salmon Collaborative
UN	United Nations
UNDA	<i>United Nations Declaration on the Rights of Indigenous Peoples Act</i>
UN Declaration	United Nations Declaration on the Rights of Indigenous Peoples
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UPR	Universal Periodic Review
2SLGBTQI+	Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex