



E'Dbendaagzijig (Those Who Belong) Naaknigewin Conference Agenda



AUGUST 19 AND 20, 2026

CASINO RAMA RESORT, 5899 RAMA ROAD,
CHIPPEWAS OF RAMA FIRST NATION

DAY ONE: WEDNESDAY, AUGUST 19, 2026 SILVERNIGHTINGALE BALLROOM

6:24 a.m.	Sunrise Ceremony	Mishoomis Gerard Sagassige , Getzidjig Advisory Council, Anishinabek Nation
7:45 a.m.	Breakfast and Registration	
9:00 a.m.	Introduction	Bob Goulais , Nbisiing Consulting Inc. Jeffrey Jacobs , Curve Lake First Nation Deputy Chief
	Opening Thanksgiving Recital of Ngo Dwe Waangizid Anishinaabe	Ookomis Donna Debassige , Getzidjig Advisory Council, Anishinabek Nation
	Welcoming Remarks	Chief Ted Williams , Chippewas of Rama First Nation Marsha Smoke , Southeast Regional Chief, Anishinabek Nation Dr. Jeannette Corbiere Lavell , E'Dbendaagzijig E-niiganwidoon Commissioner, Anishinabek Nation
9:25 a.m.	Keynote Address	Grand Council Chief Linda Debassige , Anishinabek Nation Deputy Grand Council Chief Chris Plain , Anishinabek Nation
9:45 a.m.	Update on Bill S-2, <i>An Act to amend the Indian Act (new registration entitlements)</i>	Marsha Smoke , Southeast Regional Chief, Anishinabek Nation
10:00 a.m.	Collaborative Process on Proposed Solutions to the Issues: - Section 6 of the <i>Indian Act</i>: Second-Generation Cutt-Off - Section 10 of the <i>Indian Act</i>: Voting Thresholds	Marsha Smoke , Southeast Regional Chief, Anishinabek Nation Crystal Stevens , Legal Counsel, Anishinabek Nation Dr. Damien Lee , PhD, Head of Indigenous Studies, University of Saskatchewan
10:45 a.m.	HEALTH BREAK	



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Agenda



11:00 a.m.	Collaborative Process on Consultation Events and Activities	Dr. Damien Lee , PhD, Head of Indigenous Studies, University of Saskatchewan
11:15 a.m.	Open Discussion Challenging the Second Generation Cut-Off: Legal Resource following Senate Amendments to Bill S-2, An Act to amend the Indian Act new registration entitlements)	Marsha Smoke , Southeast Regional Chief, Anishinabek Nation Crystal Stevens , Legal Counsel, Anishinabek Nation Fred Bellefeuille , Legal Counsel, Anishinabek Nation Dr. Damien Lee , PhD, Head of Indigenous Studies, University of Saskatchewan Justin Thompson , Associate, JFK Law Firm, Nipissing First Nation
12:00 p.m.	LUNCH BREAK	
1:00 p.m.	Between Membership and Belonging: Life under section 10 of the <i>Indian Act</i>	Dr. Damien Lee , PhD, Head of Indigenous Studies, University of Saskatchewan
1:30 p.m.	Address by E'Dbendaagzijig E-niiganwidood E'Dbendaagzijig Naaknigewin: - Purpose of the Anishinabek Nation E'Dbendaagzijig Naaknigewin - Major findings from consultation and 2010 report - Foundations of Anishinaabe Law	Dr. Jeannette Corbiere Lavell , E'Dbendaagzijig E-niiganwidood Commissioner, Anishinabek Nation
2:00 p.m.	Clan Belonging and Identity: Using our Gifts - All Our Relations - Clan Governance - Gift of Reciprocity	Clayton King , Anishinaabe Historian, Beausoleil First Nation
3:00 p.m.	HEALTH BREAK	
3:15 p.m.	Anishinaabe Law on E'Dbendaagzijig Overview of Anishinabek Nation E'Dbendaagzijig Naaknigewin 2009 (Revised)	Mary Laronde , Assistant to Dr. Jeannette Corbiere Lavell, E'Dbendaagzijig E-niiganwidood Commissioner, Anishinabek Nation
4:30 p.m.	Closing Remarks	Bob Goulais , Nbsiing Consulting Inc. Jeffrey Jacobs , Curve Lake First Nation Deputy Chief Ookomis Donna Debassige , Getzidjig Advisory Council, Anishinabek Nation



E'Dbendaagzijing (Those Who Belong) Naaknigewin Conference Agenda



DAY TWO: THURSDAY, AUGUST 20, 2026 SILVERNIGHTINGALE BALLROOM

6:24 a.m.	Sunrise Ceremony	Mishoomis Gerard Sagassige , Getzidjig Advisory Council, Anishinabek Nation
7:45 a.m.	Breakfast	
9:00 a.m.	Opening Thanksgiving Recital of Ngo Dwe Waangizid Anishinaabe Objectives for the Day	Ookomis Donna Debassige , Getzidjig Advisory Council, Anishinabek Nation Bob Goulais , Nbisiing Consultations Inc. Jeffrey Jacobs , Curve Lake First Nation Deputy Chief
9:15 a.m.	Moose Deer Point Citizenship Law	Chief Tracy Hendrick , Moose Deer Point First Nation
9:35 a.m.	B'Maakonigan Supporting First Nation Citizenship Law Development	Leslie McGregor , CEO, B'Maakonigan Dwayne Nashkawa , Governance Development Director, B'Maakonigan
9:55 a.m.	Open Discussion	B'Maakonigan representatives
10:10 a.m.	Instructions for Regional Breakout Sessions	Bob Goulais , Nbisiing Consulting Inc. Jeffrey Jacobs , Curve Lake First Nation Deputy Chief
10:15 a.m.	HEALTH BREAK	
10:30 a.m.	First Nation E'Dbendaagzijing Naaknigewinun - Four Regional Workshops	Regional Facilitators , Anishinabek Nation and B'Maakonigan
12:00 p.m.	LUNCH BREAK	
1:00 p.m.	Regional Workshop Reports	Regional designated leads from groups
1:40 p.m.	Next Steps	Marsha Smoke , Southeast Regional Chief, Anishinabek Nation Dr. Jeannette Corbiere Lavell , E'Dbendaagzijing E-niiganwidood Commissioner, Anishinabek Nation
2:00 p.m.	Leadership Closing Remarks	Grand Council Chief Linda Debassige , Anishinabek Nation Regional Chiefs , Anishinabek Nation
2:45 p.m.	Closing Thanksgiving	Bob Goulais , Nbisiing Consulting Inc. Jeffrey Jacobs , Curve Lake First Nation Deputy Chief Dr. Jeannette Corbiere Lavell , E'Dbendaagzijing E-niiganwidood Commissioner, Anishinabek Nation Ookomis Donna Debassige , Getzidjig Advisory Council, Anishinabek Nation



ANISHINABEK NATION

THE HOUSE OF COMMONS STANDING COMMITTEE ON INDIGENOUS AND NORTHERN AFFAIRS (INAN)

**Bill S-2: An Act to Amend the Indian Act
(New Registration Entitlements)**

**Submitted by:
Grand Council Chief Linda Debassige
Anishinabek Nation
May 7, 2026**

HEAD OFFICE: NIPISSING FIRST NATION

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1. INTRODUCTION

The Anishinabek Nation represents 39 First Nations and approximately 70,000 citizens across treaty and unceded territories throughout Ontario.

This briefing paper provides the position of the Anishinabek Nation on Bill S-2 and the proposed Senate amendments. It is intended to inform deliberations of the House of Commons Standing Committee on Indigenous and Northern Affairs (INAN) and to clearly articulate the expectations of Anishinabek Nation leadership and citizens.

2. EXECUTIVE SUMMARY

The Anishinabek Nation supports legislative action to eliminate discrimination in the Indian Act. However, we do not support incremental or partial approaches that knowingly leave discriminatory provisions in place.

The Anishinabek Nation supports the Senate amendments to Bill S-2, including the adoption of a one-parent rule, as a necessary and immediate measure to eliminate the second-generation cut-off and to ensure equality that is guaranteed under Section 15 of the Charter.

Bill S-2 presents Canada with a clear and immediate responsibility to comply with the Canadian Charter of Rights and Freedoms; uphold Section 35 of the Constitution Act, 1982; align federal law with the United Nations Declaration on the Rights of Indigenous Peoples Act; and meet the April 2026 deadline arising from the Nicholas decision.

While the bill addresses enfranchisement, it fails to fully resolve broader inequities, particularly the second-generation cut-off. The current federal approach proposes to defer these issues to future processes under the justification of consultation and implementation readiness.

The Anishinabek Nation rejects this approach.

Discrimination that has already been identified, litigated, and acknowledged cannot be deferred. Consultation must guide implementation, not delay equality.

The impacts of the Indian Act must also be understood in their full context. Enfranchisement resulted not only in the loss of status, but also the loss of land and displacement from First Nation territories. Addressing status without addressing these broader impacts risks incomplete redress.

Concerns raised regarding population projects and implementation capacity must be grounded in evidence. Historical experience demonstrates that increases in registration occur gradually over time, and speculative projections must not be used to delay legislative action.

The Anishinabek Nation also emphasizes that First Nations are not waiting for direction from Canada. Our Nations are actively advancing citizenship laws and preparing for implementation. Chiefs and communities are directly engaged in shaping this work.

At the same time, Canada applies inconsistent approaches to identity. While other Indigenous peoples determine their own citizenship through their own systems, and Canadian citizenship has been expanded across generations, First Nations remain subject to a federally controlled registration regime that continues to limit identity.

This must change.

Bill S-2 must be understood as part of the cumulative impacts of the Indian Act. Partial solutions risk continuing a pattern of discrimination across generations.

Canada is not being asked to develop a solution.

The solution has already been placed before you through the Senate amendments.

3. LEGISLATIVE CONTEXT

Bill S-2 is intended to address inequities arising from enfranchisement provisions in the Indian Act. As noted in parliamentary debate, the bill seeks to restore entitlement to approximately 3,500-6,500 individuals and their descendants affected by historical policies.

The Minister of Indigenous Services has acknowledged that the Indian Act is discriminatory, that the second-generation cut-off continues to cause harm, and that further reforms are required but should proceed through a separate collaborative process.

At the same time, Canada has heard clear and opposing views that discrimination has already been established through decades of legal and policy review, that further delay is unjustifiable, and the proposed approach risks perpetuating inequality.

This tension forms the core issue before the Committee.

4. LEGAL AND INTERNATIONAL FRAMEWORK

Canada's obligations in relation to Bill S-2 are grounded not only in domestic law, but also in its international commitments.

The United Nations Declaration on the Rights of Indigenous Peoples Act affirms that UNDRIP has application in Canadian law and requires the Government of Canada to take all measures necessary to ensure that federal laws are consistent with the Declaration.

UNDRIP affirms the right of Indigenous Peoples to determine their own identity and membership (Articles 9 and 33); the right to not be subjected to forced assimilation (Article 8); and the right to lands and redress for lands taken without consent (Articles 26 and 28).

These rights align with and reinforce protections under Section 35 of the Constitution Act, 1982 and Section 15 of the Canadian Charter of Rights and Freedoms.

5. ENFRANCHISEMENT AND ASSOCIATED LAND LOSS

The provisions addressing enfranchisement represent a necessary and overdue correction to historical injustice. Individuals and families affected by these policies have waited generations for recognition.

The Anishinabek Nation supports immediate passage of these provisions, compliance with the Nicholas decision deadline, and restoration of entitlement without delay.

Failure to act would maintain unconstitutional provisions, undermine confidence in Parliament's ability to respond to court rulings, and continue harm to affected individuals and families.

The impacts of enfranchisement extend beyond the loss of individual status. Impacts also include the loss of First Nations lands.

Under the Indian Act, enfranchisement was not only a mechanism to remove individuals from the Indian Register, it also had direct implications for land tenure and reserve status.

In many cases, when individuals or families enfranchised, the Crown treated this as a basis to declare that no members remained on the reserve. Enfranchisement was used as a mechanism to enable the Crown to acquire and dispose of First Nation lands resulting in the permanent loss of land and displacement of First Nations people from their territories.

While Bill S-2 seeks to restore status to individuals and descendants affected by enfranchisement, restoration of Indian status alone does not address the full impact of enfranchisement, particularly where loss of land occurred.

The Anishinabek Nation emphasizes that enfranchisement is both about identity and land. Restoration of status should not be disconnected from the loss of land and the community connection that accompanied it.

Let us be clear, Federal policy must acknowledge and address the historical taking of lands linked to enfranchisement as affirmed in UNDRIP. Article 26 affirms the right of Indigenous peoples to their lands and territories, while Article 28 affirms the right to redress for lands that have been taken without consent.

Canada's UNDRIP Act also recognizes the right to lands and redress for lands taken without consent.

Addressing enfranchisement without acknowledging associated land loss risks failing to meet these international standards.

Canada has committed to implementing UNDRIP. Advancing Bill S-2 without fully addressing known discrimination and its associated impacts risks falling short of that commitment.

Canada cannot claim to implement UNDRIP while maintaining policies that limited who we are as Nations.

6. THE SECOND-GENERATION CUT-OFF

The second-generation cut-off is not a new issue. It has been identified in previous legislative reforms, examined through multiple court cases, and raised consistently by First Nations across the country.

Its impact is clear, it limits the ability of First Nations individuals to pass on status, it divides families across generations, and it results in the gradual reduction of recognized First Nations populations.

Data from Anishinabek Nation communities demonstrates that a significant portion of our population is already registered under section 6(2), often ranging between 40% to over 50% in some communities. This means that a large segment of our citizens can only pass on status if they parent with another entitled individual.

Our analysis further confirms that, of the remaining citizens registered as 6(1), many of these individuals are now beyond their child-bearing years. The opportunity to transmit status has already been lost, entire family lines have been cut off from registration, and the impacts are permanent. This impact is not theoretical; it is measurable within our Nations and is an ongoing and accelerating loss of identity.

Parliamentarians have described this outcome as a form of "legislated extinction". Despite this, the current federal position is to acknowledge the issue, study potential solutions, and defer legislative action.

The Anishinabek Nation does not accept this approach. Where discrimination is known, delay is a decision to maintain it.

The cumulative effect of these policies cannot be ignored. When Canada maintains rules that limit the transmission of identity and delays correcting known discrimination, it is

not neutral. It is complicit in the continued erosion of First Nations populations through legislative design.

The continued application of the second-generation cut-off is inconsistent with Article 8 of UNDRIP which affirms that Indigenous peoples have the right to not be subjected to forced assimilation.

The continued application of the second-generation cut-off is inconsistent with Section 15 of the Charter, Section 35 of the Constitution, and UNDRIP and affirmed by Canada's UNDRIP Act. It is also inconsistent with First Nations-led citizenship work already underway, including the Anishinabek Nation's E'Dbendaagzijig Naaknigewin (Citizenship Law).

7. SENATE AMENDMENTS, A CLEAR LEGISLATIVE SOLUTION ALREADY EXISTS

The Senate amendments to Bill S-2 provide a clear and actionable solution to one of the most significant outstanding inequities in the Indian Act: the second-generation cut-off.

Central to these amendments is the adoption of a one-parent rule, which would enable First Nations individuals to transmit status to their children regardless of the status of the other parent, eliminate the second-generation cut-off as a barrier to identity, align registration provisions with Charter equality protections, and restore fairness between men and women in the transmission of status.

These amendments are not theoretical. They represent the result of decades of advocacy, a legally viable pathway forward, and a direct response to known discrimination.

The Anishinabek Nation supports these amendments.

8. CONSULTATION

The Government has emphasized the legal duty to consult as justification for not proceeding with broader amendments at this time.

The Anishinabek Nation affirms that consultation is a fundamental principle First Nations must lead in shaping solutions. However, consultation must not be misused.

There is a critical distinction:

Is this Legitimate Consultation, or Misuse of Consultation.

Does Consultation guide implementation, or delay recognition of rights.

Does Consultation support First Nations decision-making or maintain federal control.

Does Consultation build consensus on approach, or does it avoid legislative responsibility.

Decades of consultation have already occurred on Indian Act discrimination. At this stage, continued reliance on consultation risks becoming a mechanism of delay. The duty to consult must not be used or be perceived as a tool to postpone the elimination of known discrimination.

The Anishinabek Nation's work on E'Dbendaagzijig demonstrates that First Nations are not waiting for consultation processes to advance solutions, this work is already underway.

9. JURISDICTION AND REGISTRATION VS CITIZENSHIP

This Anishinabek Nation's position is consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which affirms in Article 33 that Indigenous peoples have the right to determine their own identity and membership. Article 9 affirms that individuals have the right to belong to their Nation in accordance with its own laws and traditions.

Bill S-2 raises an ongoing issue regarding the distinction between Federal registration under the Indian Act and First Nations citizenship and belonging.

The Anishinabek Nation asserts that citizenship is governed by Anishinaabe law, including the principles of E'Dbendaagzijig ("Those Who Belong") and that Federal registration does not define Nationhood.

Canada must not conflate administrative status with identity. At the same time, Canada must not use jurisdictional arguments to avoid correcting its own legislation or maintain discriminatory rules while claiming to respect First Nations authority.

The Anishinabek Nation also notes a broader inconsistency in how Canada approach's identity across different Indigenous groups.

The Metis Nation of Ontario exercises control over its own citizenship and maintains its own registry system. It defines belonging, self-identification, demonstrated ancestry, and acceptance by the Metis Nation is required. There is no generational cut-off, connection to culture and community is integral to citizenship and belonging, and citizenship can be removed subject to their internal policy processes.

Furthermore, recent changes to Canada's Citizenship Act have removed generational limits and expanded the ability of Canadians to pass on citizenship to their descendants born outside of Canada, including across multiple generations. Citizenship is granted to individuals who may live abroad or have never resided in Canada.

In contrast, First Nations remain subject to the Indian Act.

While other Indigenous peoples can define and govern their own citizenship systems, and Canadian citizens are able to extend Canadian citizenship for individuals in other countries, First Nations remain subject to a federally controlled registration regime that continues to limit the transmission of identity.

Canada's responsibility is clear. Canada needs to fix federal law, and respect First Nations jurisdiction. These obligations must proceed together, not sequentially.

The Anishinabek Nation's position is further supported by Section 15 of the Charter, Section 35 of the Constitution, Articles 9 and 33 of UNDRIP, and Canada's UNDRIP Act. Federal control over registration must not undermine these protections.

10. CAPACITY, COST, LAND, AND IMPLEMENTATION

Concerns have been raised regarding population impacts, service delivery, and administrative capacity. However, these discussions are incomplete if they do not address the most critical issue: Land.

The restoration of rights through Bill S-2 will inevitably require access to land, expansion of community infrastructure and the ability of First Nations to grow their populations within their own territories.

At present, the Additions to Reserve (ATR) federal policy process presents significant barriers including lengthy approval timelines, complex and burdensome requirements and limited responsiveness to community growth and planning needs. These barriers undermine the ability of First Nations to fully realize the benefits of restored entitlement.

The Anishinabek Nation emphasises that rights restoration must be matched with land access and expansion mechanisms; the ATR process must be modernized, accelerated, and adequately resourced; and Federal policy must support, not restrict the return of people to their communities.

Without meaningful reform to land access policies, the restoration of rights risks being symbolic rather than practical.

Evidence presented in Parliament indicates that growth will occur gradually and costs are manageable within existing federal frameworks. Similar reforms in the past have not resulted in projected uptake levels.

The Anishinabek Nation emphasizes that cost is not a valid justification for maintaining discrimination. Capacity gaps are a federal responsibility to address, and implementation challenges must be managed, not used as barriers.

11. POPULATION PROJECTIONS AND IMPLEMENTATION REALITY

Concerns have been raised regarding the potential number of individuals who may become entitled to registration if Bill S-2 is passed, particularly with respect to the second-generation cut-off.

Estimates suggesting that as many as 350,000 individuals could be registered in the first year have been presented. These projections require careful scrutiny.

From a practical standpoint, such numbers are not achievable within a single year. Based on standard federal processing capacity, registering 350,000 individuals in one year would require the processing of approximately 1,346 applications per working day (based on 260 working days per year). This level of processing is not consistent with current administrative capacity.

Historical experience further demonstrates that projections of large, immediate increases in registration have not materialized at the scale or pace suggested.

Bill C-31 (1985) recorded approximately 174,500 individuals added to the Indian Register. 106,781 were reinstated and 59,798 were born after the legislation came into force.

Bill C-3 recorded approximately 37,000 individuals registered.

Bill S-3 recorded approximately 28,970 individuals registered. Of those, 17,260 were affiliated with Section 11 Bands, and 10,533 were affiliated with Section 10 Bands. 1,168 were placed on the General List.

These increases occurred over time, not within a single year.

With respect to Bill S-2, enfranchisement-related entitlement alone is estimated to result in approximately 3,500 to 6,000 individuals becoming eligible for registration. This reflects a significantly more measured and manageable impact.

Population growth resulting from legislative changes occurs gradually, not instantaneously. Application processes, documentation requirements, and individual circumstances all contribute to a phased and incremental increase over time.

Projections of immediate, large-scale increases in registration risk overstating the practical impacts of legislative change.

Decisions regarding the elimination of discrimination should not be influenced by speculative or exaggerated population estimates.

There is also a broader concern that must be acknowledged.

Policies that restrict entitlement and reduce the number of registered First Nations people have the effect of limiting federal obligations over time. Whether intentional or not, the outcome is the same. Fewer individuals will be recognized. Fewer services will be required, reducing federal responsibility.

This dynamic cannot continue to influence legislative decision-making where equality rights are at stake.

12. CUMULATIVE IMPACTS OF THE INDIAN ACT

The issues addressed in Bill S-2 cannot be understood in isolation. They are part of the broader and ongoing cumulative impacts of the Indian Act which has systematically shaped and constrained First Nations identity, governance, and land over generations.

These impacts include the erosion of identity and belonging, gender-based and generational discrimination, disconnection from the land, constraints on governance and jurisdiction, and socio-economic impacts.

These impacts do not occur independently. They are interconnected and reinforced. Each generation inherits the consequences of previous legislative decisions. Bill S-2 must, therefore, be understood not as a single legislative fix, but as part of addressing a broader pattern of cumulative harm. Addressing one element of discrimination while leaving others in place continues this pattern.

What we are witnessing is not a single policy failure, we are witnessing the accumulated effect of over 150 years of federal control over First Nations identity. Addressing one element of discrimination while leaving others in place continues this pattern of cumulative harm.

13. ANISHINABEK NATION CITIZENSHIP – E'DBENDAAGZIJIG (THOSE WHO BELONG)

The Anishinabek Nation has not approached citizenship as a theoretical concept. We have taken concrete steps toward the exercise of our jurisdiction through the development and advancement of our citizenship framework, grounded in E'Dbendaagzijig – Those Who Belong.

In 2009, the Anishinabek Nation established the E'Dbendaagzijig Naaknigewin (Citizenship Law), which affirms that citizenship is determined by the Nation, not by federal legislation. This work continues to evolve.

In June 2025, the Anishinabek Nation Grand Council Assembly adopted the Declaration on E'Dbendaagzijig (Those Who Belong) affirming the inherent right of the Anishinabek Nation to determine our own citizens; the responsibility to bring our people home; and the movement toward a citizenship model grounded in a one-parent principle, consistent with our laws and traditions.

This is not aspirational. It is active Nation-building.

Across our First Nations, discussions on citizenship laws are ongoing, communities are preparing for implementation, and governance structures are being developed to support Nation-building citizenship. Canada should not be asking whether we are ready, we are already doing the work. What we need from Canada is to remove the barriers, not impose them.

14. RECOMMENDATIONS

1. The Anishinabek Nation calls on Canada to advance Bill S-2 with the Senate amendments intact, recognizing that these amendments provide a clear and immediate legislative solution.
2. The Anishinabek Nation calls on Canada to implement the one-parent rule as the mechanism to eliminate the second-generation cut-off and end known and ongoing discrimination in the Indian Act. Parliament must not defer this issue to future processes or consultation.
3. The Anishinabek Nation calls on Canada to ensure that Bill S-2 aligns with Section 15 of the Charter, Section 35 of the Constitution, The United Nations Declaration on the Rights of Indigenous Peoples, and the United Nations Declaration on the Rights of Indigenous Peoples Act.
4. The Anishinabek Nation calls on Canada to reject the use of consultation to delay equality and recognize that consultation must guide implementation, not be used to postpone the elimination of discrimination that has already been identified and acknowledged.
5. The Anishinabek Nations calls on Canada to recognize and respect First Nations jurisdiction over Citizenship and to affirm the distinction between federal registration and First Nations citizenship, to ensure that federal legislation does not constrain or undermine First Nations-led citizenship frameworks such as E'Dbendaagzijig.
6. The Anishinabek Nation calls on Canada to address land impacts associated with Enfranchisement and acknowledge that enfranchisement resulted in both loss of status and loss of land. A commitment to processes would identify lands lost through enfranchisement, explore options for redress, restoration, or compensation, and align with UNDRIP Articles 26 and 28.

7. The Anishinabek Nations calls on Canada to reform its Additions to Reserve (ATR) Policy to accelerate and streamline ATR processes to ensure First Nations have access to land required for housing, infrastructure, and community growth resulting from restored entitlement.

8. The Anishinabek Nation calls on Canada to ensure federal responsibility for capacity and implementation by recognizing that capacity constraints are a federal responsibility and must not be used as a justification to delay legislative reform.

9. The Anishinabek Nation calls on Canada to base implementation planning on realistic population projections to ensure that planning and decision-making are based on realistic, phased population growth, informed by historical implementation of prior legislation, actual administrative capacity and evidence that uptake occurs over time, not immediately. Speculative or exaggerated projections must not influence decision on eliminating discrimination.

10. The Anishinabek Nation calls on Canada to proceed with equality without further delay. Parliament must act to eliminate know discrimination now. Delay results in the continued denial of rights.

15. CONCLUSION

Bill S-2 represents an opportunity for Canada to take meaningful action; however, partial solutions are not sufficient.

This is not simply a policy decision, it is about ensuring that federal law aligns with Section 15 of the Charter, Section 35 of the Constitution, The United Nations Declaration on the Rights of Indigenous Peoples, and Canada's commitments under the UNDRIP Act.

The Committee must recognize that Bill S-2 is not occurring in isolation, it is part of the cumulative impacts of the Indian Act. Partial solutions risk continuing a pattern of discrimination across generations.

Anishinabek Nation Chiefs and their communities are directly involved in actively advancing citizenship and registration reform. Chiefs are not waiting, and they are not outside the process, they are leading within it and shaping the path forward.

The Anishinabek Nation urges this Committee to act with clarity and purpose. Canada is not being asked to develop a solution, the solution has already been placed before you through the Senate amendments.

The Anishinabek Nation approaches this work guided by our teachings. One of those teachings is simple: We must never leave anyone behind.

This principle reflects our responsibility to one another across generation to ensure that our families, our citizens, and our future generations are coming from a place of inclusion and not exclusion through laws that divide us. Bill S-2, and particularly the second-generation cut-off stands in direct contradiction to that responsibility.

The question is not whether First Nations are ready. The question is whether Canada is prepared to move forward with us.

The Senate has done its work. First Nations have done their work. The courts have done their work. Now the responsibility sits with this Committee and with Parliament.

Every delay divides families, denies rights and continues discrimination.
Pass the bill. Adopt the amendments and finish the work.



ANISHINABEK NATION DECLARATION ON E'DBENDAAGZIIG

- 1. Debenjiged gii'saan Anishinaaaben akiing giibi dgwon gaadeni
mnidoo waadiziwin.**

Creator placed Anishinaabe on earth along with gift of spirituality.

- 2. Debenjiged Kiimiingona dedwinwe wi naagdowendiwin.**

Creator gave us sovereignty to govern ourselves.

- 3. Debenjiged kiimiingona e'dbendaagzijig wi naaknigewag wi
namaadziwag.**

We belong to the land, and follow our own laws.

- 4. Debenjiged kii-miingonaanh gshkewiziwin wii-mkwenmangid-
waa e-dbendaagzijig.**

We have the right to determine who our people are.

- 5. Dedbinwe gwa ggii-gkenmaanaanik e-dbendaagzijig.**

Through our own governance principles and structures we decide
who belongs.

- 6. Kina kowaabindaamin shkakmikong, nibi, noodin, shkode, miin-
waa kina bemaadziimgak miinwaa ezhi-nawendaasying.**

Together, all of us, we take care of each other, earth, water, air, fire, and
all our relations.

- 7. Mshkogaabwitownaanh gaa-miingwewiziying wi naagdawen-
dizowin, wii-mnaadenmangid shkakmikwe miinwaa debendaag-
zijig, e-kidoomgak gaa-kidwaad nishnaabek naaknigewining
gaa-zhibiigaadegiba – niizhing mdaaswaak-shi-nchwaaswi.**

We assert and exercise our inherent right of self-determination for the
protection of our lands, and our E'Dbendaagzijig as affirmed by the
Anishinabek Nation E'Dbendaagizig Naaknigewin, 2009.

ANISHINABEK NATION POPULATION STATISTICS S.6(1) AND S.6(2)

Region	Admin	First Nation	Governance	6(1)	6(2)	Total	% 6(1)	% 6(2)
Population								
Southwest	172	Aamjiwnaang	11	1495	1080	2575	58.0583	41.9417
Southwest	171	Chippewas of Kettle & Stony Point	10	1638	1011	2649	61.8347	38.1653
Southwest	166	Chippewas of the Thames	11	2087	1059	3146	66.3382	33.6618
Southwest	168	Munsee Delaware	11	487	231	718	67.8273	32.1727
Southeast	160	Alderville	11	668	710	1378	48.4761	51.5239
Southeast	138	Chippewas of Georgia Island	10	503	454	957	52.5601	47.4399
Southeast	163	Algonquins of Pikwankanagan	10	2484	1659	4143	59.9566	40.0434
Southeast	161	Curve Lake	11	1526	1302	2828	53.9604	46.0396
Southeast	141	Beausoleil	11	1856	1293	3149	58.9393	41.0607
Southeast	140	Mississaugas of Scugog	11	139	127	266	52.2556	47.7444
Southeast	139	Chippewas of Rama	11	1217	931	2148	56.6574	43.3426
Southeast	135	Moose Deer Point	11	281	262	543	51.7495	48.2505
Lake Huron Region	224	Atikameksheng Anishnawbek	11	980	626	1606	61.0212	38.9788
Lake Huron Region	180	Aundeck Omni Kaning	10	583	355	938	62.1535	37.8465
Lake Huron Region	218	Dokis	11	770	645	1415	54.417	45.583
Lake Huron Region	231	Henvey Inlet	10	758	497	1255	60.3984	39.6016
Lake Huron Region	174	Magnetawan	11	213	148	361	59.0028	40.9972
Lake Huron Region	200	Mississauga #8	10	883	623	1506	58.6321	41.3679
Lake Huron Region	178	Sheshegwaning First Nation	10	300	175	475	63.1579	36.8421
Lake Huron Region	181	M'Chigeeng Anishinabek	10	1906	883	2789	68.3399	31.6601
Lake Huron Region	220	Nippissing First Nation	11	1946	1375	3321	58.5968	41.4032
Lake Huron Region	201	Serpent River	10	964	640	1604	60.0998	39.9002
Lake Huron Region	202	Thessalon	10	706	493	1199	58.8824	41.1176
Lake Huron Region	176	Sheguiandah	11	325	136	461	70.4989	29.5011
Lake Huron Region	199	Ojibways of Garden River	10	2084	1315	3399	61.3122	38.6878
Lake Huron Region	230	Ojibways of Whitefish River	10	989	569	1558	63.4788	36.5212
Lake Huron Region	175	Wiikwemkoong	11	6178	2529	8707	70.9544	29.0456
Lake Huron Region	232	Wahnapitae	11	361	368	729	49.5199	50.4801
Lake Huron Region	136	Wasauksing First Nation	10	875	531	1406	62.2333	37.7667
Lake Huron Region	173	Zhiibaahaasing First Nation	11	139	45	184	75.5435	24.4565

Northern Superior Region	192	Pic River/Biigtigong Nishnaabeg	11	855	446	1301	65.7187	34.2813
Northern Superior Region	197	BIINJITIWAABIK ZAAGING ANISHINAABEK	11	584	245	829	70.4463	29.5537
Northern Superior Region	187	Fort William First Nation	10	1764	1089	2853	61.8297	38.1703
Northern Superior Region	184	Long Lake #58 First Nation	11	1270	628	1898	66.9125	33.0875
Northern Superior Region	225	Michopicoten	11	768	609	1377	55.7734	44.2266
Northern Superior Region		Namaygoosisagagun First Nation	Non-Status					
Northern Superior Region	191	Pays plat First Nation	10	181	125	306	59.1503	40.8497
Northern Superior Region	195	Pic Mobert/Netmizaaggamig Nishnaabeg	10	781	358	1139	68.5689	31.4311
Northern Superior Region	193	Red rock Indian Band	11	1293	1043	2336	55.351	44.649
Total				42837	26615	69452	61.6786	38.3214

Total Section 10	16
Total Section 11	22
Total Self-Governing	8
Total Non-Status	1
Total	47

NOTE: Data originates from the Indian Register and was obtained February 9, 2024.

Update: Collaborative Process on Proposed Solutions to the Issue: The Second Generation Cut-Off Under Section 6 of the *Indian Act*

Presented by: Crystal Stevens
E'Dbendaagzijig Naaknigewin Conference
August 19, 2027 Rama First Nation



The Second-Generation Cut-Off

- It determines whether an individual is entitled to registration under the *Indian Act*.
- In 1985, Bill C-31 amended the *Indian Act* to better align with equality provisions introducing two categories
 - Section 6(1) - Applies to individual born after 1985 who have two parents entitled to registration
 - Section 6(2) - Applies to individuals born after 1985 with only one parent entitled to registration.
- It affects whether a registered person can pass down to their child.
- It creates different registration outcomes among members of the same family.



What is the Second-Generation Cut-Off?

- The second-generation cut-off generally occurs after two consecutive generations of parenting with persons who are not entitled to registration.
- A person registered under subsection 6(2) cannot transmit entitlement unless the child's other parent is also entitled to registration.
- As a result, a child may have a registered parent and still not be entitled to registration.



How section 6 Operates

Section 6(1)

- A person entitled under section 6(1) can generally pass down their entitlement to a child regardless of whether the other parent is entitled.

Section 6(2)

- Generally applies where one parent is entitled under section 6(1) and the other parent is not entitled.
- A person entitled only under section 6(2) cannot independently pass down entitlement.
- Individuals registered under section 6(1) and 6(2) hold the same registered status, but have different abilities to pass down entitlement.



Understanding the Second-Generation Cut-Off

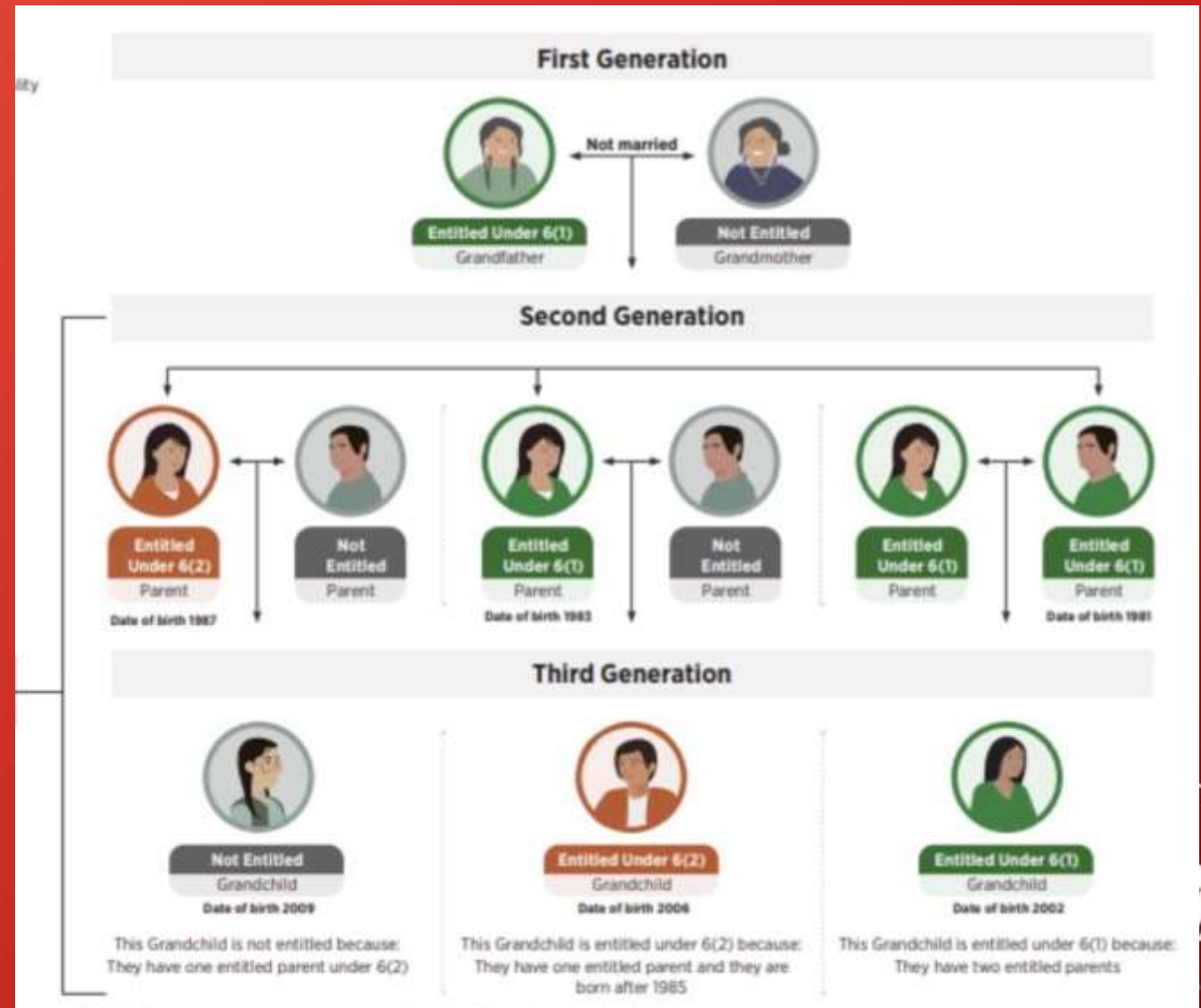
Generation 1

- One parent is entitled under section 6(1)
- The other parent is not entitled
- Their child may be entitled under section 6(2)

Generation 2

- The section 6(2) parent has a child with a person who is not entitled
- The child is not entitled to registration.

Result: Entitlement is lost in second generation,



Issues

- Produces different outcomes within families and across generations.
- May separate legal entitlement from kinship, belonging, culture, and community connection.
- Continues federal control over the legal recognition for First Nation identity.
- May disproportionately affect families already impacted by historic discrimination, adoption, child welfare removal, and unknown parentage.
- Does not account for distinct laws, traditions, or individual First Nations.



Proposed Solutions

Four approaches to addressing the second generation cut-off

1. Single Parent Rule
2. Transfer Control to First Nations
3. Use of Blood Quantum or DNA
4. Elimination the Section 6 Registration Categories

These options are not necessarily mutually exclusive. Some could operate as interim measures while First Nations develop



Solution 1: Single Parent Rule

Key Idea

- A person would be entitled to registration if at least one parent is, or at the time of death was, entitled to registration.
- Entitlement could be pass down through one entitled parent indefinitely
- This would remove the second generation cut off

Main Insight

- Most Registration Reform and Legal Solutions Committee members considered the approach legally viable
- Views different on whether it should be permanent or an interim remedy while First Nations develop jurisdiction over Citizenship and belonging



Solution 1: Single Parent Rule

Support for the Approach

- Proposed in 26 of the 39 final reports received through final reports in the call for Proposals.
- Selected as a desirable solution by 305 of 399 Individual Feedback Form respondents.
- Provides an immediate response to the exclusion caused by the second-generation cut-off.
- Could simplify entitlement and reduce differences among generations of the same family.



Solution 1: Single Parent Rule

Benefit

- Removes the second-generation cut-off.
- Provides timely relief to affected individuals and families.
- Reduces unequal treatment created by subsections 6(1) and 6(2).
- Creates a clear and relatively simple entitlement rule.
- May better support continuity of family, identity, and culture.
- Could reduce administrative complexity if implemented automatically for affected registrants

Key Concerns

- Continues Canada's role in defining entitlement and First Nations identity.
- Could substantially increase the number of persons entitled to registration.
- May create pressure on housing, infrastructure, education, health services, and community programs.
- Does not ensure that registration reflects a First Nation's own laws of citizenship or belonging.
- Could affect section 10 voting populations and band membership processes.



Solution 1: Single Parent Rule

Implementation Considerations

- Whether the rule should be permanent, transitional, or subject to a statutory review.
- Whether First Nations should be able to opt in or opt out.
- Whether persons registered under subsection 6(2) should automatically be converted to subsection 6(1).
- Whether the rule should operate retroactively and, if so, how far back.
- How adoption, unstated parentage, acquired status, and scrip should be addressed.
- How section 10 voting thresholds should respond to an expanded registered population.
- The need for adequate, long-term funding for First Nations.



Solution 1: Single Parent Rule

Takeaway

- A single-parent rule would provide the most immediate and direct remedy to the second-generation cut-off.
- However, many reviewers considered it incomplete as a standalone solution because it would continue a federally controlled registration system.

A common approach was:

- Immediate remedy through a single-parent rule, followed by a supported transition to First Nations jurisdiction over citizenship and belonging.



Solution 2: Transfer Control to First Nation

Key Idea

- First Nations would exercise jurisdiction over determining their citizens or members.
- First Nations could develop their own criteria, assess applications, make decisions, and maintain citizenship or membership records.
- Canada's role could be limited to recognizing or recording First Nation decisions for federal purposes.

Main Insight

- This approach is among the options most closely aligned with self-determination, Indigenous legal orders, and the right of First Nations to determine their own identity and membership.



Solution 2: Transfer Control to First Nations

Support for the Approach

- Identified in **19 of the 39** final reports.
- Selected as a desirable solution by **160 of 399** Individual Feedback Form respondents.
- Six of seven Committee members considered it legally viable, although some identified conditions relating to implementation.
- Participants frequently referred to the framework under federal Indigenous child and family services legislation as a possible model for recognizing First Nations law.



Solution 2: Transfer Control to First Nations

Benefits

- Shifts authority from Canada to First Nations.
- Recognizes citizenship and belonging as matters of First Nation jurisdiction.
- Allows each Nation to rely on its own laws, customs, kinship systems, and governance traditions.
- Better aligns with self-determination and Article 33 of the UN Declaration.
- Moves beyond federally imposed section 6 categories.
- Could support Nation based rather than band based approaches.

Key Concerns

- First Nations have different levels of capacity and readiness.
- Inadequate resources could create pressure to restrict citizenship or membership.
- Individual and collective rights must both be considered.
- Clear processes may be required for appeals, disputes, adoption, and off-reserve citizens.
- Transitional differences may arise between federal registration and First Nation citizenship.



Solution 2: Transfer Control to First Nations

Implementation Considerations

- Participation should be optional and based on each First Nation's decision.
- First Nations require stable, long-term, and population responsive funding.
- Indigenous legal orders and dispute resolution processes should play a central role.
- Citizenship laws should not require ministerial approval.
- Minimum procedural standards could require issues such as notice, fairness, appeals, and transparency to be addressed without prescribing the substance of First Nation laws.
- Canada must retain its fiscal obligations and responsibility for remedying historic harms.
- First Nations must own and control citizenship, ancestry, and membership data.



Solution 2: Transfer Control to First Nations

Takeaway

- Transferring control is the approach most directly aligned with First Nations self-determination and authority over citizenship, kinship, and belonging.

Its success depends on:

- First Nation choice and free, prior, and informed consent;
- recognition of Indigenous legal orders;
- adequate and continuing resources;
- fair and legitimate decision-making processes; and
- a carefully managed transition from federal control



Solution 3: Blood Quantum and DNA

Key Idea

- Blood quantum would determine eligibility through a calculated proportion of Indigenous ancestry.
- DNA could be used to establish biological or genealogical relationships.
- These approaches would make biological descent a central factor in determining entitlement.

Main Insight

- Most Committee members did not consider blood quantum or DNA legally viable as a national framework.
- Some considered these tools potentially available where a First Nation chooses them under its own laws, although significant legal and human rights concerns would remain.



Solution 3: Use of Blood Quantum and DNA

Potential Uses

- DNA may assist in establishing parentage where records are unavailable.
- It may help persons affected by closed adoption, child welfare removal, the Sixties Scoop, or unstated parentage reconnect with family.
- Genealogical evidence may support an application where ancestry is otherwise difficult to document.

Key Concerns

- Blood quantum is a colonial and biologically reductive measure.
- DNA can establish biological relationships but cannot determine community belonging.
- These approaches may conflict with Indigenous legal traditions based on kinship, responsibility, adoption, and lived relationships.
- They may create discrimination and accelerate intergenerational exclusion.
- They may inadequately recognize customary adoption, Two-Spirit and queer families, and other diverse kinship systems.
- Genetic testing raises privacy, consent, data ownership, and evidentiary concerns.



Solution 3: Use of Blood Quantum and DNA

Takeaway

- Blood quantum and DNA were not broadly supported as national solutions to the second-generation cut-off.
- DNA may have a limited role as evidence of parentage, where voluntarily used and subject to appropriate safeguards.
- Biological evidence does not, by itself, determine citizenship, kinship, community connection, or belonging.



Solution 4: Eliminate Registration Categories

Key Idea

- Remove the distinctions among the registration categories in section 6.
- Individuals would either be registered or not registered.
- There would no longer be separate categories with different abilities to transmit entitlement.

Main Insight

- Eliminating the categories could simplify registration and remove the hierarchy created by subsections 6(1) and 6(2).
- However, eliminating categories does not answer the central question: **Who is entitled to registration?**



Solution 4: Eliminate the Section 6 Categories

Support for the Approach

- Proposed as a primary solution in **2 of the 39** final reports.
- Raised as an implementation consideration in several reports addressing the single parent rule or transfer of control.
- Proposed by **115 of 399** Individual Feedback Form respondents.
- Five of seven Committee members considered the approach legally viable, although further details would be required.



Solution 4: Eliminate the Section 6 Categories

Benefits

- Removes the distinction between subsections 6(1) and 6(2).
- Simplifies a highly technical registration system.
- Prevents family members from being placed in hierarchical categories.
- Could reduce confusion for applicants, First Nations, and administrators.
- May support a transition toward First Nations jurisdiction over citizenship.

Key Concerns

- Does not establish the criteria for entitlement.
- Could create uncertainty if categories are removed without a replacement framework.
- Requires substantial changes to the Indian Register and administrative systems.
- May affect program eligibility, band lists, funding arrangements, and existing rights.
- Could reproduce exclusion unless accompanied by a clear and rights affirming alternative.



Solution 4: Eliminate the Section 6 Categories

Implementation Considerations

- Clearly define entitlement after the categories are removed.
- Ensure that no person loses registration, services, or benefits during transition.
- Establish accessible application, review, and appeal processes.
- Communicate changes clearly to First Nations and affected individuals, including persons living off reserve.
- Coordinate changes to the Indian Register, registration documentation, and federal programs.
- Provide adequate funding for population growth and increased service demands.
- Link category elimination to a broader pathway for First Nations jurisdiction.



Solution 4: Eliminate the Section 6 Categories

Takeaway

- Eliminating the section 6 categories could remove the hierarchy between registered individuals and simplify the federal system.

It is not a complete solution unless accompanied by:

- clear entitlement criteria;
- a detailed transition plan;
- protection against loss of services or recognition; and
- meaningful recognition of First Nations jurisdiction over citizenship and belonging.



Summary: Second Generation Cut Off

Four Approaches to Reform

1. Single-Parent Rule

Provides immediate relief by allowing one entitled parent to transmit entitlement indefinitely, but retains federal control over registration.

2. Transfer Control to First Nations

Most directly advances self-determination, but requires First Nation choice, long-term funding, capacity support, and legitimate decision-making processes.

3. Blood Quantum or DNA

Not broadly supported as a national solution. DNA may have a limited evidentiary role in establishing parentage.

4. Eliminate Registration Categories

Removes the hierarchy between subsections 6(1) and 6(2), but requires clear replacement criteria and a comprehensive transition plan.



Closing

- Addressing the second-generation cut-off requires more than changing a rule.
- The broader question is whether Canada will continue to determine entitlement under the Indian Act or support First Nations in restoring and exercising jurisdiction over citizenship, kinship, and belonging.



Míígwech



Update: Collaborative Process on Proposed Solutions to the Issues

Damien Lee

E'Dbendaagzijig Naaknigewin Conference | August 19, 2026
| Rama First Nation

Understanding this process

The **Second-Generation Cut-Off** is about individuals.

Section 10 Voting Thresholds is about First Nation as a collective.

Solutions to the Second- Generation Cut-Off

Ideas about changing Indian status regime

Solutions to the Section 10 Voting Thresholds

Considerations about band membership

Solution 1: Simple Majority Vote

Key Idea

- Replace the current "double majority" requirement with a standard simple-majority vote to approve a transition to Section 10 membership governance.

Main Insight

- While simpler and easier to achieve, most reviewers concluded that changing the voting threshold alone does not address the deeper issue of First Nations self-determination. A simple majority may improve the likelihood of approval, but it risks replacing one federally

Solution 1: Simple Majority Vote

Benefits

- Reduces barriers to adopting membership codes.
- Consistent with common democratic voting practices.
- Could support self-determination if aligned with a Nation's own governance traditions.

Key Concerns

- May not ensure broad community consent on significant membership decisions.
- Low turnout could allow major changes to be approved by a small fraction of eligible members.
- Does not inherently reflect Indigenous legal orders or traditional decision-making processes.

Solution 1: Simple Majority Vote

Takeaway:

A simple majority lowers procedural barriers, but on its own may not provide the legitimacy, inclusiveness, or self-determination needed for long-term governance reform.

Solution 2: Transfer Control to First Nations

Key Idea

- Make First Nations the default authority over membership governance, allowing them to determine their own membership processes and decision-making frameworks.

Main Insight

- This option received the strongest support from both participating organizations and committee members because it most directly advances Indigenous self-determination and aligns with Indigenous concepts of citizenship, kinship, and belonging

Solution 2: Transfer Control to First Nations

Benefits

- Shifts authority from the federal government to First Nations.
- Better aligns with UNDRIP principles and Indigenous legal traditions.
- Allows Nations to define membership according to their own priorities and governance systems.

Key Concerns

- Requires significant implementation planning, resources, and long-term funding.
- Must include safeguards for individual rights and off-reserve members.
- Risks creating inconsistent membership outcomes if transition mechanisms are unclear

Solution 2: Transfer Control to First Nations

Takeaway:

Transfer of control is viewed as the option most aligned with self-determination, but success depends on strong implementation supports, funding, and protections for those affected by the transition

Solution 3:

Double Majority Threshold with Amendments

Key Idea

- Keep the existing double-majority requirement but modernize the process through measures such as online voting, advance voting, improved outreach, and greater accessibility for off-reserve members.

Main Insight

- Many participants viewed the problem as less about the threshold itself and more about the difficulty of achieving participation. This solution preserves the requirement for broad community agreement while addressing practical

Solution 3:

Double Majority Threshold with Amendments

Benefits

- Maintains a high standard of collective consent.
- Helps ensure major membership decisions have broad community support.
- Improves participation through better voting access and engagement tools.

Key Concerns

- Existing barriers may continue if participation challenges are not fully addressed.
- Could still delay First Nations from assuming membership control.
- Legitimacy depends on rebuilding trust and ensuring meaningful community engagement

Solution 3: Double Majority Threshold with Amendments

Takeaway:

This option preserves the principle of broad consent while focusing reforms on participation, accessibility, and trust rather than changing the threshold itself.

Summary: s.10 Voting Thresholds

Three Approaches to Reforming Section 10 Voting Thresholds

1. Simple Majority Vote

Easier to achieve, but may not provide sufficient legitimacy or reflect Indigenous governance traditions.

2. Transfer Control to First Nations

Most aligned with self-determination and Indigenous legal orders, but requires significant implementation support and safeguards. [\[](#)

3. Maintain Double Majority with Improvements

Preserves broad community consent while improving voter participation accessibility

Summary: s.10 Voting Thresholds

Cross-cutting theme:

Regardless of the option selected, RRLSC participants consistently emphasized legitimacy, self-determination, adequate resources, and meaningful community participation as critical success factors

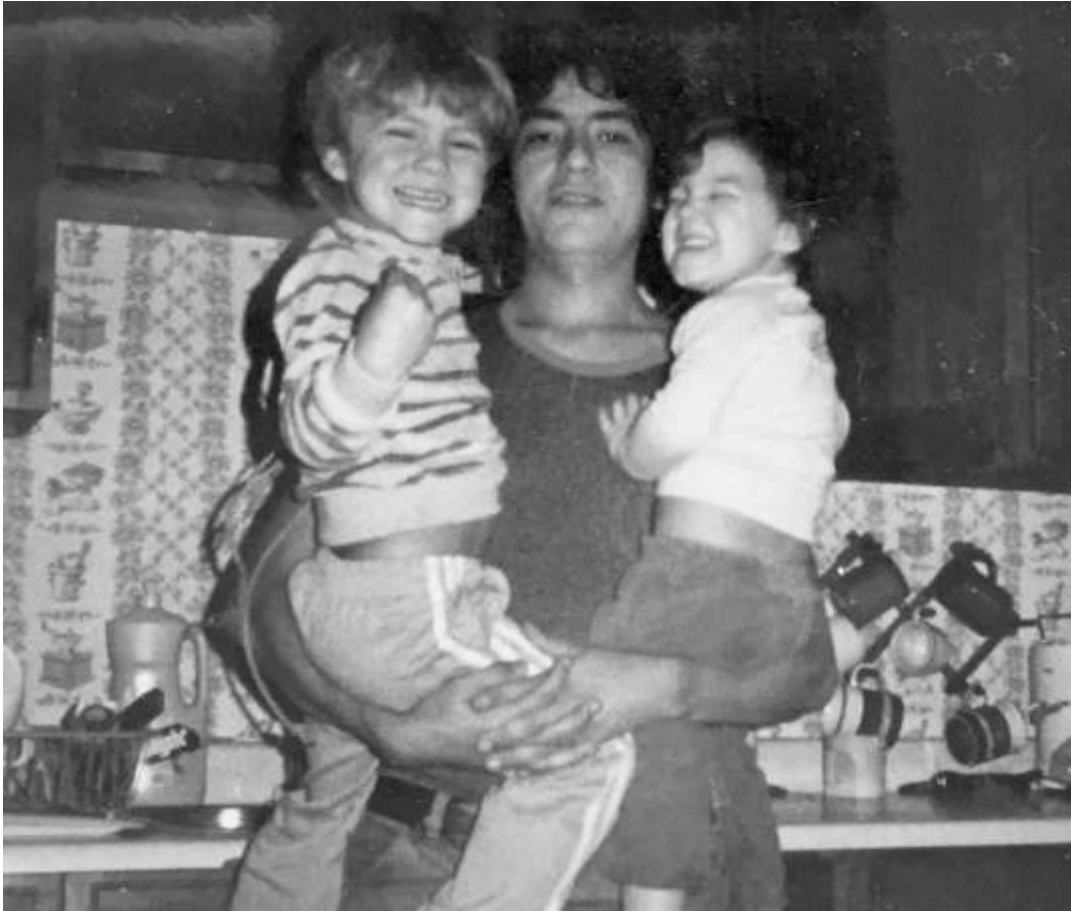
Miigwetch

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Between Membership & Belonging

LIFE UNDER SECTION 10
OF THE INDIAN ACT

DR. DAMIEN LEE



Credit: Mari Jo MacLaurin, c.1984

Positionality

- Adopted into Fort William First Nation as toddler in 1980
- Fort William First Nation band member but not a status Indian

SPECIAL REPORT

Between Membership & Belonging: Life Under Section 10 of the Indian Act

DOWNLOAD THIS REPORT 

Lee, Damien, and Kahente Horn-Miller. "Between Membership & Belonging: Life Under Section 10 of the Indian Act." Special Report. Toronto: Yellowhead Institute, 2022.

<https://yellowheadinstitute.org/between-membership-and-belonging/>.

Image copyright: Barry Ace



Between Membership & Belonging: Life Under Section 10 of the Indian Act

by Damien Lee and Kahente Horn-Miller

A Yellowhead Institute Special Report

Outline

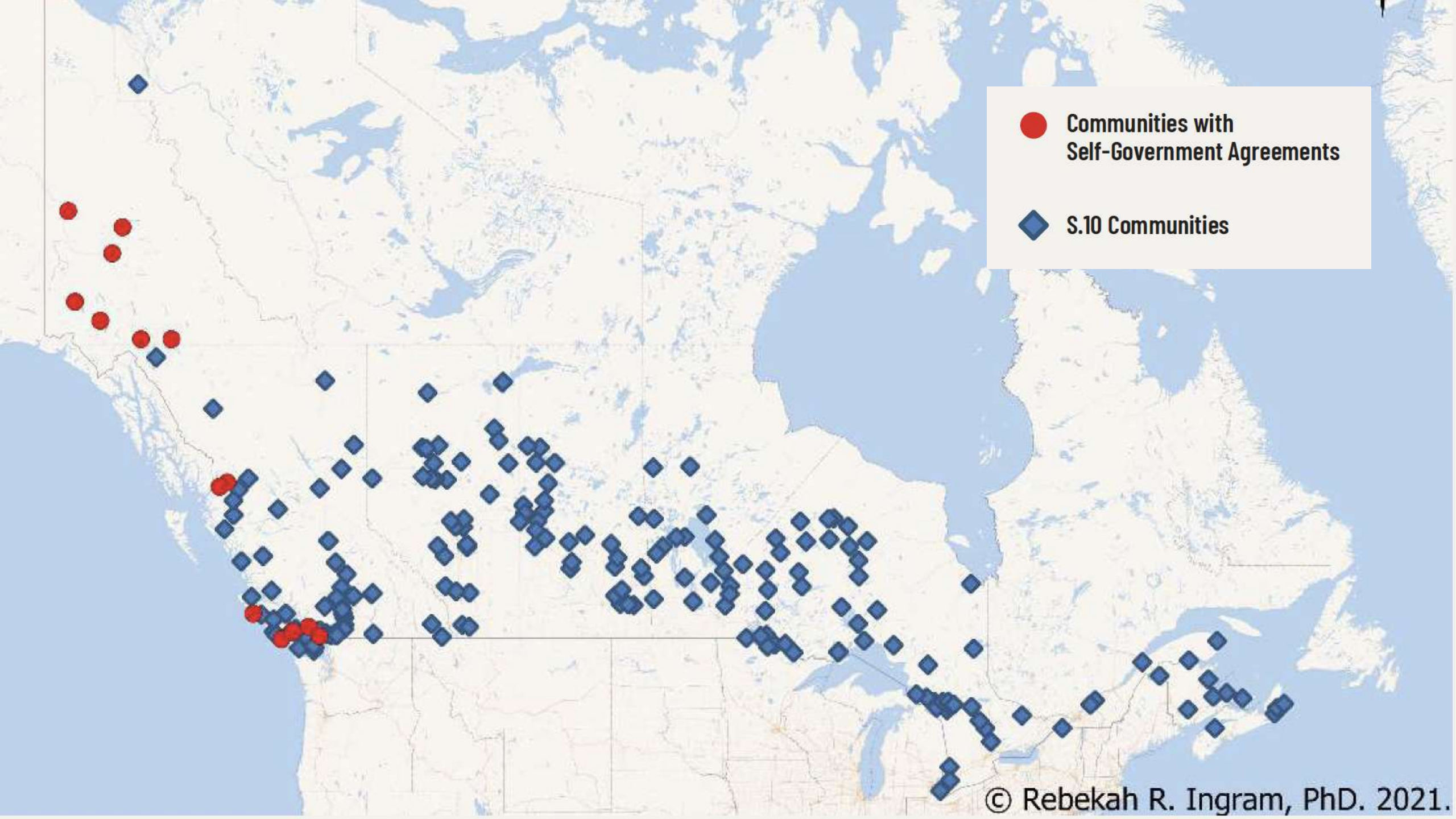
- Bill C-31
- What is “section 10” membership?
- Project findings
- Key takeaways
- Looking ahead: Bill S-2 impacts?

Bill C-31 and band membership

- Bill C-31 – *a bill to amend the Indian Act, 1985*
- Provided bands with the opportunity to write their own membership codes
- Allowed for membership to be separate from Indian status
- Fear of the “floodgates”
- Bands were allowed to block children of reinstatementees (Clatworthy 2005, 5-6; Painter, 2025, 278–79)

What is “section 10” membership?

- The “section” refers to specific sections in the *Indian Act*
- After Bill C-31 (1985), two sections dealt with band membership:
 - s.10 – bands control their own membership lists (self-governance)
 - s.11 – membership is determined by Canada (no direct control)
- Of the >630 First Nations, 241 wrote “membership rules” approved by Canada (approximately 1/3 of all bands)

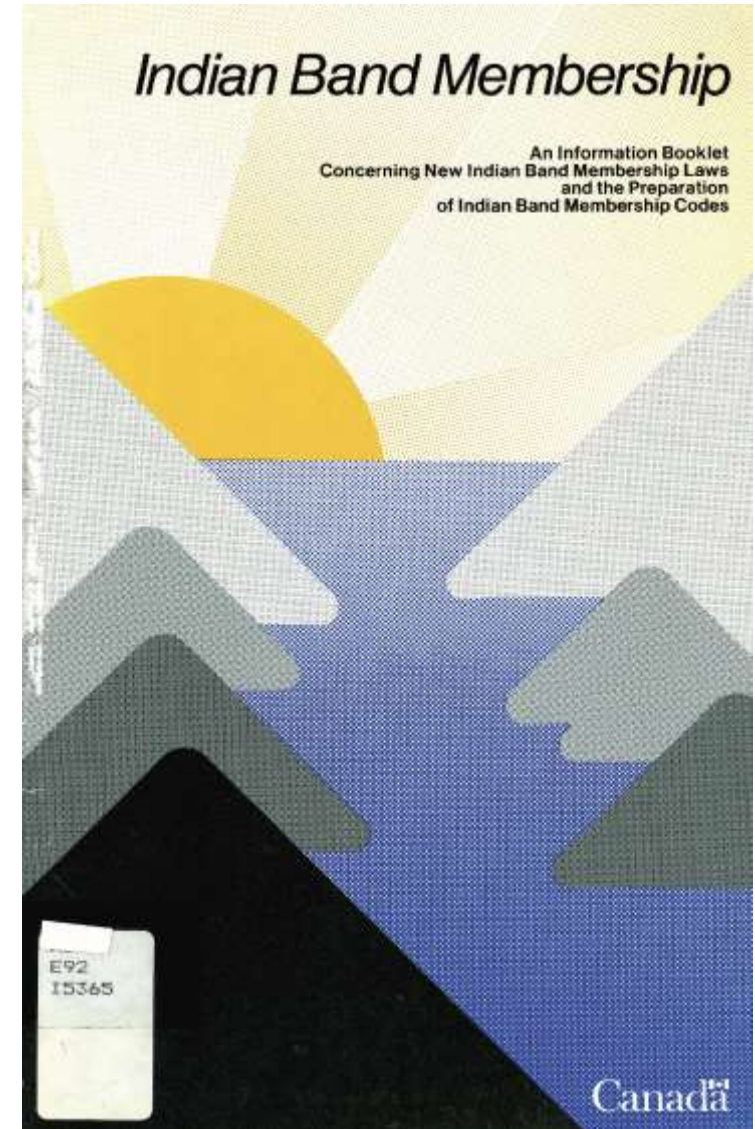


● Communities with
Self-Government Agreements

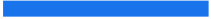
◆ S.10 Communities

Section 10 factoids

- Bands can still submit membership rules for approval
- Wide latitude in terms of criteria



What we learned



Findings summary

The nature of s.10

1. Internalized stereotypes
2. Membership as anchor

Impacts of s.10

3. Health
4. Kinship
5. Economic
6. Social

1. Internalized stereotypes

A review of the membership 241 membership codes:

- Many bands have reinscribed Indian status or blood quantum, whereas others decoupled membership from these.
- Fear of the “floodgates”: Membership reconceptualized as a burden.

2. Membership as anchor

People defined membership as part of identity:

- Being able to walk down the same roads and rivers as their ancestors
- Having moose stew, bannock and tea while speaking Cree

3. Health

- Emotional, mental, physical
- “Lack of self-esteem”
- Anger
- Depression

4. Kinship

- Participants noted tensions arising in their families (immediate and extended)
- Concerns about access to resources, social marginalization (“taking the band to court”), and equal treatment.
 - “What I wanted was a relationship with my family. And I knew that if I pursued band membership, then I wouldn’t get a relationship.” (Serafinchon qtd. in Pimentel, 2019, 1:58-2:08)

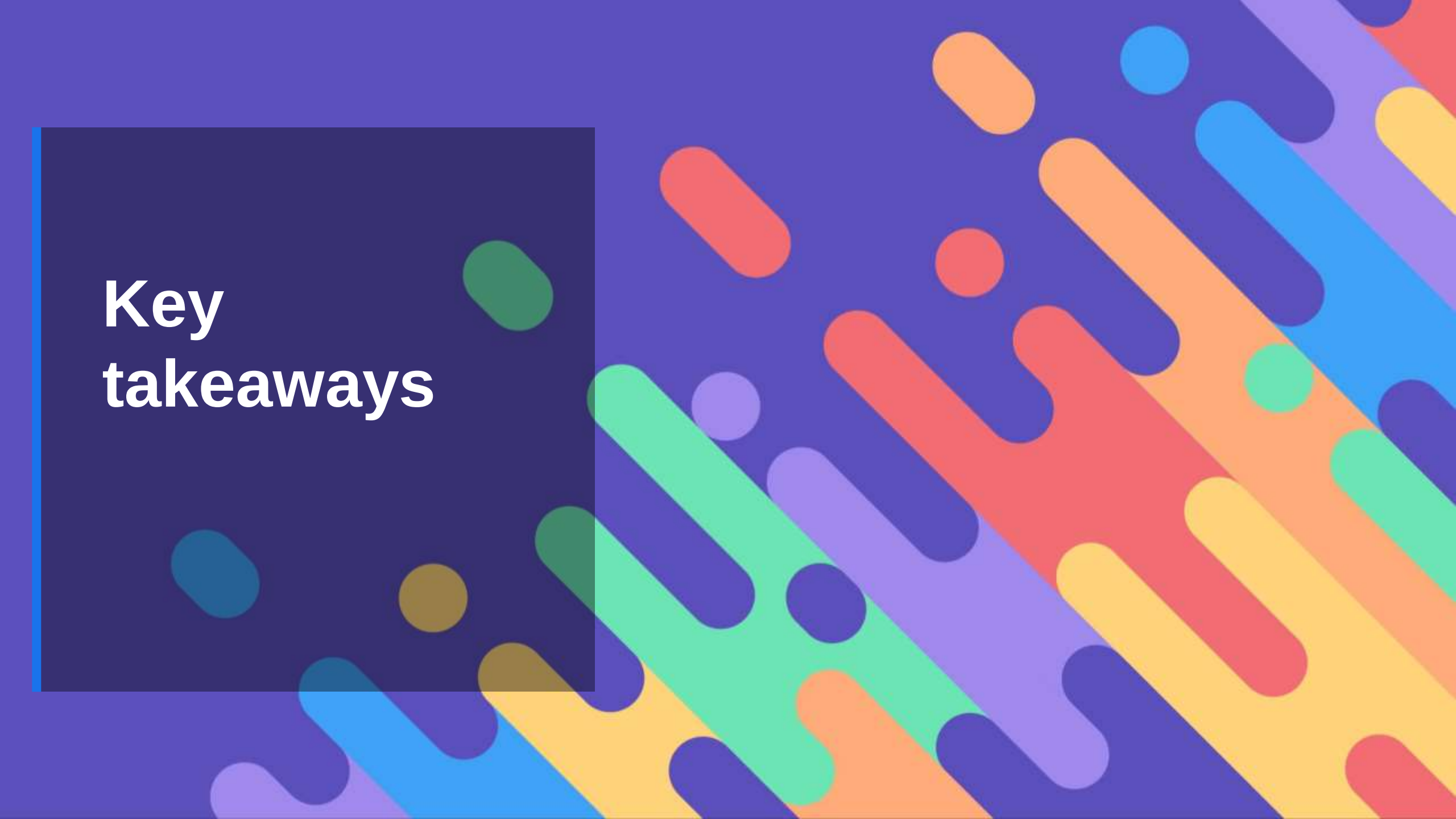
5. Economic

Denial of band membership also has impacts on daily financial matters

- Borrowing money for court cases
- Loss of access to reserve land and resources

6. Social

- Some noted that s.10 was being used to neutralize political dissent.
- Others alleged discrimination based on sexual orientation and family status.
- s.10 has been used to bar kin from membership. This isn't about Pretendians.

The background of the slide is a vibrant, abstract pattern of overlapping, rounded rectangular and circular shapes in various colors including orange, red, yellow, light blue, green, and purple. These shapes are scattered across the entire frame. On the left side, there is a dark blue rectangular box with a thin light blue border on its left edge. Inside this box, the text "Key takeaways" is written in a white, sans-serif font.

Key takeaways

Key takeaways

- Different perspectives:
 - It seems some bands view membership as a **burden** (economic, etc.)
 - Those fighting for membership see it as part of **identity** (anchor, root, etc.)
- Reproducing the *Indian Act*:
 - Requiring Indian status when code does not need to
 - Undermines kinship

Requiring status when not needed

Robinson Superior First Nations and band membership

Community	Band #	Membership authority	Status required?	Blood quantum?	Link
Animbiigoo Zaagi'igan Anishinaabek	194	Section 10	Yes	25%	Exploring Section 10
Biigtigong Nishnaabeg - Pic River	192	Section 11	Yes		Indian Act, 1985
Biinjitiwaabik Zaaging Anishinaabek - Rocky Bay	197	Section 11	Yes		Indian Act, 1985
Bingwi Neyaashi Anishinaabek - Sand Point	196	Section 10	Yes		Exploring Section 10
Fort William First Nation	187	Section 10	No		Exploring Section 10
Kiashke Zaaging Anishinaabek - Gull Bay	188	Section 11	Yes		Indian Act, 1985
Long Lake No. 58 First Nation	184	Section 11	Yes		Indian Act, 1985
Michipicoten First Nation	225	Section 11	Yes		Indian Act, 1985
Netmizaaggamig Nishnaabeg - Pic Mobert	195	Section 10	Yes and No		Exploring Section 10
Pays Plat First Nation	191	Section 10	No?		Exploring Section 10
Red Rock First Nation	193	Section 11	Yes		Indian Act, 1985
Whitesand First Nation	190	Section 10	No		Exploring Section 10

Key takeaways

- Different perspectives:
 - It seems some bands view membership as a **burden** (economic, etc.)
 - Those fighting for membership see it as part of **identity** (anchor, root, etc.)
- Reproducing the *Indian Act*:
 - Requiring Indian status when code does not need to
 - Undermines kinship
- Close to 30 legal cases since 1987

s.10 case law since 1987

- Close to 30 cases
- New cases continue to emerge

Section 10-relevant Case Law				
Citation	Date Decided	Prevailing Party	Section 10 Contribution Summary	Source Link
1 <i>Gros-Louis v. Huron-Wendat Nation</i> , [1990] 1 C.N.L.R. 46 (FC)	1988-10-25	The Respondents (Huron-Wendat Nation et al. / Minister of Indian and Northern Affairs)	This case clarifies the administrative transition of membership control under section 10 of the <i>Indian Act</i> . The Court ruled that an action to annul a Band's membership vote—which sought to assume control and exclude section 6(2) children—was premature and academic because the Minister had not yet officially transferred control under section 10(7). The Court affirmed that until the Minister acts, the Band does not have control, meaning children entitled to membership under section 11(2) automatically have the right to be entered on the Departmental band list once the two-year legislative transition period expires.	PDF Upload
2 <i>Courtois v. Canada (Dept. of Indian Affairs and Northern Development)</i> , 1990 CanLII 12440 (CHRT)	1990-02-12	The Complainants (Louise Courtois and Julie Girard)	This decision clarifies the limits of a Band Council's authority during the two-year transitional period provided for assuming control of membership under section 10 of the <i>Indian Act</i> . The Tribunal ruled that a Band Council cannot legally impose a "moratorium" to deny on-reserve services to children of women reinstated under Bill C-31 while developing its section 10 membership code, because section 11(2) guarantees their automatic entitlement to the Band list during this period. Furthermore, the Department of Indian Affairs cannot rely on a Band's anticipated section 10 autonomy to justify its own complicity in discriminatory practices based on sex and marital status.	https://canlii.ca/t/gb4tn
3 <i>Bigstone v. Big Eagle</i> , [1993] 1 C.N.L.R. 25 (FC)	1992-01-10	The Defendants (Laura Big Eagle et al.)	This case highlights issues surrounding the adoption of a constitution and the identification of band custom for a newly re-established band. The Court noted that a band list is important but not always conclusive for all purposes regarding who is entitled to the benefits of band membership, as the <i>Indian Act</i> definition includes those who are merely entitled to have their names on the list. The Court also established that determining band "custom" requires examining practices that have a broad consensus and general acceptance among band members.	PDF Upload
4 <i>McArthur v. Canada (Minister of Indian Affairs and Northern Development)</i> , 1992 CanLII 8090 (SK QB)	1992-04-04	The Respondent (Registrar, Department of Indian Affairs and Northern Development)	This case deals with the re-establishment of a Band and the addition of C-31 Indians to its membership list under section 12 of the <i>Indian Act</i> (which requires the consent of the admitting band council). The Court held that an "Interim Band Council" formed by consensus of descendants qualified as a "council chosen according to the custom of the band" capable of giving valid consent to add members, even though the Band had not yet formally assumed control of its membership under section 10.	https://canlii.ca/t/gS291

Looking ahead: Bill S-2 impacts?

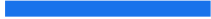
- 300,000+ more status Indians.
- The “floodgates” have never materialized
- Yet, some bands are citing fear about floodgates as a reason to write conservative membership codes that bar kin (replay of mid-1980s)
- Might a kinship approach to citizenship be better than reproducing the divisive s.10 membership codes? (I think yes)

Thank you

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Challenging the Second- Generation Cut-Off: Legal Recourse Following Senate Amendments to Bill S-2

**Anishinabek Nation E'Dbendaagzijig (Those Who Belong)
Naaknigewin Conference - August 19, 2026**

Justin Thompson - JFK Law

Overview – Key Points

Introduction

Purpose of Presentation: Potential Legal Challenge

Indian Act and Indian Status

The *Indian Act* - Longstanding Status Issues

The Second-Generation Cut-Off

Snapshot of (Some) Key Legislative Amendments to the Status Provisions

Bill S-2 - Recent Proposed Amendments to the *Indian Act*

Canada's Ongoing Consultative Process

Potential Charter Challenge

Indian Act - Ongoing Discrimination

Potential Section 35 Challenge

Key Considerations and Takeaway



Introduction

Justin Thompson

- Spirit name - Nimkii-binoojiinh - given prior to law school.
- Associate at JFK Law - based in the Toronto office.
- Member of Nipissing First Nation.
- Graduate of Osgoode Hall Law School.

JFK Law

- Based in Victoria, Vancouver, Toronto, Kahnawà:ke, and Montreal; represents Indigenous communities across Canada.
- Focus areas include Litigation and Dispute Resolution, Negotiations, Law Development, Economic Development, Governance, and Specific Claims.

Purpose of Presentation: Potential Legal Challenge

To share information about the current Status provisions & potential legal challenges on Status and membership

- JFK Law is exploring a legal challenge to section 6 of the *Indian Act*.
- If Canada refuses to eliminate the discriminatory second-generation cut-off on their own in Bill S-2, litigation can be used to force a conversation and take meaningful steps to address the issue.
- No guarantee on changes - success in court is never guaranteed, but there is a strong case to challenge section 6.
- We want to hear from you - First Nations - on this idea.

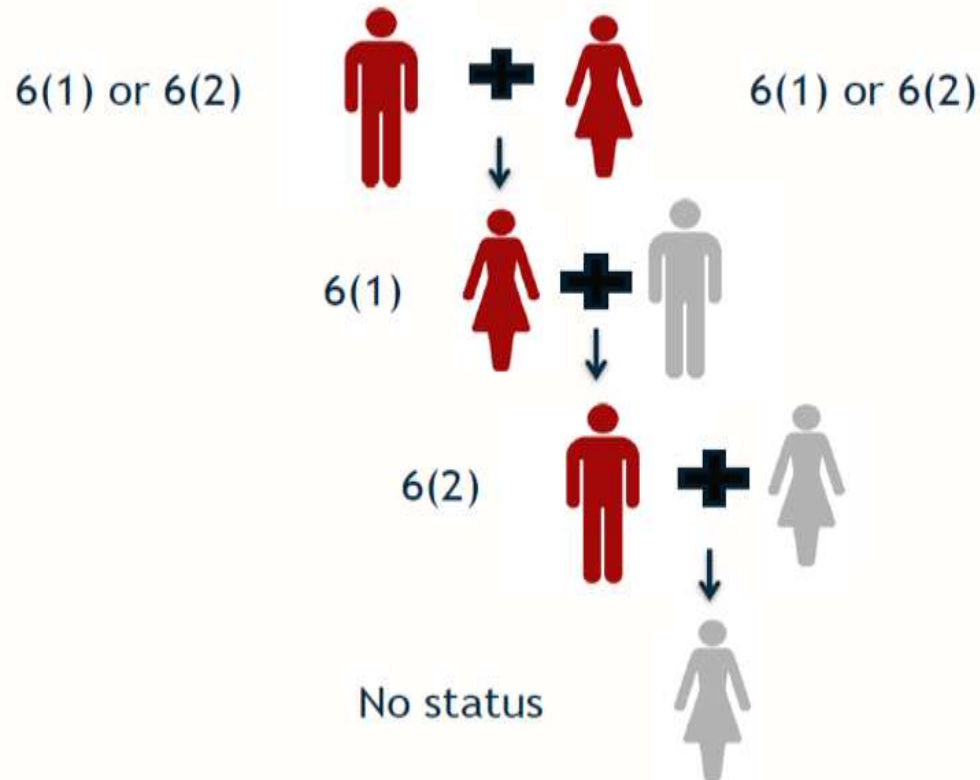


Indian Act and Indian Status

- Legal term “Indian” - Defined in legislation since 1868.
- “Indian Registry” created in 1951, maintained by Canada.
- Criteria from *Indian Act* decides who gets Indian status and who can pass it on - section 6(1) and (2) - section 6 = “Status provisions”
- S. 6 plagued with discrimination and used to assimilate First Nations people.
- Concepts like second-generation cut-off have continued to have deep, lasting impacts on First Nation individuals, communities and families.



The Second-Generation Cut-Off



Snapshot of (Some) Key Legislative Amendments to the Status Provisions since 1985

1985 *Indian Act* amendments - introduced second-generation cut-off and 6(1) and (2) concept.



2010 - Bill C-3 introduced to address gender-based discrimination highlighted in *McIvor* decision.



2017 and 2019 - Bill S-3 introduced to eliminate remaining sex-based registration inequities dating back to 1869.
Based on *Descheneaux* decision.

Why consider legal action at this time?

- The section 6 Status provisions are still discriminatory—specifically related to the ability of First Nations parents to pass on Indian status to their children and grandchildren.
- Section 6(1) and (2) as currently written create a two-tiered Status entitlement system with lasting impacts on communities, families, and individuals.
- Canada and its legislation should not control who is a member of a First Nation and who holds rights - part of a bigger conversation to be had.
- These impacts are what our proposed legal challenge is focused on.



Bill S-2 - Recent proposed Amendments to the *Indian Act*

- Senate of Canada has proposed replacing section 6(2) with a **single-parent rule** for passing on Indian status.
 - Senate voted to implement the changes but currently held up by the House of Commons.
- Change would repeal the discriminatory second-generation cut-off in the *Indian Act*.
- The Government of Canada & Indigenous Services Canada do not support the Senate amendments to remove the second-generation cut-off.

Canada's ongoing consultative processes

- ISC has engaged and consulted on the second-generation cut-off and the issue has come up in prior rounds of consultation on the Status provisions
- Process has been slow and many First Nations have been clear: the second-generation cut-off must go.
- Brief snapshot:
 - 2018/2019: Canada consulted First Nations on changes to *Indian Act* registration, membership, and citizenship.
 - June 2023: Canada committed to a consultative process exploring reforming the *Indian Act* and addressing Status and band membership issues in light of UNDRIP.
 - November 2023: Minister launched the “Collaborative Process on the Second-Generation Cut-Off and Section 10 Voting Thresholds” (appears to still be ongoing).
 - July 2026: Minister announced that she plans to introduce a First Nations Citizenship Law by the end of the year - expectation is that consultation will inform content of law.

Potential Charter Challenge

- 1) Legal challenge to the Status provisions (section 6) of the *Indian Act* based on sections 2 (freedom of association) and 15 (equality) of the Charter of Rights and Freedoms.
- Argument that the *Indian Act*, specifically section 6 and the second-generation cut-off, infringes upon First Nations individuals' rights by:
 - Restricting the rights of First Nations parents to pass on Indian status;
 - Restricting the rights of non-Status individuals to meaningfully be part of communities and access services available to Status relatives (NIHB, voting in community elections, membership in community, right to hold property and pass on reserve land to their descendants); and
 - Impacting the passing on of Treaty rights and exercising these rights.

Indian Act - Ongoing Discrimination

- The *Indian Act* and its Status provisions still discriminate on the basis of race, family status, and sex.
 - This discrimination is the basis for the legal challenge.
- Section 2 of Charter - Freedom of Association
 - Legal argument that Indian status rules impact the ability of First Nations people to determine their own membership and associate together.

Potential Section 35 Challenge

- 2) Could also challenge section 6 of the *Indian Act* based on section 35, arguing unjustified infringement of a First Nation's right to self government and to determine its citizens.
 - Could consider framing argument based on the United Nations Declaration on the Rights of Indigenous Peoples.
- Would examine the scope of a section 35 right to determine who is part of community membership and Canada's imposition on this process.
 - Further engagement is needed.

Proposed Legal Action

- Proposed legal action would be limited to discriminatory Status provisions in the *Indian Act* and challenging the second-generation cut-off.
 - Just challenging Canada's legislation as it exists and the barriers it creates - including lasting impacts.
- Could be brought individually or as a class action.
- Citizenship, law development, and membership going forward is for Nations to decide based on internal protocols.

What we are looking for:

- A strong representative or representatives to bring this legal claim forward, **if there is a desire to.**
 - Representative(s) could be:
 - An individual or family;
 - A First Nation or group of First Nations working together with affected members or their descendants; or
 - A First Nation organization.
- Looking for feedback from First Nations on this idea - any insight or thoughts on pursuing this.

Key Considerations

- Our presentation focuses squarely on Status provisions and ongoing discrimination related to this.
- We understand that there are other complex issues such as financial considerations related to Canada's funding of band lists and who Canada decides is "status" for the purposes of funding, differences between section 10 and section 11 band lists, and differences in the funding of members and membership between modern-treaty nations and pre-1975 treaty nations.

Takeaways

- A legal challenge to the Status provisions of the *Indian Act* is possible.
 - Right now, we are in the early stages - asking for feedback, looking for representative plaintiff (family, community, organization), considering legal position.
- No legal claim is absolute or guaranteed.
 - Courts have said that the Government can set **reasonable limits** on rights, balance individual rights vs societal interest via section 1 of the Charter.

Miigwetch



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ANISHINABEK NATION E'DBENDAAGZIIG NAAKNIGEWIN

REVISED DRAFT FOR DISCUSSION

Submitted by Dr. Jeannette Corbiere Lavell, Commissioner on Citizenship

E'Dbendaagzijig Conference Chippewas of Rama First Nation

August 19-20, 2026

ANISHINABEK NATION E'DBENDAAGZIIG NAAKNIGEWIN

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PREAMBLE

Ngo Dwe Waangizid Anishinaabe (*One Anishinaabe Family*)

Debenjiged gii'saan anishinaaben akiing giibi dgwon gaadeni mnidoo waadiziwin.
(*Creator placed the Anishinabe on the earth along with the gift of spirituality*).

Shkode, nibi, aki, noodin, giibi dgosdoonan wii naagdowendmang maanpii shkagmigaang.
(*Here on mother earth, there were gifts given to the Anishinabe to look after, fire, water, earth, and wind*).

Debenjiged gii miinaan gechtwaa wendaagog Anishinaaben waa naagdoonjin ninda niizhwaaswi kino maadwinan.
(*The Creator also gave the Anishinabe seven sacred gifts to guide them. They are*):

Zaagidwin, Debwewin, Mnaadendmowin, Nbwaakaawin, Dbaadendiziwin, Gwekwaadziwin miinwa Aakedhewin.
(*Love, Truth, Respect, Wisdom, Humility, Honesty, and Bravery*).

Debenjiged kiimiingona dedbinwe wi naagdowendiwin.
(*Creator gave us sovereignty to govern ourselves*).

Ka mnaadendanaa gaabi zhiwebag miinwaa nango megwaa ezhwebag, miinwa geyaabi waa ni zhiwebag.
(*We respect and honour the past, present and future*).

Anishinabek Nation Declaration on E'Dbendaagzijig

Debenjiged gii'saan anishinaaben akiing giibi dgwon gaadeni mnidoo waadiziwin.
(*Creator placed Anishinaabe on earth along with gift of spirituality*.)

Debenjiged kiimiingona dedbinwe wi naagdowendiwin.
(*Creator gave us sovereignty to govern ourselves*.)

Debenjiged kiimiingona E'Dbendaagzijig wi naaknigewag wi namaadziwag.
(*We belong to the land and follow our own laws*.)

Debenjiged kiimiingona gshkewiziwin wii-mkwenmangidwaa E'Dbendaagzijig.
(*We have the right to determine who our people are*.)

Dedbinwe gwa ggii-gkenmaanaanik E'Dbendaagzijig.
(*Through our own governance principles and structures we decide who belongs*.)

Kina kowaabindaamin shkakmikong, nibi, noodin, shkode, miinwaa kina bemaadziimgak miinwaa ezhi-nawendaasying.
(*Together, all of us, we take care of each other, earth, water, air, fire, and all our relations*.)

Mshkogaabwitownaanh gaa-miingwewiziying wi naagdawendizowin, wii-mnaadenmangid shkakmikwe miinwaa E'Dbendaagzijig, e-kidoomgak gaa-kidwaad nishnaabek naaknigewining gaa-zhibiigaadegiba – niizhing mdaaswaak-shi-nchwaaswi.

(We assert and exercise our inherent right of self-determination for the protection of our lands, and our E'Dbendaagzijiig as affirmed by the Anishinabek Nation E'Dbendaagzijiig Naaknigewin, 2009.)

Statement of Authority

The *Anishinabek Nation E'Dbendaagzijiig Naaknigewin (2009)* is a living law of the Anishinabek Nation. It is grounded in Anishinaabe law as expressed in *Ngo Dwe Waangizid Anishinaabe (2011)*, *Anishinabek Nation Chi-Naaknigewin (2012)*; and the *Anishinabek Nation Declaration on E'Dbendaagzijiig (2025)*.

Ngo Dwe Waangizid Anishinaabe is the *Preamble of the Anishinabek Nation Chi-Naaknigewin*. The *Anishinabek Nation Chi-Naaknigewin* was ratified through **The Pipe Ceremony** at the 2012 Anishinabek Grand Council Assembly, also known as the Anishinabek Grand Council Fire.

The *Anishinabek Nation Declaration on E'Dbendaagzijiig (2025)* was confirmed through **The Pipe Ceremony** at the 2025 **Anishinabek Grand Council Fire**. The Declaration and the *Anishinabek Nation E'Dbendaagzijiig Naaknigewin (2009)*, were integrated into the **Anishinabek Nation Bundle** as a **Sacred Scroll**.

Definitions

In this Law,

“Adoption” means the permanent establishment of a familial relationship in accordance with:

- a) Anishinaabe customary law or another applicable Indigenous legal order; and/or
- b) Applicable provincial, territorial, or federal law.

Adoption includes the customary adoption of a child or an adult where that adoption is recognized by Elders who come forward to affirm that the adoption took place in accordance with Anishinaabe Law.

“Anishinaabe Law” means the living laws, legal orders, principles, reciprocal relationships, processes, ceremonies, teachings, customary practices, and systems of governance of the Anishinaabe Peoples.

“Anishinabek” refers the spelling of used in the formal name of the Anishinabek Nation.

“Central Registry” means the official record maintained by the Anishinabek Nation containing prescribed information about persons whose recognition as E'Dbendaagzijiig has been confirmed by an Anishinabek First Nation.

“Citizenship Office” means the office established or designated by the Anishinabek Nation to administer the Central Registry and perform the functions assigned under this Naaknigewin.

“Clan” means families in reciprocal relationship with their more-than-human relatives: Hoof Clan, Bird Clan, Crane Clan, Fish Clan, Loon Clan, Bear Clan, and Maarten Clan and others that may be present and recognized within Anishinaabe communities

“Council Fire” means a traditional Anishinaabe gathering or decision-making process convened in accordance with Anishinaabe the laws, protocols, customs, and procedures. A Council Fire is a First Nation community meetings, Clan Councils, Confederacy Councils, Treaty Councils, or Anishinabek Nation Grand Councils, and others that may arise and recognized within Anishinaabe communities. Other Anishinabek Council Fires are B'Maakonigan, the Kinomaadswin Education Body, and Koganasowin.

“Commissioner on E’Dbendaagzijing” means the person appointed or recognized under Anishinabek Nation law to perform the functions assigned to the Commissioner under this Naaknigewin.

“Descendant”¹ means a person who traces their ancestry to an Ancestor or a member of one of the Doodemaag (Clans/Families) associated with Anishinabek First Nations, Treaties, and their territories. Descendants include a person whose ancestral relationship was established through adoption as defined in this Naaknigewin;

“Doodem/pl. Doodemaag” means a Clan of Anishinaabe Families recognized in Anishinaabe law, and recorded in oral histories, historical records, genealogies, customs or traditions of the First Nation;

“E’Dbendaagoz” means a person recognized under this Naaknigewin as “One Who Belongs.”;

“E’Dbendaagzijing” means the persons collectively recognized as “Those Who Belong.”;

“First Nation Law” means the law recognized by the Anishinabek First Nation

“Indian status” means registration as an Indian under the *Indian Act*, as amended.

“Naaknigewin” means law

“Registrar” means the person authorized by an Anishinabek First Nation to confirm, record, or communicate recognition of its E’Dbendaagzijing for the purposes of the Central Registry.

Vision

The purpose of this *Anishinabek Nation E’Dbendaagzijing Naaknigewin* is to protect and safeguard the Anishinabek, a Nation of People, One Anishinaabe Family, for all time.

The Anishinabek Nation reflects unity among autonomous Anishinabek First Nation communities. These First Nations’ E’Dbendaagzijing are connected through shared territory, identity, language, spirituality, law, history, culture, governance, and the Clan System.

This Naaknigewin honours both the unity of the Anishinabek Nation and the prerogative of each Anishinabek First Nation community to determine its E’Dbendaagzijing.

[Future Clause] This Anishinabek Nation E’Dbendaagzijing Naaknigewin was adopted by The Pipe Ceremony at the Anishinabek Grand Council Fire held at (place), on (date of adoption).

¹ Note: Similar to how Dr. Alan Ojiig Corbiere spoke about the Anishinaabe clan system expanding when people from other clans were adopted into the nation, descendancy is a malleable concept that can expand based on the political decision of a family/community to adopt a child or an adult into the nation.

As mentioned in s.3.3 of the Anishinabek Nation E’Dbendaagzijing Naaknigewin, adoption is included in the legal concept of descendant.

The Cornell Law School defines descendant to include adoption:

“A descendant is a person born in a direct biological line. For example, a person's children, grandchildren, and great-grandchildren are their descendants. In legal writing, the term "descendant" can have multiple meanings, including those who have been adopted as well as those who are descendants through lineal consanguinity. A person's stepchildren or the stepchildren of the person's descendants are not regarded as “descendants.”

Nature and Application of this Law

This Naaknigewin is an exercise and expression of the inherent jurisdiction and laws of the Anishinabek concerning identity, kinship, belonging and citizenship.

It recognizes the jurisdiction of an Anishinabek First Nation to determine its own E'Dbendaagzijig, in accordance with its laws, traditions, and governance processes.

Recognition as E'Dbendaagzijig under Anishinaabe law is distinct from registration as a status Indian or any entitlements under the *Indian Act* unless a provision expressly states otherwise.

Articles

ARTICLE 1. ANISHINAABE CREATION STORY (AADIZOOKONAAN)

- 1.1 Anishinaabe creation stories tell how the world was created and recreated. They ground this Naaknigewin in Anishinaabe worldview and remind us that Anishinabek are a Nation of People connected through creation, spirit, land, kinship, and shared gifts.

- 2.1 The Anishinaabeg Creation Story as told by Basil Johnston in *Ojibway Heritage*, 1987:

Kitche Manitou (The Great Spirit) beheld a vision. In this dream he saw a vast sky filled with stars, sun, moon, and earth. He saw an earth made of mountains and valleys, islands and lakes, plains and forests. He saw trees and flower, grasses and vegetables. He saw walking, flying, swimming, and crawling beings. He witnessed the birth, growth, and the end of all things. At the same time he saw other things live on. Amidst change there was constancy. Kitche Manitou heard songs, wailings, stories. He touched wind and rain. He felt love and hate, fear and courage, joy and sadness. Kitche Manitou meditated to understand his vision. In his wisdom Kitche Manitou understood that his vision had to be fulfilled. Kitche Manitou was to bring into being and existence what he had seen, heard, and felt.

Out of nothing, he made roci, water, fire, and wind. Into each one he breather the breath of life. On each he bestowed with his breath a different effence and nature. Each substance had its own power which became its soul-spirit.

From these four substances Kitche Manitou created the physical world of sun, stars, moon, and earth.

To the sun Kitche Manitou gave the powers of light and heat. To the earth he gave growth and healing; to the waters purity and renewal; to the winds must and the breath of life itself.

On earth Kitche Manitou formed mountains, valleys, plains, islands, lakes, bays, and rivers. Everything was in its place; everything was beautiful.

Then Kitche Manitou made the plant beings. These were four kinds: flowers, grasses, trees, and vegetables. To each he gave a spirit of life, growth, healing, and beauty. Each he placed where it would be the most beneficial, and to lend to earth the greatest beauty and harmony and order.

After plants, Kitche Manitou created animal beings conferring on each special powers and natures. There were two-leggeds, four-leggeds, wingeds, and swimmers.

Last of all he made man. Though last in the order of creation, least in order of dependence, and weakest in bodily powers, man had the greatest gift – the power to dream.

Kitche Manitou then made The Great Laws of Nature for the well being and harmony of all things and creatures. The Great Laws governed the place and movement of sun, moon, earth and stars; governed the powers of wind, water, fire, and rock; governed the rhythm and continuity of life, birds, growth, and decay. All things lived and worked by these laws.

Kitche Manitou had brought into existence his vision.

ARTICLE 2. USING OUR GIFTS

2.1 We are instructed to use our Gifts:

- 2.1.1 To honour the gifts given by the Creator and to exercise our sovereignty;
- 2.1.2 To keep our language and traditions alive and to respect and honour our ancestors and descendants.
- 2.1.3 To support the recognition of descendants of our Clans and Families who have maintained kinship and relationships with Clans and Families, and ancestral lands as E'Dbendaagzijig, and to provide opportunities for them to use their gifts, to be included and to be heard;
- 2.1.4 To support descendants of our Clans those Families who have been separated from their ancestral lands and communities as a result of Canada's colonial laws, policies, and practices, including policies of control and extinguishment, in restoring their relationship with their Clans, Families, ancestral lands and communities;
- 2.1.5 To care for Anishinabek in accordance with the *Anishinabek Nation Chi-Naaknigewin* (2012) and *Ngo Dwe Waangizid Anishinaabe*.

ARTICLE 3. PRINCIPLES OF ANISHINAABE E'DBENDAAGZIIG NAAKNIGEWINUN (LAWS OF BELONGING)

- 3.1 Every person brought into a Clan through birth or adoption belongs to that Clan.
- 3.2 Recognition as Anishinaabe E'Dbendaagzijig is based on a person being recognized through one Anishinaabe parent recognized as E'Dbendaagoz.
- 3.3 Anishinaabe individuals belong to the Anishinaabe Father's Clan and use those Clan Gifts to fulfill responsibilities. If the father does not have a Clan or does not know their Clan, the Marten Clan may adopt the individual.

- 3.4 Descendancy and belonging may also be understood through a person's Anishinaabe mother, her clan, and her family relationships. These relationships are recognized and respected.
- 3.5 The Clan and Family take precedence over the individual.
- 3.6 Clan belonging carries Gifts and responsibilities to acknowledge, respect, and care for our Clan Brothers and Sisters, across Turtle Island.
- 3.7 All E'Dbendaagzjig are equal in dignity and belonging. Anishinaabe law and traditions recognize the gifts, roles, and responsibilities assigned by the Creator to Anishinaabe men, Anishinaabe women, and Two-Spirited Anishinabek.
- 3.8 Anishinaabe E'Dbendaagzjig Laws recognize equality and inclusion of all genders in Anishinaabe economic, social, and political life to ensure safety and well-being.
- 3.9 Marten Clan adoption or maternal recognition, and other processes recognized under Anishinaabe law support belonging with non-binary, blended, adoptive, assisted reproduction, matriarchal, and/or evolving family structures.
- 3.10 Individuals shall be E'Dbendaagoz if they meet the criteria outlined in this law regardless of whether they have Indian status or not.

ARTICLE 4. LEGAL INTERPRETATION

- 4.1 The Anishinabek Nation does not accept colonial narratives, whether expressed through law, policy, or otherwise, that are unilaterally created or imposed in a manner that denies or diminishes Anishinabek sovereignty, inherent rights, and Treaty rights.
- 4.2 This Naaknigewin is not interpreted as accepting the authority of Canadian colonial laws or policies to determine who belongs to the Anishinabek Nation or to an Anishinabek First Nation.
- 4.3 The authority expressed through this Naaknigewin comes from the Creator and is exercised in accordance with Anishinaabe Law.
- 4.4 Any words or phrase written in Anishinaabemowin shall be understood according to their meaning within the Anishinaabemowin language. Where an Anishinaabemowin word or phrase differs in meaning from its English or French translation, the Anishinaabemowin meaning takes precedence.
- 4.5 The Anishinaabe E'Dbendaagzjig Naaknigewinun are to be interpreted according to Anishinaabe worldview, knowledge, legal traditions, and oral traditions.

- 4.6 The Appendices are provided for information and guidance and do not form part of the Anishinabek Nation E'Dbendaagzijig Naaknigewin.

ARTICLE 5. RELATIONSHIP OF LAWS

- 5.1 Each Anishinabek First Nation has the authority to determine its own E'Dbendaagzijig in accordance with its laws, legal traditions, and governance processes.
- 5.2 In matters concerning the determinations of an Anishinabek First Nation's E'Dbendaagzijig Naaknigewin, the Naaknigewinun of the Anishinabek First Nation take precedence within the Anishinabek Nation's Naaknigewinun and processes².
- 5.3 The Anishinabek Nation recognizes a person as E'Dbendaagoz when that person is recognized by Anishinabek First Nation in accordance with its laws and processes.

ARTICLE 6. ANISHINABEK NATION REGISTRY AND CITIZENSHIP OFFICE

- 6.1 The Anishinabek Nation may establish and maintain a central registry of E'Dbendaagzijig recognised by Anishinabek First Nations.
- 6.2 A person may be entered in the central registry upon confirmation of their recognition as E'Dbendaagzijig by the registrar or other authorized representative of an Anishinabek First Nation.
- 6.3 The central registry may be used to support the issuance of citizenship or official Anishinabek Nation documents such as passports.
- 6.4 The central registry may affirm the citizenship of an individual in writing upon request of that individual.
- 6.5 The Citizenship Office shall protect the confidentiality and security of personal information held in the central registry. Information may be collected, used, or disclosed only for an authorized purpose and in accordance with applicable Anishinabek Nation laws and policies.
- 6.6 The duties of the Citizenship Office may include communication of notices supporting the safety and security of E'Dbendaagzijig, subject to applicable privacy and confidentiality requirements.

² Section 5.2 means that a) citizenship in the Anishinabek Nation is solely determined by citizenship at the First Nation, and b) the First Nations are free to determine citizenship using a variety of approaches per the proposed "Framework of First Nation Laws of Belonging" document. Overall, the E'Dbendaagzijig Naaknigewin does not take a cookie-cutter approach to citizenship law development, or citizenship itself. However, it does recognize the paramountcy of Laws given by the Creator.

ARTICLE 7. AMENDMENTS

- 7.1 In accordance with the formula noted in Article 7, this Anishinabek Nation E'Dbendaagzijig Naaknigewin may be amended as proposed by:
- an Anishinabek First Nation;
 - the Commissioner on E'Dbendaagzijig; or
 - an established Anishinabek Nation Advisory Council.
- 7.2 A proposed amendment shall be presented at the Anishinabek Nation Grand Council for consideration and may be adopted by an Anishinabek Nation Grand Council Resolution.
- 7.3 The Commissioner on E'Dbendaagzijig may make technical amendments to correct spelling, grammar, numbering, or formatting, provided that the amendments do not change the substance or legal effect of this Naaknigewin.
- 7.4 The Commissioner shall report the minor technical amendments in writing to the Anishinabek Nation Grand Council.

Appendices

- Anishinaabe First Nation E'Dbendaagzijig Laws: Draft Template
- Anishinaabe Chi-Naaknigewin, 2012.
- Addendum to the Anishinabek Nation Declaration on E'Dbendaagzijig, 2025 – United Nation Declaration on the Rights of Indigenous Peoples.



E'Dbendaagzijig · Those Who Belong Citizenship and the Inherent Right

**E'Dbendaagzijig Naaknigewin Conference
Dwayne Nashkawa and Hillary McGregor
B'Maakonigan | 2026-08-20**



Purpose

- The Anishinabek Nation Governance Agreement (ANGA) recognizes each First Nation's inherent right to determine its own citizens.
- ANGA signatory First Nations are now developing citizenship laws. The authority is in their hands, and the work is underway in communities.
- Communities are defining belonging on their own terms and building what it takes to carry those laws in daily practice.

What this session covers

Where the inherent right stands after the ANGA, what communities are telling us belonging means, the work underway with the Nations, and what comes next.



Two Paths on Citizenship

Membership under the Indian Act	Citizenship under the ANGA
Canada defines who belongs through federal law	Each Nation defines who belongs through its own law
Band lists held by Indigenous Services Canada	Citizenship registries managed by the First Nation
Imposed criteria, including the second-generation cut-off	Criteria set by the Nation, rooted in Anishinaabe law and values
Changes arrive bill by bill, on Parliament's timeline	Laws move through the Nation's own process and timeline
No appeal process for decision-making	Redress and appeals built into the Nation's law

Bill S-2 amends Canada's rules. The ANGA recognizes each Nation's authority to write its own.

E'Dbendaagzijig and the Inherent Right



THE INHERENT RIGHT

What it means

Belonging is carried through family, kinship, language, ceremony and connection to territory. It existed long before the Indian Act and it never stopped.

What the ANGA recognizes

Through the ANGA (2022), signatory First Nations re-established legal recognition of their inherent authority to determine their own citizens, through their own laws.

What changes

Members of a band under federal law become citizens of a Nation under its own law. Who belongs becomes a question each Nation answers for itself.

The Law Starts in the Community



COMMUNITY-LED

Who leads

Each First Nation leads its own citizenship law development. The community determines what belonging means, what the criteria are, and what the process looks like. No two laws will be the same.

B'Maakonigan's role

We support with research, coordination, drafting and facilitation. We bring options and considerations. The decisions belong to the Nation at every step.

The importance of a community driven approach

A citizenship law carries weight when citizens see themselves in it. Laws built with the community hold up in practice.



What Communities Are Saying

COMMUNITY VOICES

We know who our people are

Elders and Grandmothers across the territory have said this since engagement began in 2007. The law's job is to reflect knowledge the community already holds.

Language and ceremony carry belonging

Communities consistently name language, ceremony and kinship as the ground citizenship stands on. They belong in the law and in the process that makes it.

Citizenship begins with welcome

Becoming a citizen calls for cultural preparation and welcome. Communities point to practices like baby-welcoming ceremonies as models for receiving a citizen.

Belonging is relational

Citizenship lives in connection to family, clan, community and territory, with accountability through Doodemag, ceremony and Elder validation.

This direction from communities is shaping every part of the citizenship law work.

Niigaan Zhaamin – Forward Together



Work Underway

ON THE GROUND

Community engagement and think tanks

First Nations are holding think tanks, focus groups and community sessions to define what belonging means in their own laws.

Citizenship registries

Nations are scoping what it takes to hold and manage their own citizenship registers; work Canada has administered on their behalf for 150 years.

Information management

Citizenship work is being paired with Nation-made information management law, so citizen records are governed by the Nation's own rules from the start.

Shared research and tools

An Information Clearinghouse, literature review, draft principles and a framework of options are being drafted for Nations to adapt to their own laws and values.



Principles Taking Shape

DRAFT · FOR COMMUNITY REVIEW

- Every citizenship law is unique to its First Nation and aligns with its Chi-Naaknigewin / Constitution.
- Laws are collectively determined by the Nation, rooted in Anishinaabe worldviews and legal orders.
- Laws reflect community culture and values: Each nation has its own interpretation of Anishinaabe teachings and systems: Inclusion of doodemag, kinship and ceremony are determined by the community.
- Each nation decides how to embed relational accountability – perhaps through clan systems, ceremony, and Elder validation.
- Laws respect the diversity within communities.
- Recognition of a citizen carries rights and obligations defined by the Nation.
- Citizenship laws will not lead to federal funding shortfalls. Funding will reflect the citizen population the Nation determines.

Niigaan Zhaamin – Forward Together

Building First Nation Capacity



STRUCTURE AND SUPPORT

Systems are needed to effectively implement laws

A citizenship law needs a registry, an application process, appeals and redress, records management and trained administrators. Passing the law is the beginning of the work. Communities must plan for all of it.

Roles stay clear

Staff prepare, committees advise, citizens shape and ratify the law, and Chief and Council set strategic direction and milestones. Clear roles keep a citizenship file moving and keep it community-driven from first draft to implementation.

Resourcing is a significant requirement

Implementation takes sustained investment in registries, systems and people. Federal funding commitments need to match the work Nations are taking on.



Next Steps

1

Governance Directors review

We are working on draft principles and a framework with the governance directors from B'Maakonigan Nations following their direction and feedback.

2

Communities review

The framework and principles go out to ANGA First Nations for review, discussion and revision on each Nation's own terms.

3

Engagement continues

Think tanks, focus groups, and information sessions with Elders, youth, and citizens outside the territory are determined by each nation's workplan

4

Nations make their laws

Each First Nation develops its citizenship law through its own process, with B'Maakonigan support where it's requested.



MIIGWETCH

Niigaan Zhaamin – Forward Together



Discussion Questions

1

Building Cultural Capacity

What Anishinaabe Aadziwin (knowledge), practices and supports are needed to ensure citizenship laws are grounded in Anishinaabe identity, language, and kinship?

2

Shared Governance and Accountability

What role can families, clans, Elders, staff, and Chief & Council play in citizenship decisions and oversight?

3

Procedural Fairness and Safeguards

How might applications, reviews, appeals and redress processes be designed to uphold First Nation values and procedural fairness?

Take these back to your community and keep the conversation going.



**ANISHINAABE
CHI-NAAKNIGWIN**

PREAMBLE

Ngo Dwe Waangizid Anishinaabe

Debenjiged gii'saan anishinaaben akiing giibi dgwon gaadeni mnidoo waadiziwin.

Shkode, nibi, aki, noodin, giibi dgosdoonan wii naagdowendmang maanpii shkagmigaang.

Debenjiged gii miinaan gechtwaa wendaagog Anishinaaben waa naagdoonjin ninda niizhwaaswi kino maadwinan.

Zaagidwin, Debwewin, Mnaadendmowin, Nbwaakaawin, Dbaadendiziwin, Gwekwaadziwin miinwa Aakedhewin.

Debenjiged kiimiingona dedbinwe wi naagdowendiwin.

Ka mnaadendanaa gaabi zhiwebag miinwaa nango megwaa ezhwebag, miinwa geyaabi waa ni zhiwebag.

Ngo Dwe Waangizid Anishinaabe

The Anishinaabe Chi-Naaknigewin is founded on Ngo Dwe Waangizid Anishinaabe and forms the Traditional Government of the Anishinabek Nation, within the Inherent, Traditional, Treaty, and Unceded Lands of Our Territories.

The Anishinabek Chi-Naaknigewin is proclaimed by the Peoples identifying as the Anishinabek Nation, who in exercising their Sovereign, Inherent, and Treaty Rights, now establish and empower the Anishinabek Nation Government as their Traditional Government.

Article 1 – Interpretation; In this Law

1.1 “Anishinaabemowin” refers inclusively to all languages of the Peoples belonging to the Anishinabek Nation.

1.2 “Anishinabek Nation” refers to those First Nation who together have proclaimed and signed this Anishinaabe Chi-Naaknigewin and includes “Our Territories”.

1.3 “Chi Naaknigewin” refers to the written constitution of the Anishinabek Nation.

1.4 “Dodemaag” refers to the traditional Anishinaabe clan system of governing which is based on the Seven Sacred Gifts and informs the roles and responsibilities of the Dodemaag represented by: Deer, Eagle, Crane, Turtle, Loon, Bear and Marten.

1.5 “E’Dbendaagzijig” refers to the citizens of the Anishinabek Nation, which are those people who are recognized as E’Dbendaagzijig by the Anishinabek First Nations or the Grand Council. In English E’Dbendaagzijig translates to those who belong.

1.6 “Grand Council” refers to the law-making authority of the Anishinabek Nation and is comprised of a Grand Council Ogiimah, Deputy Grand Council Ogiimah (k) and a representative of each First Nation of the Anishinabek Nation, all of whom must be citizens of the Anishinabek Nation.

1.7 “Ngo Dwe Waangizid Anishinaabe” refers to the preamble of the Anishinabek Nation, In English, Ngo Dwe Waangizid Anishinaabe translates to One Anishinaabe Family.

1.8 “Our Territories” refers to the fire, water, earth and wind of the inherent, traditional, treaty, and unceded lands of those First Nations identifying as the Anishinabek Nation, as established in Appendix A.

1.9 First Nation Resolution” refers to an official decision made by the Chief and Council of an individual First Nation.

Article 2 – Official Languages of the Anishinabek Nation

2.1 Our Language is Anishinaabemowin and English is a secondary language.

Article 3 – Citizenship of the Anishinabek Nation

3.1 Every person recognized as a E'Dbendaagzijig of an Anishinabek First Nation, or recognized as E'Dbendaagzijig by the Grand Council is a E'Dbendaagzijig of the Anishinabek Nation.

Article 4 – Principles of Government Structure of the Anishinabek Nation

4.1 The Anishinabek Nation Government shall be guided by the principles and way of life of the seven sacred gifts given to Anishinaabe, namely: Love, Truth, Respect, Wisdom, Humility, Honesty and Bravery.

Government Structure

4.2 The Anishinabek Nation Government shall be based on the Dodemaag system of governance.

4.3 The Anishinabek Nation Government will include the law-making authority, the Grand Council, and, an Elders Council, a Women's Council, and a Youth Council, to advise the Grand Council.

4.4 The Anishinabek Nation Government will fulfill the roles and responsibilities of the Dodemaag, including the administration of the day-to-day operations of government and the administration of a system of justice.

Article 5 – The Anishinabek Nation Law-Making Powers

5.1 The Anishinabek Nation has the inherent right bestowed by the Creator to enact any laws necessary in order to protect and preserve Anishinaabe culture, languages, customs, traditions and practices for the betterment of the Anishinabek.

5.2 The Grand Council shall enact Rules of Procedure to govern the Grand Council.

Article 6 – Anishinabek Nation E'Dbendaagzijig Participation and Consultation

6.1 The Anishinabek Nation Government will establish processes to ensure E'Dbendaagzijig participation and consultation in its law-making and policy procedures.

Article 7 – Institutions of the Anishinabek Nation Government

7.1 Through a decision of the Grand Council, the Anishinabek Nation Government has the authority to establish institutions for the administration of government.

Article 8 – Relationship of Laws

8.1 Anishinabek Nation laws and Anishinabek First Nation laws are equally operative; however, First Nation laws will take precedence.

Article 9 – Constitutional Amendment

9.1 The Anishinabek Nation Grand Council may propose an amendment by a majority decision and any proposed amendment(s) must be forwarded to the Elders, Women's and Youth Councils within 30 days.

9.2 After review by the Elders, Women's and Youth Councils, the Grand Council will consider the comments of the Elders, Women's and Youth Councils and decide whether to amend, withdraw or submit the proposed amendment to each Anishinabek First Nation community for approval.

9.3 If the Grand Council decides to proceed and submit the proposed amendment to each Anishinabek First Nation for approval, the Grand Council must obtain at least a majority approval by First Nation Council Resolution from the Anishinabek First Nations, in consultation with their citizens.

Article 10 – Admission of First Nations to the Anishinabek Nation

10.1 A First Nation may be admitted to the Anishinabek Nation by a decision of the Grand Council confirming the addition.

Article 11 – Withdrawing of First Nations from the Anishinabek Nation

11.1 A First Nation may withdraw from the Anishinabek Nation by way of a First Nation Resolution notifying Grand Council on the withdrawal.

Proclamation and Signatory

This Anishinaabe Chi-Naaknigewin is hereby accepted and proclaimed by the Peoples of the Anishinabek Nation, through the Grand Council of Chiefs, on this 1st day of May, 2018.

A handwritten signature in black ink, appearing to read "Glen Hare", written in a cursive style.

Grand Council Chief Glen Hare

The Anishinabek Nation is a political advocate for 39 member First Nations across Ontario, representing approximately 65,000 citizens. The Anishinabek Nation is the oldest political organization in Ontario and can trace its roots back to the Confederacy of Three Fires, which existed long before European contact.



Anishinabek Nation Head Office 1 Migizii Miikan, Nipissing First Nation
Toll-Free: 1-877-702-5200 or email info@anishinabek.ca
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ANISHINABEK NATION DECLARATION ON E'DBENDAAGZIJIG

**1. Debenjiged gii'saan anishinaaaben akiing giibi dgwon gaadeni
mnidoo waadiziwin.**

Creator placed Anishinaabe on earth along with gift of spirituality.

2. Debenjiged kiimiingona dedbinwe wi naagdowendiwin.

Creator gave us sovereignty to govern ourselves.

**3. Debenjiged kiimiingona E'Dbendaagzijig wi naaknigewag wi
namaadziwag.**

We belong to the land, and follow our own laws.

**4. Debenjiged kiimiingona gshkewiziwin wii-mkwenmangidwaa
E'Dbendaagzijig.**

We have the right to determine who our people are.

5. Dedbinwe gwa ggii-gkenmaanaanik E'Dbendaagzijig.

Through our own governance principles and structures we decide who belongs.

**6. Kina kowaabindaamin shkakmikong, nibi, noodin, shkode,
miinwaa kina bemaadziimgak miinwaa ezhi-nawendaasying.**

Together, all of us, we take care of each other, earth, water, air, fire, and all our relations.

**7. Mshkogaabwitownaanh gaa-miingwewiziying wi
naagdawendizowin, wii-mnaadenmangid shkakmikwe miinwaa
E'Dbendaagzijig, e-kidoomgak gaa-kidwaad nishnaabek
naaknigewining gaa-zhibiigaadegiba – niizhing
mdaaswaak-shi-nchwaaswi.**

We assert and exercise our inherent right of self-determination for the protection of our lands, and our E'Dbendaagzijig as affirmed by the Anishinabek Nation E'Dbendaagizig Naaknigewin, 2009.

Approved by the Anishinabek Nation Grand Council, June 4, 2025



ADDENDUM TO ANISHINABEK NATION DECLARATION ON E'DBENDAAGZIJIG

1. We have been on this land and governed this land since time immemorial.
2. The treaty rights shall be protected and practiced by our E'Debendaagzijig.
3. We will assert our Doodemaag system and adoption laws according to our kinships customs with key principle of inclusion and equality.
4. We will reinforce our traditional governance. principles and structures.
5. We will continue to teach our children our teachings and traditional ways as Anishinabek to protect the seventh generation
6. As Anishinaabe people we unite to address the changing landscapes of external government policies as it affects the Anishinabek Nation, our land rights, and our inherent rights.
7. We will continue to protect our spiritual laws as this is our connection to Creator and this is -part of who we are.
8. Further the *United Nations Declaration on the Rights of Indigenous People* (UNDRIP) reinforces our inherent right of self-determination: Article 3, 4, 8, 9, 33, 39, 42, 46.

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

- 2. States shall provide effective mechanisms for prevention of, and redress for:*
- (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;*
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;*
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;*
 - (d) Any form of forced assimilation or integration;*
 - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.*

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.

2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 42

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

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be nondiscriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.



Anishinabek Nation
E'Dbendaagzijig Naaknigewin



STRATEGIC WORKPLAN



E'Dbendaagzijig Strategic WorkPlan - October 2025 to June 2026

SUMMARY

Citizenship is a core responsibility of nationhood, and the Anishinabek First Nations, in line with their historical and traditional practices, have always held exclusive power to determine who belongs as members or citizens of its Nations, a power never relinquished, and authority inherent to its sovereignty and autonomy. We are committed to the pursuit of a renewed E'Dbendaagzijig Project (Project) to create provisions for the considerations of Communities to expand the Anishinabek Nation E'Dbendaagzijig Naakniagewin. It is our commitment to recognize the diverse experiences of Anishinabek Nation citizens, ensuring inclusivity, and enhancing the principles of the Anishinabek Nation Citizenship Law in honouring our future generations.

BACKGROUND – A Message from The Anishinabek Nation Commissioner on Citizenship, Dr Jeannette Corbiere Lavell

In 2009, the Anishinabek Nation Grand Council adopted the *E'Dbendaagzijig Naakniagewin*, a framework for Anishinabek First Nation citizenship laws. This framework law centres on the one-parent rule and is based on the inherent right of self-determination. The Citizenship Law was the response to the Government of Canada's Indian Status termination policies. Likewise, the *Anishinabek Nation Declaration on E'Dbendaagzijig*, 2025, is a guiding document, akin to, and integrating Anishinaabe Law and principles as expressed in *Ngo Dwe Waangizid Anishinaabe* (One Anishinaabe Family).

The Anishinabek Nation Declaration on E'Dbendaagzijig is the foundational, guiding document for Anishinaabe First Nations to assert our nationhood and implement our Anishinaabe citizenship laws. Our solution to the second-generation cut-off, voting thresholds, and the Indian Act is our Inherent Rights, Anishinaabe Law, and our Treaty Rights."

Canada is undertaking its Collaborative Process because of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and its United Nations Declaration on the Rights of Indigenous Peoples Act, which became law on June 21, 2021. Under the Act, the Government of Canada must work in consultation and cooperation with Indigenous peoples, to "take all measures necessary to ensure the laws of Canada are consistent with the UNDRIP." In Canada's Action Plan, Chapter 2 – First Nation Priorities, Canada's objective is to seek solutions "to make the Indian Act registration and band membership provisions more consistent with the UN Declaration until a clear consensus on a way forward on comprehensive change or the Act's repeal is possible."

E'Dbendaagzijig Strategic WorkPlan - October 2025 to June 2026

As Canada makes plans for amendments to and the repeal of the Indian Act, we are at a crucial time.

APPROACH TO MANDATES 2023 and 2025 – Development of Laws and Strategic Implementation Plan

The goal is to create a two-pronged approach:

1. External – Nation to Nation relationship with Canada: negotiate recognition of Anishinabek Citizenship Laws attached fiscal relationship to support those Laws and political activity to defend Anishinabek Nation inherent rights
2. Internal – Develop and implement Anishinabek Nation and First Nation Laws to exercise jurisdiction based on the principles of the *Anishinaabek Chi-Naaknigewin*, *E'Dbendaagzijig Naaknigewin* and the *Anishinabek Nation Declaration on E'Dbendaagzijig*.

Objectives:

1. External Political Strategy – Collaboration with ISC, Indigenous Advisory Process RE: Engagement and consultation on the Second-Generation Cut-off and Section 10 Voting Threshold, Bill S-2, Metis Nation of Ontario and others self-identifying as Indigenous, Active legal court cases, collaboration with provincial and national First Nations organizations.
2. Internal Engagement Strategy – Collaboration of Leadership Council, Commissioners, Nation Councils, Governance Department, B'Maakonigan, KEB, Koganaawsawin, Health Transformation and Departmental policy advisors. Develop the *E'Dbendaagzijig Naaknigewin*, 2009 per GCR 2023 and use the DRAFT REVISED *E'Dbendaagzijig Naaknigewin*, 2009 as a Template for toolkit to assist in drafting First Nations Citizenship Laws to engage with citizens. Develop and implement a robust Communications and Awareness strategy.
3. Fulfill the Commissioner's mandates in support of GCR 2023 and 2025

DELIVERABLES

1. External Political Strategy – Advocacy for the recognition of Anishinabek Citizenship Laws and defense of First Nation rights.
 - a. Second generation cut-off and s.10 voting thresholds
 - b. Bill S-2
 - c. Metis Nation of Ontario and other associations and organizations self-identifying as Indigenous
 - d. Active monitoring, issuing statements and potential legal action on current court cases
 - e. Collaboration with Chiefs of Ontario, Assembly of First Nations, Tribal Councils and First Nations on Metis and related issues

E'Dbendaagzijig Strategic WorkPlan - October 2025 to June 2026

2. Internal Engagement Strategy per ANGC Resolutions 2023 and 2025:

- a. Pipe Ceremony
- b. Citizenship and Leadership Meetings
- c. Collaboration of the AN Leadership Council, KEB, B'Maakonigan, and Koganaawsawin, Nation Councils, Commissioners and relevant Departmental analysts
- d. Building awareness on Citizenship/Indian Act Issues (2nd Gen Cut-off and s. 10 voting thresholds, UNDRIP Act and Bill S-2, Metis Nation of Ontario and others self-identifying as Indigenous)
- e. Build awareness on the *Anishinabek Nation Declaration on E'Dbendaagzijig 2025, E'Dbendaagzijig Naaknigewin, 2009*
- f. Expand Provisions of the Anishinabek Nation Citizenship Law: "E'Dbendaagzijig" - Those Who Belong and
- g. Creation of Toolkit to provide options for AN FNs to consider in drafting their Citizenship Codes – reference to other external Nation's approaches: Hedia and Nisga Nations, James Bay – First Nations Approval Process: traditional, customary community approval processes.
- h. Templates and guidelines for First Nations to engage citizens in development of First Nation Citizenship Laws
- i. Communications/awareness strategy

ACTION ITEMS TO SUPPORT EXTERNAL ENGAGEMENT STRATEGY

Item	Timeline	Responsibility	Commentary
EXTERNAL POLITICAL STRATEGY			
Anishinabek Declaration and Anishinaabe Laws Collaboration Meeting	November 2025	GCC, DGCC, SERC, Commissioner on Citizenship, Commissioner on Governance with technical support	Collaboration Meeting to develop political strategy and exercise inherent rights – Occupy the field

E'Dbendaagzijig Strategic WorkPlan - October 2025 to June 2026

		Governance team, B'Maakonigan	
Leadership Advocacy Feminist Alliance for International Action (FAFIA work: pressing Canadian governments to fully implement commitments made to women via international human rights treaties.	Ongoing	GCC, Political Office, E'Dbendaagzijig Commissioner	As per developed strategy Commissioner on Citizenship presents to Senate committee (Oct. 21) with Sharon McIvor, Dawn Lavell Harvard & Pam Palmater Emphasizing the one-parent rule, E'Dbendaagzijig Naaknigewin and Anishinabek Nation Declaration on E'Dbendaagzijig Includes Bill S-2, Collaborative Process, AN Declaration and E'dbendaagzijig Naaknigewin
ISC – INDIGENEOUS ADVISORY PROCESS Anishinabek Nation Demographic Data	October 2025 to June 2026	Paula Sewter, Alexa Hajjar, ISC	Collaboration with ISC, Indigenous Advisory Process – engagement and consultation on the Second-Generation Cut-off and Section 10 Voting Threshold ISC
AN collaboration with ISC on behalf of Grand Council and Anishinabek First Nations	October 2025 to passage of legislation in Winter 2027	E'Dbendaagzijig Commissioner SERC Marsha Smoke Governance	Ongoing technical collaboration to support the Anishinabek Nation and First Nations to cooperate on “indigenous-led solutions” Securing funding support for the implementation of engagement activities on the Solutions – 2 nd Generation Cut-off, Section 10 Voting Threshold AN review of ISC survey to individual rights holders. Request to be member of ISC legal review of options for solutions January 2026 Engagements to begin in Summer 2026
Bill- S2 – An act to amend the registration	October-2025 June 2026	Political Office SERC Marsha Smoke	Provide background and analysis on Supreme Court of Canada decision in Nicholas v. Canada and current court cases on enfranchisement and Metis Nation of Ontario

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<i>provisions of the Indian Act</i>		Commissioners Jeannette Corbiere Lavell, Patrick Madahnbee, Technical support	Commissioner on E'Dbendaagzijig to present to the Senate Committee on October 21, 2025 Attend hearings virtually
Metis Nation of Ontario and other organizations and associations		Leadership Council, SERC, Commissioners	Some other organizations associations are: Painted Feather Woodland Metis, Red Sky Independent Metis Nation)
Active Court Cases and Petitions re: Identity Fraud	On-going	Leadership Council, SERC, Legal Communications Governance	Nicholas case (enfranchisement) and Bocchini case (Indian Affairs removing persons from Band List and offering Metis scrip to enfranchise, Temagami challenge to Ontario-Metis Harvesting Agreement, Petition E-6605 to House of Commons by Pikwakanagan First Nation member
Collaborate with Chiefs of Ontario and Assembly of First Nations on Citizenship and Metis assertions	On-going	Leadership Council, Commissioners on Citizenship and Governance team	Collaboration with Lake Huron Regional Chief who is COO lead regarding Metis assertions and identity fraud Procurement by self-identification and fraudulently accessing contracts with ISC and Government of Canada also an issue

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ACTION ITEMS TO SUPPORT INTERNAL ENGAGEMENT STRATEGY

Item	Timeline	Responsibility	Commentary
CEREMONY	Fall Grand Council – November 4/5, 2025	Governance Department, AN Getzit – Richard Assinewai	In support of GC Resolution 2025, implement ceremony Prepare document for ceremony and inclusion in Anishinabek Nation Bundle
REPORT – AN GRAND COUNCIL	Work Plan October 1 – June 1 2026	Draft by September 29, 2025 Review draft October 10	In support of GC Resolution 2025, present work plan Review and input by Jeannette, Marsha, Patrick, Governance, B'Maakonigan Present at Grand Council November 4-5, 2025
WORKING GROUP Anishinabek Nation Working Group - to develop a revised Draft E'Dbendaagzijig Naaknigewin	November 2025	Commissioners on Citizenship and Governance, SERC, Governance team, B'Maakonigan	An internal working group to create the first draft of the revised E'Dbendaagzijig Naaknigewin. Review and commentary by Commissioners and Nation Councils. B'Maakonigan, Justice, Child Well-Being, Education, and Health all have substantive interactions with the topic and may be able to assist in review and input.
RESEARCH Academic and Legal Research on Anishinabek Citizenship Practices	Provide links and summaries To existing resources Create AN Report	Contract Toronto Metropolitan University - Dr. Damien Lee? Graduate students?	What are the different recognitions of Anishinaabe Citizenship and how do they relate to one another? - Anishinaabe Law – Declaration on E'Dbendaagzijig, Anishinaabek Chi-Naaknigewin - Canadian Law - Indian Act - International Law – UNDRIP - White Earth Anishinabe Nation Create E'Dbendaagzijig Naaknigewin Academic Report, much like the Anishinabek Legal Traditions Report

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			Academic and Legal – Lindsay Burrows, Toronto Metropolitan University, Bruce Mclvor, Darryl Leroux, and others. Chiefs of Ontario, Assembly of First Nations resources.
ENVIROMENTAL SCAN Anishinabek Nation	November 2025	Governance Staff, Contractor Mary Laronde	Survey - Establish Directory of Contacts Do you have a current Membership/Citizenship Code? Are you in the process of amending the Code at the moment? Are you aware of the Anishinabek Nation Declaration on E'Dbendaagzijig and the E'Dbendaagzijig Naaknigewin? Is a Citizenship Law something that your community may undertake now or in next few years? Contact for each FN Membership Clerk, Registration Administrator.
ENGAGEMENT AND COLLABORATION STRATEGY With FNS participating in Second-Generation Cut-Off/S.10	Letter of invite and follow up virtual meeting November 2025	Commissioner on Citizenship and Governance	Contact information By invitation only, targeted specifically at getting an Anishinabek-specific general report concerning the Second-Generation Cut-Off. Engagement w/ Chiefs and Membership/Registration Personnel in ISC process. Roll-Up Report
Leadership And First Nations Meetings RHT/RST B'Maakonigan	November 2025 to June 2026	Commissioner on Citizenship, SERC, GCC, DGCC, Governance team, RHT/RHT reps re: research B'Maakonigan	Build awareness and support for strategies and approaches. Follow up on requests from Scugog, Curve Lake, Garden River. Discussion on historical work and approaches to determine citizens/membership/beneficiaries Ongoing collaboration with B'Maakonigan
4 Virtual Nation Events with Keynote Speakers:	November 26, 2025 December	Governance Department staff Contractor	Keynotes: Clans and Relations-Alan Odjiig Corbiere; Metis Nation of Ontario Identity Theft-Darryl Leroux; Belonging and Identity-Damien Lee; Citizenship Laws-Bruce Mclvor)

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<i>"E'Dbendaagzijig Laws are Necessary"</i>	2025 January 2026 February 2025	Communications, Commissioners, SERC, B'Maakonigan	Updates on ISC Collaborative Process; Bill S-2; 2 hours each 7-9 PM
4 Regional In-Person Workshops (or Nation Gathering-same cost) Family Trees and Clans: <i>Maamwe</i> <i>K'Debendaagzime (We All Belong)</i>	February 2026 March 2026 April 2026 May 2026	Governance Department staff, Contractor, Communications, Commissioners SERC, B'Maakonigan	2-day events to: Workshop family trees and clans (with Grandmothers and Women) Review revised draft Anishinabek Nation Citizenship Law Models for Citizenship Engagements and ratification/community referenda
TOOL KIT & RESOURCES Draft E'Dbendaagzijig Naaknigewin Toolkit for First Nations	October- November 2025	Commissioners on E'Dbendaagzijig and Governance, SERC, B'Maakonigan Governance team, Contractor	Draft revised E'Dbendaagzijig Naaknigewin with options and discussion paper. Based in Anishinabek law, for Anishinabek Nation First Nations to consider when undertaking to create their own Citizenship Law. FAQs, Information sheets, Handbook for citizen engagement See Communications Strategy below for additional
COMMUNICATIONS/ AWARENESS STRATEGY	Grand Council November 2025 for poster On-going	Governance team, E'Dbendaagzijig Commissioner, Communications	Poster of Anishinabek Nation Declaration on Citizenship for distribution to communities Video clips Social media Podcasts Communiqués News articles 2-pager

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E'Dbendaagzijig Information Website home	In Progress	Jeanette, Dave, Communications Governance B'Maakonigan	E'Dbendaagzijig Website Content: Anishinabek Nation Declaration on E'Dbendaagzijig Research Links FAQs Collaborative Process Section S-2 Update Section Communiques
S-2 Communique and Update on issues	Monthly	Citizenship Commissioner Communications Political Office Governance	From Commissioner Corbiere Lavell & GCC
Updates to Leadership on Issues pertaining to E'Dbendaagzijig Laws and Developments	On-going	Citizenship Commissioner, Governance team	Grand Councils, Regional Meetings, at every opportunity

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APPENDIX 1

INDIAN ACT STATUS BACKGROUNDER

Adapted from Wahkohtowin Governance Lodge Resource ([linked here](#))

Year	Name	Effect
1850	Act for the better protection of the Lands and Property of the Indians in Lower Canada	“First Nation systems of governance and cultural norms were undermined and displaced by the many actors of colonialism. The efforts of colonial administrations included the introduction of legislation that determined who could be considered "Indian" for the purposes of residing on Indian reserves. The definition of Indian in colonial legislation (1850 to 1867) was broad based, mostly sex neutral and focused on family, social and tribal or nation ties. While the term Indian was often interpreted broadly, the authority to determine who was an Indian shifted to government control beginning in 1869.” – from INAC website
1869	Gradual Enfranchisement Act	For the first time, women who married non-Indian men were stripped of their status. And, if women married outside their band (even to a status Indian) they lost membership in their home community. Women lost the right to vote in band elections.
1876	Indian Act	Previous laws are consolidated in 1876 under the Indian Act. A status Indian is (1) any male person of Indian blood reputed to belong to a particular band, (2) any child of such a person, (3) any woman who is lawfully married to such a person. Any woman who married a status Indian gained status. However, any status Indian woman who married a non-status Indian lost their status.
1920	Indian Act (amended)	Band councils are stripped of their power to financially support women who lost band membership for marrying outside the band. The Governor in Council can also forcibly enfranchise men (along with their wife and children). To be enfranchised is to lose Indian status. The impacts of being enfranchised were severe. Enfranchised individuals lost all rights associated with being a status Indian and band member. This includes the right to live on reserve, vote in band elections, receive financial support from the band etc.
1951	Indian Act amended	The new ‘paper blood’ system based on an “Indian Register” replaces the 1876 system. Only people in the registry are considered Indian by the government. The following people have status: (1) individuals with status under previous Acts and their male

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		descendants; (2) band members and their male descendants; (3) the legitimate child of a male descendant; or (4) the illegitimate child of a female descendant. Note: status for wives and children is explicitly dependant on the status of the male husband or father. The following individuals are prohibited from having status: Métis who received lands, money or scrip, and their descendants; and children from mixed marriages. In 1956, this was amended so the Governor in Council can decide which mixed-marriage children were enfranchised (lose status). In practice, children on reserve kept status, but those off-reserve lost status.
1981	Lovelace Decision	The UN Human Rights Committee found it was not reasonable that the Indian Act denied Ms. Lovelace the right to reside on the Tobique Reserve. Without living on reserve, she could not participate in her community. The Government of Canada violated Ms. Lovelace's rights as a member of a minority.
1982	Section 15 of the Charter of Rights & Freedoms	The repatriated Constitution prohibits discrimination on the basis of sex. & Section 35 of the Constitution Act, 1982 recognizes and affirms the rights of aboriginal peoples. People had high expectations the Charter (part of the Constitution) would end the discrimination in the Indian Act. However, many Indigenous women continued to face discrimination in their communities.
1985	Bill C-31 (Response to the Charter & Lovelace Decision)	Two major changes were made to the Indian Act. First, a new registration system was created. It has two streams, the old patrilineal (male lineage) registration scheme and a new registration scheme for people previously excluded under discriminatory rules. The following people could now apply for Indian status (1) persons who have a mother and paternal grandmother who is Indian (double mother rule), (2) women who had married non-Indians, (3) individuals who had been forcibly enfranchised for practicing medicine or law, spending 5 years outside of Canada etc. Second, Indian status was separated from band membership. This continues today. Bands can control their membership and create their own membership codes. However, the Government of Canada will provide funding to bands for status Indians, not all band members.
2009	Mclvor Case	This case raised the issue of the 'double mother' rule. If a person has Indian status from a grandmother reinstated after 1985 and mother, they will not be able to pass status onto their children. However, if a person was under the 1951 patrilineal model (with a male grandparent) and subject to the double mother rule, they would have status under s

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		6(1)(c) and could pass status onto their children. The British Columbia Court of Appeal ruled this unequal treatment is discriminatory. It was up to Parliament to fix the inequality.
2010	Bill C-3 Gender Equity in Indian Registration Act (Response to the McIvor Case)	This Bill attempted to fix the problem raised in McIvor. It created new rules so the descendants of women (who lost status for marrying non-Indian's) could pass on Indian status to their children.
2015	Descheneaux Case	The case concerns Mr. Descheneaux, Ms. Tammy Yantha and their descendants. Both Mr. Descheneaux and Ms. Yantha were born between 1951 and 1985 and were unable to pass status onto their children as they had status under s 6(2). Mr. Descheneaux's grandmother married a non-Indian man between 1951 and 1985. If Mr. Descheneaux's status Indian grandparent was male, he would be able to pass status onto his children. Ms. Yantha was the illegitimate daughter of a status Indian man and nonIndian woman born. If Ms. Yantha was born male, she would be able to pass status onto her children. The judge ruled Bill C-3 did not fully remedy the Indian Act. The membership provisions continued to discriminate on the basis of sex. The court gave Parliament 22 months to fix the membership provisions.
2017	Bill S-3 (Response to the Descheneaux Case)	The Government of Canada responded to Descheneaux by creating new rules under s 6(1)(c) and s 6(2). Now 'cousins' and 'siblings' who are born between 1951 and 1985 are equally entitled to status. The same applies for individuals whose parents were married between 1951 and 1985.
2017	Gehl v. Canada	Justice Sharpe's concurring reasons sent a strong signal that the application of the Proof of Paternity Policy in cases of unknown or unstated paternity results in discrimination on the basis of sex, contrary to s. 15(1) of the Charter. His reasons offer a strong precedent for other individuals who seek to register in spite of unknown and unstated paternity. There now exists a form to prove unknown or unstated paternity issues for the registrar.
2022	Nicholas v. AGC	On January 6, 2022, the Nicholas abeyance agreement came into force, with the understanding that the Government of Canada would initiate the Parliamentary process required to propose the legislative change needed to address enfranchisement related inequities.

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2022	C-38 An Act to amend the Indian Act (new registration entitlements) (response to the Nicholas Abeyance)	Currently at second reading in the House of Commons, will require yet require amendments at the Senate. The text of the bill can be read here: https://www.parl.ca/DocumentViewer/en/44-1/bill/C-38/first-reading
2023	Collaborative Process on the Second-Generation Cut-Off and Section 10 Voting Thresholds	A recommendation was issued, during the consultation for C-38, that a separate, in-depth consultation process be undertaken in order to allow rights-holders the opportunity to consider options for solutions to this issue. Today, the work of the Collaborative Process on the Second-Generation Cut-Off and Section 10 Voting Thresholds has been simultaneous to the work on Bill C-38.
2025	Bill S-2 introduced – (replaces Bill C-38)	https://www.canada.ca/en/indigenous-services-canada/news/2025/09/government-of-canada-moves-forward-on-bill-s-2.html September 24, 2025, Statement of Minister Mandy Gull-Masty – amendments expect 3,500 people to register under the Indian Act; responds to Nicholas case; extension to April 2026 to pass legislation; work closely with First Nations to develop legislative reform options that address the Second-Generation Cut-Off and Section 10 Voting Thresholds.

CITIZENSHIP AT THE ANISHINABEK NATION

<https://anishinabek.ca/departments/governanceactivities/edbendaagzijig/>

Resolutions

Approval of the Anishinabek Nation Declaration on E'Dbendaagzijig - 2025

[Support to Expand E'Dbendaagzijig Citizenship Law - 2023](#)

[Anishinabek Nation E'Dbendaagzijig Naakniagewin - 2009](#)

[Acceptance of Chiefs Committee on Governance - 2007](#)

[Support for the Mclvor Decision - 2007](#)

[Secure Certificate of Indian Status - 2006](#)

[First Nation Membership - 1993](#)

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[Transferring Membership - 1988](#)

[Draft Membership Code - 1983](#)

Presentations

[E'Dbendaagzijiig Conference Report 2011](#)

[Citizenship as a Catalyst for Nationhood - 2011 - Commission Lavell Corbiere Presentation](#)

[Estimating the Population Impacts of the E-Dbendaagzijiig Naaknigewin - Four Directions Project Consultants](#)

Custom Membership Codes Anishinabek Nation

[Algonquins of Pikwakanagan](#)

[Aundeck Omni Kaning](#)

[Henvey Inlet](#)

[M'Chigeeng](#)

[Mississauga #8](#)

[Ojibways of Garden River](#)

[Serpent River](#)

[Sheshegwaning](#)

[Biinjitiwaabik Zaaging Anishinaabek](#)

[Fort William](#)

[Pays Plat](#)

[Chippewas of Georgina Island](#)

[Mississaugas of Scugog](#)

[Chippewas of Kettle and Stony Point](#)

[Thessalon](#)

[Whitefish River](#)

APPENDIX 2

Anishinabek Nation Governance Agreement - Provisions on Citizenship

Anishinabek Nation E'Dbendaagzijiig Law

- 4.1 The Anishinabek Nation has the power to enact laws with respect to the rights, privileges and responsibilities associated with being an E'Dbendaagzijiig in the Anishinabek Nation.
- 4.1 A person who is an E'Dbendaagzijiig of a First Nation is deemed to also be an E'Dbendaagzijiig of the Anishinabek Nation.
- 4.1 The Anishinabek Nation will establish and maintain a list of all of its E'Dbendaagzijiig.

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4.1 Nothing in this Agreement confers or denies, or is intended to confer or deny, rights of entry into Canada or grant
7 Canadian citizenship.

4.1 In the event of a Conflict between an Anishinabek Nation law enacted pursuant to section 4.14 and a First Nation law
8 enacted pursuant to section 5.12, the First Nation law will prevail to the extent of the Conflict.

4.1 Except as set out in this Agreement, in the event of a Conflict between a federal law and an Anishinabek Nation law
9 enacted pursuant to section 4.14, the Anishinabek Nation law will prevail to the extent of the Conflict.

E'Dbendaagzijig Law

5.12 Each First Nation has the power to enact laws with respect to the determination of its E'Dbendaagzijig and the rights, privileges and responsibilities associated with being an E'Dbendaagzijig in the First Nation.

5.13 Each First Nation will establish and maintain a list of its E'Dbendaagzijig.

5.14 A person who is a member of a First Nation immediately prior to the coming into force of an E'Dbendaagzijig law of a First Nation enacted under this Agreement will become an E'Dbendaagzijig of that First Nation after the E'Dbendaagzijig law comes into force.

5.15 A person who was eligible to become a member of the First Nation according to the membership provisions of the Indian Act or according to the membership code of that First Nation, immediately prior to the enactment of an E'Dbendaagzijig law, will be deemed eligible to become an E'Dbendaagzijig of that First Nation, after an E'Dbendaagzijig law comes into force.

5.16 A First Nation E'Dbendaagzijig law enacted under this Agreement may not remove a person whose name is entered on a band list, as defined in the Indian Act, for that band, by reason only of a situation that existed or action taken before a First Nation E'Dbendaagzijig law comes into force.

5.17 A person entitled to be registered as an Indian under the Indian Act will continue to be entitled to be registered as an Indian under the Indian Act after an E'Dbendaagzijig law of a First Nation comes into force.

5.18 Nothing in this Agreement confers or denies, or is intended to confer or deny, rights of entry into Canada or grant

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Canadian citizenship.

- 5.19 In the event of a Conflict between a First Nation law enacted pursuant to section 5.12 and an Anishinabek Nation law enacted pursuant to section 4.14, the First Nation law will prevail to the extent of the Conflict.
- 5.20 Except as set out in this Agreement, in the event of a Conflict between a federal law and a First Nation law enacted pursuant to section 5.12, the First Nation law will prevail to the extent of the Conflict.

RESEARCH

Academic

["Because our law is our law": Considering Anishinaabe Citizenship Orders through Adoption Narratives at Fort William First Nation - Damien Lee](#)
[The Northern Ojibwe Family, Donald Auger, 2001](#)

Official Reports

[Assembly of First Nation: Transition to First Nations Control of Citizenship, 2020](#)
[LEAF Submission to the Senate Standing Committee on Aboriginal Peoples on Bill S-3:, 2016](#)
[Changes to the Indian Act affecting Indian Registration and Band Membership, McIvor v. Canada, 2008](#)
[Parliamentary Study: INDIAN STATUS AND BAND MEMBERSHIP ISSUES, 2003](#)
[Reclaiming Our Identity Band Membership, Citizenship and the Inherent Right, National Centre for First Nations Governance](#)

External Links

[University of Toronto Research Library](#)
[Exploring Section 10 website](#)

A Message from the Anishinabek Nation Commissioner on Citizenship, Jeannette Corbiere Lavell

In 2008, I was appointed as the Anishinabek Nation Commissioner on Citizenship – E'Dbendaagzijig – Those Who Belong. This initiative was about Anishinaabe identity and exercising the inherent right of self-determination.

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After extensive consultations throughout the Nation, we arrived at a fundamental principle of the “one-parent rule” to be recognized as E'Dbendagozi – one who belongs. The E'Dbendaagzijig Naaknigewin was accepted by the Grand Council in 2009.

Recently, I have been given 2 more mandates:

- 2023 - to expand the provisions of the *E'Dbendaagzijig Naakingewin 2009* to become more inclusive
- 2025 – to procure resourcing for the Citizenship Commissioner to engage with Anishinabek First Nations and assist with the development of citizenship laws.

We have two foundational documents that are crucial to the work of the Anishinabek First Nations to implement our Citizenship Laws: The *Anishinaabe Chi-Naaknigewin* that contains the Preamble, *Ngo Dwe Waangizid Anishinaabe*, and the *Anishinabek Nation Declaration on E'Dbendaagzijig*.

These two documents are based on Anishinaabe law. And they hold the answers to our citizenship laws. Citizenship is based on belonging and identity. In our Dodemaag system of government we have the answer to belonging. Every baby is born into a clan, a family. Belonging is attachment to homeland and family.

We know who our family is. The Grandmothers know. The work of family trees and genealogies are part of the work that must be done in our First Nation communities.

Citizenship laws should become a major priority since we have seen that the Metis Nation of Ontario (MNO) is stealing our non-status members and that money which should be coming to the First Nations under our citizenship laws. The MNO is undermining our rights and gaining access to our lands and resources, in addition to our funding.

In November, we will be elevating the *Anishinabek Nation Declaration on E'Dbendaagzijig* through the Pipe Ceremony. It will be come a sacred obligation just as the *Anishinaabe Chi-Naaknigewin* is.

The people said there should be a cut-off date and verification by the clan and family that a person seeking to belong under our laws is Anishinaabe and accepted. Some who have been disconnected through no fault of their own could be given consideration and a timeframe to re-establish their connection to kith and kin, land and family.

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There is always a role for relatives from other First Nations but perhaps not full rights. Same for spouses. They could participate in the social discourse of the First Nation but not vote, run for office, or receive benefits and programs and services unless that is specifically part of a given policy. This is just an example of how we can navigate through the mess we have because of Indian registration under the Indian Act.

All along we have been saying that the Indian Act system is not ours. The band council system is not ours. The bureaucracy, the policies, – these are not Anishinaabe ways. They are the mechanisms of colonial control.

And if we keep mistaking these structures for our identity, we will never be free. It is time to remember who we were before the Indian Act and who we still are underneath it all: Anishinabeg, the Original People. Rights and title holders. Not subjects of Canada, but stewards of our lands and waters and keepers of Anishinaabe Aadiziwin.



E-DBENDAAAGZIIG

Report of the Anishinabek Nation
Commissioner on Citizenship

April 2009

“Where today are the Pequot? Where are the Narragansett, the Mohican, the Pokanoket, and many other once powerful tribes of our people? They have vanished before the avarice and the oppression of the White Man, as snow before a summer sun.”

Tecumseh Shawnee



Mandate

- June 2007 – Grand Council directs the development of an Anishinabek Nation Law on Citizenship that would:
 - incorporate our sovereign approach to self-government
 - implement a One-Parent Rule
 - eliminate the second-generation cut-off rule under the Indian Act

“The bottom line is that we will determine who our citizens are.”

Grand Council Chief John Beaucage



Mandate and Background

- December 2007 – Chiefs Committee on Governance advances the Anishinabek approach at the Chiefs of Ontario and Assembly of First Nations
- Anishinabek Nation E-Dbendaagzijig Conference, May 2008 – Jeannette Corbiere Lavell is named Anishinabek Nation Commissioner on Citizenship



Role of the Commissioner

- To lead the public consultations in our communities, provide expert advice to the Grand Council Chief, the Deputy Grand Council Chief, the Chiefs Committee on Governance, and deliver a final report to the Anishinabek Nation Grand Council, June 2009, that will be the basis for an Anishinabek Nation Law on Citizenship.



The Sessions

- Kettle & Stony Point First Nation, Oct. 28, 2008
- Red Rock Indian Band, Dec. 2, 2008
- Thunder Bay Friendship Centre, Dec. 3, 2008
- M'Chigeeng First Nation, Jan. 20, 2009
- N'Swakamok Friendship Centre, Sudbury, Jan. 21, 2009
- Garden River First Nation, Jan. 27, 2009



The Sessions

- UOI head office staff, Feb. 6, 2009
- Aamjiwnaang First Nation, Feb. 9, 2009
- N'Amerind Friendship Centre, London, Feb. 10, 2009
- Native Canadian Centre, Toronto, Feb. 24, 2009
- Rama First Nation, Feb. 25, 2009 (largest turn-out - over 60)
- Nation Building Councils: Elders, Women & Youth, March 30, 2009



The Sessions

- N'Bsiing Secondary School, April 1, 2009
- Amikook Senior's Centre, April 7, 2009
- E-Dbendaagzijig Conference, April 21-22, 2009

Other scheduled engagements:

- Wasse-Abin High School
- Manitoulin Secondary School



**14 sessions in both
First Nation communities and
urban centres in 4 Regions
2 Nation-level conferences
over 400 participants**



What I heard:

- Utilize the One Parent rule to determine citizens.
- Need the Anishinaabe Language. It holds our culture and spirituality of who we are as a People.
- Incorporate our Treaties and the information within to help explain the history of our ancestors who determined “who belongs”.



What I heard:

- Change is needed so funding is in place to support the new citizenship law.
- Keep Canada responsible. Canada must recognize our citizens.
- Good to see our leaders now understand what is happening. I think they were just concerned with the Bill C-31 influx and didn't foresee the decline.
- This law needs the unity of all First Nations across Canada to carry weight.



What I heard:

- Listen to those who need to belong.
Some First Nations do not accept you if you have not belonged to that First Nation or your last name is not one that counts. There are two lists among our own people (INAC loves the fact that we can't get along!).



What I heard:

- The issue is Citizenship and not membership, Nations have citizenship and social groups have members. The problem with membership is the requirement of “status.”
- Nations have land, their own governance, culture, language, and spirituality. We cannot be fooled into a discussion on membership.



What I heard:

- We need a template for First Nations to follow, as there can be too much family involved at the Chief and Council level. Rules can change with each First Nation election.
- We need strong Chiefs and Councils to follow and push for what the grassroots people are saying.
- Future plans must include strategies on increasing benefits and implementing cultural practices in becoming and being a citizen.



Criteria

- The “One-Parent Rule” was accepted overall as being the only way to ensure that we continue to exist and that we protect the lands that we now occupy.

The One-Parent Rule

- One-Parent Rule (either parent, non-discriminatory) to determine citizenship was approved – prevailing concerns are how far back we should go and maintaining some degree of original bloodlines.
- Descendancy – top secondary criteria, directly related to the One-Parent Rule but with a cut-off.



Cultural Criteria

- Cultural practice and involvement was widely supported as criteria for citizenship.
- Language-speakers, healing, traditional teachings, spirituality, clans, participation in social gatherings, and knowledge and practice of the Seven Grandfather teachings were all held to be important cultural criteria.
- Acceptance of those who practice other religious traditions, such as Christianity, is a must.



Other Criteria for Citizenship:

- Special Exceptions should be included – non-Anishinaabe could be granted citizenship through marriage/years spent in the community/contributions to the community...
- In the case of Special Exceptions, several “moral character” criteria were mentioned: must pass a criminal record-check, community contributions, etc.
- Dual citizenship – there should be a section in our citizenship law that addresses this.



“We need to re-establish language, culture and identity.”

- Our Grandfathers teachings will help to explain our history.
- Use the Clan System to determine citizenship issues.
- Have a huge ceremony to help us on this journey.
- Need the Anishinaabe Language. It holds who we are as a People.



“We are a Nation...”

- “Reserves” must revert to the traditional (Nationhood) mindset, not the isolationism of the Indian Act.
- Anishinabek citizenship should be universal and the mobility of citizens to move throughout the Anishinabek Nation is critical.
- All need to be Anishinaabe at all times, to treat each other with kindness and work towards a common goal: to create the good life for all.



“We are a Nation...”

- Transfers and citizenship exchanges should be facilitated and perhaps be an Anishinabek Nation matter – mobility rights a crucial issue and a traditional one.
- Universal Human Rights and Freedoms policies must be enacted at First Nation and Anishinabek Nation levels.
- First Nations must acknowledge legal obligations to non-citizen residents.



Who should decide who are Anishinabek citizens?

- Go back to the clan system.
- Grandmothers should oversee this process.
- More input from Elders on traditional practices for citizenship.
- Consult with First Nations who already have their own citizenship code.
- We need to develop our own constitutions and need to address citizenship in our constitutions.



Who should decide? Process

- 1) Application (new citizens, adoptions, naturalizations) or Nomination by Sponsor/Guarantor to be taken by a Registrar
- 2) Committee Review (community citizenship committee members could include: rotating panels, fair representation (Elders, women, youth, off-reserve citizens, Clan representatives, Chief and Council members, etc.), recognized by peers for wisdom, fairness
- 3) Approval / Disapproval
- 4) Appeals & Redress Process – absolutely necessary
- 5) Community / First Nation / Anishinabek Nation acceptance



Who decides? - Process

- Process must be reviewed on regular basis – 3 to 5 years were suggested
- Appeals Committee formed at Anishinabek Nation level
- Many processes are already in place and need review/revision to suit our cause

Relationship of First Nations and Anishinabek Nation

- Delegation of responsibilities from First Nations to Central Governing Body must be examined.
- Law must operate at two levels: Anishinabek Nation and First Nation.
- Individual FN's should enact their own codes and perform Needs Assessments on individual basis – citizenship law would provide per capita financing, need data.



Relationship of First Nations and Anishinabek Nation

- Anishinabek Nation Law should provide a basis/standard for First Nations and should be broader and more inclusive.
- Must use universal terminology at both First Nation/Anishinabek Nation levels to ensure clarity and avoid confusion or misuse.



Communications

- Use website/Native radio stations and others, i.e. APTN News.
- For the communities to be fully aware of the citizenship law they are passing, the information needs to get out to them two (2) years in advance.
- More public relations in order to get more people out to the meetings.

Education & Awareness

- Our history and who we are as Anishinabek must be made public and communicated to gather support for our cause.
- Should be taught in schools to our youth.

Consultation Process

- Website or a blog that's appealing to a younger audience such as Facebook, MySpace, etc..
- Ensure Chiefs and Council keep the members on and off reserve informed of the Citizenship Law issues.
- Survey by email: request at least 2 staff to complete within each First Nation band office/health service/social service/policing.



Miigwetch

“Creating, developing and implementing a powerful Anishinabek Nation Citizenship law is crucial, our responsibility and our mandate - from our Elders, our Youth and especially from our children, grandchildren, great-grandchildren and for the 7 generations to come.” J. Corbiere Lavell



“Will we let ourselves be destroyed in our turn without a struggle, give up our homes, our country bequeathed to us by the Great Spirit, the graves of our dead and everything that is dear and sacred to us? I know you will cry with me, “Never! Never!”

Tecumseh Shawnee



Relevant Links

RELATING TO BILL S-2, AN ACT TO AMEND THE INDIAN ACT (NEW REGISTRATION ENTITLEMENTS)

**Anishinabek Nation Main
Website - Governance
Department**



<https://anishinabek.ca/departments/governanceactivities/edbendaagzijig/>

**Reference Guide: The
Collaborative Process on the
Second-Generation Cut-off and
Section 10 Voting Thresholds**



<https://www.sac-isc.gc.ca/eng/1784127897093/1784127937599>

**Appearance before the Standing
Senate Committee on Indigenous
Peoples (APPA) - Bill S-2, *An Act
to amend the Indian Act (new
registration entitlements)***



<https://www.sac-isc.gc.ca/eng/1767026441341/1767026737611#cp7-1>

**Library of Parliament, Legislative
Summary March 2026, Bill S-2, *An
Act to amend the Indian Act (new
registration entitlements)***



https://lop.parl.ca/staticfiles/PublicWebsite/Home/ResearchPublications/LegislativeSummaries/PDF/45-1/PV_45-1-S2-E.pdf

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https://lop.parl.ca/staticfiles/PublicWebsite/Home/ResearchPublications/LegislativeSummaries/PDF/45-1/PV_45-1-S2-E.pdf



E'Dbendaagzijig

Waawaashkesh (Deer)



EVOLUTION OF INDIAN ACT REGISTRATION & CITIZENSHIP - KEY MILESTONES

1985

Bill C-31

- Intended to remove gender discrimination by reinstating women and their descendants who lost status through marriage.
- Reinstated some but created new categories [6(1) and 6(2)] and the Second-Generation Cut-Of, which continues to deny registration.

2009

Mclvor v. Canada

- Challenged continued gender discrimination after Bill C-31.
- Court agreed leading to Bill C-3 (2010).

2010-2011

Bill C-3 Gender Equity in Indian Registration Act

- Response to Mclvor decision.
- Allowed some grandchildren to regain status, but did not eliminate all inequities, excluding many families.

2022

Bill C-38 - Indian Act Amendment (elimination of inequities)

- Based on the Nicholas case on enfranchisement.
- Intended to remove residual inequities and simplify categories but died on the Order Paper before passage.

2017

Lynn Gehl v. Canada (AG)

- Challenged the 'unknown or unstated paternity' policy that denied status when a father's identity was unrecorded.
- Court ruled Canada's interpretation was unreasonable.
- Forced ISC to change its policy, allowing circumstantial or oral evidence for registration.

2017

Descheneaux v. Canada (2015 decision) > Bill S-3 (2017)

- Court found ongoing sex-based discrimination even after Bill C-3.
- Bill S-3 expanded eligibility but recognized that many inequities remained.
- Required Canada to launch a Collaborative Process with First Nations to fix registration and membership more broadly.

2023-2025

Nicholas v. Canada; Bocchini v. Canada; Temagami Court Case

- Ongoing challenges regarding registration, recognition, and rights.
- Informing current Collaborative Process and future reforms.

2025

Bill S-2 - An Act to Amend the Indian Act (New Registration Entitlements)

- Legislation re-introduced based on the Nicholas case on enfranchisement.
- Re-introduction of former Bill C-38 on enfranchisement.
- Update: On December 4, 2025, Senate passed Bill S-2 with amendments to include removal of the Second-Generation Cut-Of and add the One-Parent Rule.
- On December 10, 2025, Bill S-2 received First Reading in the House of Commons. Deadline to pass S-2 is April 2026.

2026

Bill S-2 did not pass by the April 2026 deadline

- Enfranchisement is being recognized in B.C. and those entitled to be registered in B.C. are receiving Indian status.
- Bill S-2 has passed 2nd Reading in the House of Commons. Senate amendments remaining intact for now.
- The Collaborative Process shifts toward registration reform and implementation.

Appendix A

FIRST NATION E'DBENDAAGZIJIG NAAKNIGEWIN – A TEMPLATE/OUTLINE

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Chapter 1. Aadizookaan

1.1 Our Council Fire has burned here [traditional name of community or specific lands] since time immemorial [or since a historic migration or relocation] and the [Name of Anishinabek] have lived upon and maintained a sacred, harmonious, and reciprocal relationship with all of Creation.

1.2 Ngo Dwe Waangizid Anishinaabe (*One Anishinaabe Family*)

Debenjiged gii'saan anishinaaben akiing giibi dgwon gaadeni mnidoo waadiziwin.
(*Creator placed the Anishinaabe on the earth along with the gift of spirituality*).

Shkode, nibi, aki, noodin, giibi dgosdoonan wii naagdowendmang maanpii shkagmigaang.
(*Here on mother earth, there were gifts given to the Anishinaabe to look after, fire, water, earth, and wind*).

Debenjiged gii miinaan gechtwaa wendaagog Anishinaaben waa naagdoonjin ninda niizhwaaswi kino maadwinan.
(*The Creator also gave the Anishinaabe seven sacred gifts to guide them. They are*):

Zaagidwin, Debwewin, Mnaadendmowin, Nbwaakaawin, Dbaadendiziwin, Gwekwaadziwin miinwa Aakedhewin.
(*Love, Truth, Respect, Wisdom, Humility, Honesty, and Bravery*).

Debenjiged kiimiingona dedbinwe wi naagdowendiwin.
(*Creator gave us sovereignty to govern ourselves*).

Ka mnaadendanaa gaabi zhiwebag miinwaa nango megwaa ezhwebag, miinwa geyaabi waa ni zhiwebag.
(*We respect and honour the past, present and future*).

Chapter 2. Anishinabek Nation Declaration on E'Dbendaagzijig

Debenjiged gii'saan anishinaaben akiing giibi dgwon gaadeni mnidoo waadiziwin.
(*Creator placed Anishinaabe on earth along with gift of spirituality*).

Debenjiged kiimiingona dedbinwe wi naagdowendiwin.
(*Creator gave us sovereignty to govern ourselves*).

Debenjiged kiimiingona E'Dbendaagzijig wi naaknigewag wi namaadziwag.
(*We belong to the land and follow our own laws*).

Debenjiged kiimiingona gshkewiziwin wii-mkwenmangidwaa E'Dbendaagzijig.
(*We have the right to determine who our people are*)

Dedbinwe gwa ggii-gkenmaanaanik E'Dbendaagzijig.
(*Through our own governance principles and structures we decide who belongs*).

Kina kowaabindaamin shkakmikong, nibi, noodin, shkode, miinwaa kina bemaadziimgak miinwaa ezhi-nawendaasying.
(*Together, all of us, we take care of each other, earth, water, air, fire, and all our relations*).

Mshkogaabwitownaanh gaa-miingwewiziying wi naagdawendizowin, wii-mnaadenmangid shkakmikwe miinwaa E'Dbendaagzijig, e-kidoomgak gaa-kidwaad nishnaabek naaknigewining gaa-zhibiigaadegiba – niizhing mdaaswaak-shi-nchwaaswi.

(We assert and exercise our inherent right of self-determination for the protection of our lands, and our E'Dbendaagzijig as affirmed by the Anishinabek Nation E'Dbendaagizig Naaknigewin, 2009).

Chapter 3. Legal Interpretation

3.1 In this Naaknigewin:

- a) a reference to a law includes any portion of that law and every amendment to it, every regulation or any portion of the regulation, and any order made under it and any law enacted in substitution, or in replacement of it;
- b) unless otherwise clear from the context, wherever the singular is used, it will include the plural, and the use of the plural includes the singular;
- c) unless otherwise clear from the context, the use of the word "including" means "including, but not limited to", and the use of the word "includes" means "includes, but is not limited to";
- d) unless otherwise clear from the context, a reference to a chapter, section, sub-section, or schedule refers to a chapter, section, sub-section, or schedule of this Agreement; and
- e) the word "or" is used in its inclusive sense, such that, depending on the context, it could mean A or B, it could also mean A as well as B but not C, and it could also mean A as well as B as well as C, and the word "and" is used in its joint sense meaning A and B and C but not any alone.

3.2 The authority and jurisdiction of [First Nation name] to determine its E'Dbendaagzijig originates from the Creator.

3.3 This Naaknigewin shall be understood and interpreted through Anishinaabemowin. Where there is a conflict or inconsistency between the Anishinaabemowin meaning and/or English and French languages, the Anishinaabemowin meaning prevails.

3.4 This Naaknigewin shall be Interpreted in accordance with:

- a) Anishinaabe worldview;
- b) Anishinaabe laws, values and principles;
- c) knowledge, and oral traditions;
- d) ceremonies, customs, and practices; and
- e) the sacred and reciprocal relationships among the Anishinaabe, the lands, the waters and all of Creation

3.5 This Naaknigewin is a living law. It affirms and gives expression to the unceded and inherent jurisdiction to determine E'Dbendaagzijig.

3.6 This Naaknigewin shall be interpreted in a manner that:

- a) safeguards the continued existence, identity- and collective well-being of [First Nation name];
- b) protects the rights and responsibilities of present and future generations;
- c) rejects the application of colonial laws and policies that purport to define, diminish, or extinguish Anishinaabe identity, belonging or jurisdiction; and
- d) promotes the restoration and continued development of Anishinaabe laws, governance systems and relationships.

Chapter 4. Definitions

4.1 In this Naaknigewin:

“Adoption” means the permanent establishment of a familial relationship in accordance with:

- a) Anishinaabe customary law or another applicable Indigenous legal order; or
- b) Applicable provincial, territorial, or federal law.

Adoption includes the customary adoption of a child or an adult where that adoption is recognized by the First Nation in accordance with Anishinaabe laws and procedures as determined by the First Nation's Elders;

“Appeals Committee” means the independent body established or appointed under this Naaknigewin to hear and decide appeals from decisions of the E'Dbendaagzijig Committee;

“Applicant” means a person for whom an application for recognition as E'Dbendaagoz is submitted under this Naaknigewin;

“Application” means a request for recognition as E'Dbendaagoz, One Who Belongs, is submitted under this Naaknigewin;

“Child” means a person who has not attained the age of majority prescribed by this Naaknigewin;

“Conditional Belonging” means the time limited recognition of an Applicant under section 7 of this Naaknigewin subject to the responsibilities, conditions and review requirements established by the E'Dbendaagzijig Committee;

“Council Fire” means a traditional Anishinaabe gathering or decision-making process convened in accordance with the laws, customs, and procedures of the First Nation. A Council Fire may be held at a First Nation community, a clan council gathering, Confederacy, Treaty, or Anishinabek Nation Grand Council, as appropriate to the matter under consideration;

“Descendant”¹ means a person who traces their ancestry to an Ancestor or a member of one of the Doodemaag (Clans/Families) associated with the Anishinabek First Nation’s territory. Descendants include a person whose ancestral relationship was established through adoption recognized under this Naaknigewin;

“Doodem/pl. Doodemaag” means a Clan of Anishinaabe Families recognized in Anishinaabe law, and recorded in oral histories, historical records, genealogies, customs or traditions of the First Nation;

“E’Dbendaagoz” means a person recognized under this Naaknigewin as “One Who Belongs”;

“E’Dbendaagzijig” means the persons collectively recognized as “Those Who Belong”;

“E’Dbendaagzijig Committee” means the body established under this Naaknigewin to consider and decide Applications and to carry out any other responsibilities assigned to it;

“E’Dbendaagzijig List” or “Registry” means the official record of persons recognized as E’Dbendaagzijig under this Naaknigewin;

“E’Dbendaagzijig Officer” is the person appointed for processing applications, maintain records and the E’Dbendaagzijig List or Registry, and providing administrative support for the deliberations of the E’Dbendaagzijig Committee and the Appeals Committee, provide notices required under this Naaknigewin, and perform any other administrative responsibilities assigned under this Naaknigewin;

“Election Codes” means the written law adopted by the First Nation that governs the election or selection of its Chief and Council;

“First Nation” means [First Nation];

“Lists of Ancestors” means the archives, historical documents, genealogical records, and recorded oral history relied on to identify ancestors and eligibility of applicants under this law.

“Marriage” means spousal unions recognized under applicable provincial, territorial, or federal law and Anishinaabe customary laws. Marriage includes marriages between opposite sexes, diverse genders, and same sex couples among other types of unions recognized from time to time.

“Minor” means a person under the age of 16 who has not otherwise acquired independent decision-making authority under this Naaknigewin or applicable law;

“Naaknigewin” means this [First Nation name] E’Dbendaagzijig Naaknigewin, including any valid amendments made to it;

“Relatives” means a person who belongs to another Anishinabek First Nation or Nation and who may seek recognition as E’Dbendaagoz through an ancestral, familial, customary, or political relationship with the First Nation. Where the laws of the First Nation prohibit a person from holding full political citizenship in more than one Nation, a Relative who is recognized as E’Dbendaagoz may be required to relinquish their political citizenship or equivalent standing in another First Nation or Nation.

¹ Note: Similar to how Dr. Alan Ojiig Corbiere spoke about the Anishinaabe clan system expanding when people from other clans were adopted into the nation, descendancy is a malleable concept that can expand based on the political decision of a family/community to adopt a child or an adult into the nation.

As mentioned in s.3.3 of the Anishinabek Nation E’Dbendaagzijig Naaknigewin, adoption is included in the legal concept of descendant.

The Cornell Law School defines descendant to include adoption:

“A descendant is a person born in a direct biological line. For example, a person's children, grandchildren, and great-grandchildren are their descendants. In legal writing, the term "descendant" can have multiple meanings, including those who have been adopted as well as those who are descendants through lineal consanguinity. A person's stepchildren or the stepchildren of the person's descendants are not regarded as “descendants.”

“Territory” means the lands, waters, air, resources, and sacred or culturally significant places with which the First Nation has an ancestral, historical, cultural, spiritual, or legal relationship under Anishinaabe law, including:

- a) the First Nation’s reserve lands and any additions to reserve;
- b) its traditional and ancestral lands and waters; and
- c) any other areas in which the First Nation holds, exercises, or asserts Aboriginal or treaty rights.

For greater certainty, this definition does not limit, extinguish, surrender, or otherwise affect the First Nation’s territory, jurisdiction, title, or Aboriginal or treaty rights.

Chapter 5. Objectives of a First Nation Community E’Dbendaagzijig Naaknigewin

5.1 The objectives of this Naaknigewin are to:

- a) affirm and exercise the inherent jurisdiction of the First Nation to determine its E’Dbendaagoz;
- b) establish the principles, criteria and procedures by which a person may be recognized as E’Dbendaagoz;
- c) Recognize and uphold the role of the Doodemaag, Families, Elders, Knowledge Holders and traditional decision-making processes in determining belonging;
- d) establish, maintain, and administer an accurate, secure and Nation controlled E’Dbendaagzijig List or Registry.
- e) to safeguard the continued existence, identity and collective well-being of the First Nation and its E’Dbendaagzijig for present and future generations;
- f) to maintain and strengthen the relationship of E’Dbendaagzijig with the lands and waters of the territory;
- g) uphold the sacred responsibilities of the First Nation and its E’Dbendaagzijig to care for the gifts of the Creator and All Our Relations; and
- h) honour the ancestors, support those living today and protect the interests of the generations yet to come.

Chapter 6. Eligibility

6.1 A person is eligible to apply for recognition as E’Dbendaagoz based on descendancy where the person establishes one or more of the following:

- a) the person is a descendant and is acknowledged by their Clan or Family as having an ancestral or kinship relationship and connection with the First Nation;

- b) The person is a descendant of an E'Dbendaagoz who resided with, participated in or was recognized by the community within [three generations/the period specified by the First Nation] (a cut-off date);

A timeframe may be established. Canada has a documented history of removing recognized community members from community lists determined by the First Nation Community. There is likely a “loss of effective control date” for most communities.

- c) The person's name is included on the First Nation's current band or membership list;
- d) The person was adopted as a Minor or as an adult by an E'Dbendaagoz through an Adoption recognized under this Naaknigewin;
- e) The person or their ancestor was removed or excluded from the First Nation's community, band or membership list through colonial law or policy, administrative action, enfranchisement, sex discrimination, adoption, child apprehension, forced relocation or another circumstance beyond their control; or
- f) The person satisfied any other basis for recognition established by the First Nation under this Naaknigewin.

6.2 In deciding an application based on descendency, the E'Dbendaagzijiig Committee may consider:

- a) acknowledgement or supporting evidence from the Applicant's clan or Family;
- b) the Applicant's relationship and connection to the First Nation, its E'Dbendaagzijiig, lands and waters;
- c) oral histories, historical records, genealogical information and the Lists of Ancestors;
- d) customary Adoption, repatriation, or rematriation practices;
- e) disruptions to the Applicant's relationship with the First Nation caused by colonial laws, government action or circumstances beyond the Applicant's control; and
- f) any other evidence recognized under Anishinaabe law or the laws and procedures of the First Nation.

6.3 A lack of continuous residence or community participation shall not, by itself, make an Applicant ineligible where the disconnection resulted from circumstances beyond the control of the Applicant or their ancestors.

6.4 An Applicant seeking to restore a relationship disrupted by circumstances described in subsection 6(e) shall be provided with a reasonable and culturally appropriate opportunity to reconnect with their clan, Family, community, lands, and waters.

Conditional Belonging

- 6.5 Where an Applicant establishes an ancestral or kinship relationship but requires additional time to restore their relationship with the First Nation, the E'Dbendaagzijig Committee may grant Conditional Belonging for a period not exceeding four (4) years.
- 6.6 Conditional Belonging may be granted only where:
- a) the Applicant's clan and family supports the Application, or the Committee determines that such support cannot reasonably be obtained;
 - b) the conditions are reasonable, culturally appropriate and connected to the objectives of this Naaknigewin;
 - c) the Applicant is informed in writing and, where appropriate, orally of the conditions, available supports and consequences of non-compliance; and
 - d) the Applicant is given an opportunity to respond before the conditions are imposed.
- 6.7 Conditions may include reasonable efforts to:
- a) Establish or strengthen relationships with the Applicant's clan, family or community;
 - b) Participate in community, cultural or land based activities;
 - c) Learn about the First Nation's history, laws, governance and traditions;
 - d) Learn or strengthen their knowledge of Anishinaabemowin, where appropriate and reasonable accessible; or
 - e) Contribute to the well-being of the E'Dbendaagzijig, lands and waters.
- 6.8 An Applicant shall not be denied recognition solely because language, ceremony, cultural instruction, or community participation was unavailable, inaccessible, or prevented by disability, financial circumstances, residence outside the community, colonial displacement, or another circumstance beyond the person's control.
- 6.9 Before the expiry of the 4 years conditional period, the E'Dbendaagzijig Committee shall review the person's circumstances and decide whether to:
- a) grant full recognition as E'Dbendaagoz;
 - b) extend Conditional Belonging where justified and permitted by this Naaknigewin; or
 - c) deny full recognition, with written reasons and notice of the right to appeal.

Repatriation or Rematriation

- 6.10 Despite a historical reference date, generational limit or other ordinary eligibility requirement, a person may be recognized through a traditional repatriation or rematriation process where:

- a) the person establishes descendency, or another relationship recognized under Anishinaabe law; and
- b) the person is accepted by the relevant Clan or Family.

6.11 A decision made under this section shall be recorded by the E'Dbendaagzijing Officer and entered in the E'Dbendaagzijing List or Registry.

Nature of E'Dbendaagzijing (Citizenship)

6.12 Recognition as E'Dbendaagoz establishes a permanent relationship between the person and the First Nation.

6.13 E'Dbendaagzijing does not expire and shall not be terminated solely because a person:

- a) resides outside the community or Territory;
- b) is unable to participate regularly in community activities;
- c) marries or enters into a relationship with a person who is not E'Dbendaagoz;
- d) is or is not registered or recognized as an Indian by Canada under the *Indian Act*; or
- e) is affected by a subsequent amendment to this Naaknigewin.

Community Safety and Banishment

6.14 E'Dbendaagzijing status shall not be removed solely as punishment for a criminal offence, misconduct, or breach of a First Nation law.

6.15 Nothing prevents the First Nation from taking lawful, necessary, and proportionate measures to protect community safety.

6.16 Banishment, exclusion from First Nation lands, or restriction of access to community facilities shall be governed by a separate law that provides:

- a) notice of the allegations;
- b) an opportunity to respond;
- c) an impartial decision;
- d) written reasons;
- e) a defined and proportionate duration;
- f) periodic review; and

- g) a right of appeal.

6.17 Banishment does not, by itself, terminate citizenship.

Chapter 7. Rights and Responsibilities of E'Dbendaagzijig

7.1 Subject to this Naaknigewin and the other applicable laws of the First Nation, an E'Dbendaagoz recognized through descentancy has the right to:

- a) be recognized as belonging to the First Nation;
- b) participate in social, cultural, ceremonial and political life of the First Nation;
- c) participate in participation in council fires/meetings in a decision-making capacity;
- d) attend and Participate in Clan/Family decision-making and community meetings;
- e) vote or participate in decision making in accordance with the First Nation's Constitution, governance law or Election Codes;
- f) seek and hold official positions, representing the First Nation in accordance to the First Nation leadership selection process;
- g) Exercise sustenance, harvesting and other Aboriginal and Treaty rights;
- h) receive fair, respectful, and non-discriminatory treatment in the administration of this Naaknigewin; and
- i) other duties and responsibilities may be determined, from time to time.
- j) Enjoy the benefits under the First Nation's control at par with all other E'Dbendaagzijig of that First Nation.

7.2 An E'Dbendaagoz has a responsibility, according to their circumstances, abilities, and access to the community to:

- a) respect and uphold the laws, values and legal order of the First Nation;
- b) honour their relationships with their Doodem, Family and community;
- c) care for the lands, waters, air, fire and all our relations;
- d) contribute to the collective well-being of present and future generations;
- e) participate honestly and respectfully in community decision-making;
- f) respect Elders, Grandmothers, Knowledge Holders, children and other E'Dbendaagzijig;

- g) protect sacred, ceremonial, personal and culturally sensitive information; and
- h) support the continued use and revitalization of Anishinaabemowin, Anishinaabe laws, teachings, and traditions.

Chapter 8. E'Dbendaagzijing Committee

- 8.1 [First Nation] shall establish an E'Dbendaagzijing Committee of [X] E'Dbendaagzijing drawn from [First Nation].
- 8.2 Subject to 8.3, each committee member shall be appointed for a term of seven (7) years, subject to any provisions in this Naaknigewin, unless resignation, removal, vacancy, or reappointment.
- 8.3 E'Dbendaagzijing Committee term limits shall be staggered. To establish this, its initial membership terms may be shorter than 7 years as a means to promote renewal while maintaining institutional memory. Such shortened terms are only available within the first 7 years of the Committee's existence.
- 8.4 The E'Dbendaagzijing Committee shall review and determine application for recognition as E'Dbendaagzijing and may approve or reject an application in accordance with this Naaknigewin.
- 8.5 The E'Dbendaagzijing Committee shall be composed, to the extent reasonably practicable, of representatives of all the Clans of the First Nation, to ensure balance and fairness.
- 8.6 [First Nation] E'Dbendaagzijing may apply to fill a vacancy on the E'Dbendaagzijing Committee, and/or may be appointed to the Committee.
- 8.7 The E'Dbendaagzijing Committee members shall be appointed by the Chief and Council.
- 8.8 The E'Dbendaagzijing Committee will meet regularly to review applications and make decisions for approval or rejection of applications within a 90-day period, from receipt to decision.
- 8.9 The E'Dbendaagzijing Committee may reconsider E'Dbendaagzijing status where there are reasonable grounds to believe that it was obtained through fraud or a knowing material misrepresentation.
- 8.10 The E'Dbendaagzijing Committee shall create its own rules of procedure insofar as such rules do not conflict with this E'Dbendaagzijing Naaknigewin, as amended.

Chapter 9. E'Dbendaagzijing Officer

- 9.1 The E'Dbendaagzijing Officer shall:
 - a) receive each application and record the date of receipt;
 - b) review each application for completeness and requests any additional or missing information;
 - c) promptly notify the Applicant that the application has been received and provide information concerning procedure and timelines;

- d) prepare and present each complete application to the E'Dbendaagzijig Committee;
- e) advise the Committee on whether the application satisfies the requirement of this Naaknigewin;
- f) coordinate meetings and provides administrative support for the E'Dbendaagzijig Committee;
- g) notify the Applicant of with written notice of the Committee's decision;
- h) where an application is approved, enter the Applicant's name and required information in the E'Dbendaagzijig Registry;
- i) where an Applicant is rejected, provide the applicant with written reasons for rejection and information on appeals;
- j) maintain appropriate records and establish reasonable administrative, technical, and physical safeguards to protect personal and confidential information;
- k) correct clerical, typographical, or administrative errors and ensures that Registry information is accurate and correct;
- l) not advise the Appeals Committee on the merits of an application; and
- m) perform any other administrative duties assigned under this Naaknigewin.

Chapter 10. Appeals

Appeals Committee

- 10.1 Members of the Appeals Committee consists of representatives of each Clan or Family of the First Nation.
- 10.2 The initial appeals committee shall be recommended by each family or clan process and confirmed by the Chief and Council.
- 10.3 After the initial Appeals Committee has been established, subsequent appointments to the Appeals Committee shall be confirmed by the Appeals Committee itself, based on recommendations from each family or clan.
- 10.4 The Appeals Committee shall meet as required to hear and determine appeals under this Naaknigewin.
- 10.5 Members of the Appeals Committee shall disclose any actual, potential, or reasonably perceived conflicts of interest. The Appeals Committee shall review the decisions under appeal, the application, the Applicant's submission, and any other information properly admitted under the applicable appeal procedures.

Appeals

- 10.6 Subject to this Naaknigewin, an appeal may be brought on one or more of the following grounds:
 - a) the decision was materially affected by fraud or misrepresentation;

- b) a decision-maker had an undisclosed conflict of interest;
- c) there was bias or a reasonable apprehension of bias;
- d) the decision was contrary to this Naaknigewin or another applicable law;
- e) the decision-making process failed to comply with this Naaknigewin or the requirements of procedural fairness;
- f) confidential information was improperly collected, used, disclosed, accessed, or retained; or
- g) a material error of fact or law affected the decision;
- h) The First Nation, its Chief and Council, the E'Dbendaagzijing Officer, or the E'Dbendaagzijing Committee acted unfairly or unfairly failed to act.

10.7 After considering an appeal, the Appeals Committee may:

- a) dismiss the appeal and confirm the original decision;
- b) allow the appeal and substitute the decision that should have been made; or
- c) return the matter to the E'Dbendaagzijing Committee for reconsideration, with directions.

10.8 If the Appeals Committee dismisses the appeal, the appellant may submit further appeal to the Chief and Council. The decision of the Chief and Council on a further appeal is final under this Naaknigewin.

Chapter 11. Renouncing E'Dbendaagzijing Status

- 11.1 An E'Dbendaagoz who has reached the age of majority and has legal capacity may voluntarily renounce their E'Dbendaagzijing status with written notice to the E'Dbendaagzijing Officer.
- 11.2 A person who becomes a citizens of another First Nation or Indigenous Nation forfeits belonging with a grace period of 90 days to reconsider before the renouncement comes into effect. The person may be re-categorized as a relative if there is descendancy.
- 11.3 A person is not barred from re-applying to re-instate their status as E'Dbendaagoz after such renouncement.

Consequences

- 11.4 A person who renounces or otherwise ceases to hold E'Dbendaagzijing status relinquishes the benefits, privileges, rights, and responsibilities arising solely from that status, subject to:
 - a) any vested or accrued rights;
 - b) any continuing obligations;

- c) any rights that arise under another applicable law; and
 - d) any provisions of this Naaknigewin governing another category of belonging.
- 11.5 The E'Dbendaagzijig Committee may revoke a person's E'Dbendaagzijig status if the decision was based on fraudulent information or means.
- 11.6 The E'Dbendaagzijig Officer shall provide the affected person with written notice of the decision, the reasons for the decision, the effective date, any resulting changes to the E'Dbendaagzijig List or Registry. No consequences shall take effect until notice has been given.
- 11.7 Decisions by the E'Dbendaagzijig Committee to revoke belonging can be appealed to the Appeals Committee.

Chapter 12. Amendments

- 12.1 A person recognized as E'Dbendaagzijig may submit a written proposal for amendments to this Naaknigewin if the proposal is supported by a minimum of 28 persons that are E'Dbendaagzijig..
- 12.2 The proposal shall:
- a) identify the provision proposed to be amended;
 - b) state the proposed wording or substance of the amendment;
 - c) explain the purpose of the amendment; and
 - d) include evidence of the required support.
- 12.3 An amendment may be proposed at a duly called community meeting in accordance with the decision-making procedures applicable to community meetings.
- 12.4 If a proposal is accepted through the applicable community process it shall be submitted to a referendum conducted in accordance with the referendum procedures established under this Naaknigewin or other applicable law.
- 12.5 Other non-substantive technical changes such as spelling, grammar, and format may be made by the E'Dbendaagzijig Committee.
- 12.6 Any changes, substantial or technical, should be announced and the amendment recorded in the document by the E'Dbendaagzijig Officer.
- 12.7 Appendices are not part of the law so do not require a community referendum, but any changes to these should also be announced and noted.

Chapter 13. Approval

This [First Nation] E'Dbendaagzijig Naaknigewin was adopted by the Pipe Ceremony at the [location], held at (place), on (date of adoption).

Chapter 14. Appendices

14.1 The following documents are attached to but do not form part of this Naaknigewin:

- a) Appendix A - Doodemaag (Clan) Decision-Making.
- b) Appendix B – *Application Forms A and B*
- c) Appendix C - *Anishinaabe Chi-Naaknigewin*, 2012.
- d) Appendix D - Addendum to the Preamble, the Anishinabek Nation Declaration on E'Dbendaagzijig, 2025, of the Anishinabek Nation E'Dbendaagzijig Naaknigewin, 2009.

Appendix A: Doodemaag (Clan) Decision-Making

Role of the Doodemaag

1. The Doodemaag and Families are fundamental within the Anishinaabe system of governance. They hold knowledge of ancestry, kinship, relationships and belonging and have an important role in determining E'Dbendaagzijig under this Naaknigewin.

Council Fire

2. A Council Fire is lit where a matter requires considerations or decision by a Doodem.
3. The heads of the families belonging to that Clan shall gather in accordance with the Doodem's laws, customs, and decision-making procedures.
4. The matter shall be presented by a proponent recognized by the Doodem.
5. Each person whose rights or interest may be affected by the decision shall be given:
 - a) reasonable notice of the Council Fire;
 - b) an opportunity to provide relevant information; and
 - c) an opportunity to respond to information that may adversely affect the decision.
6. A particular Clan will hold council, deliberate, and seek to reach a decision. Through consensus in accordance with its gifts, responsibilities, laws, and customary practices.

Matters that Affect the First Nation

7. Where a matter affects the First Nation as a whole or materially affect more than one Doodem, the Doodem spokesperson shall present the matter to a Council Fire representing the Doodemaag.
8. The Doodemaag shall consider the matter in the appropriate order through the Seven-Pointed Star.
9. Each Doodem shall use its gifts, knowledge, and responsibilities to support a thorough, respectful, and balanced deliberation.
10. The Seven-Pointed Star process may be repeated as often as reasonably necessary to:
 - a) ensure that each Doodem has been heard;
 - b) address outstanding questions or concerns; and
 - c) seek consensus.
11. The Fish Clan shall confirm and declare whether consensus has been achieved. The Fish Doodem shall not determine the substantive outcome on its own unless expressly authorized to do so under the laws of the First Nation.

Note: The decentralized nature of clan governance is how political power is shared. As currently designed, the draft E'Dbendaagzijig Naaknigewin relies on decentralized decision-making (i.e., the communities decide who is a citizen of the nation). This is good because it aligns with how political power is shared amongst the clans rather than centralized in Chief and Council and band office. The Chiefs do have roles as do councillors. Perhaps the First Nation Council members will be selected to represent all Clans and Families equally. Decentralized power and the Clan System of Governance can serve First Nation Communities well since Anishinabek are a Clan-based society. Using the Clan and Family heads system to decide Those Who Belong is a good fit, a good starting point because our Families, especially the Grandmothers, know who our people are.

Where Consensus is Not Achieved

12. Where consensus is not achieved after reasonable efforts, the matter may be:
 - a) adjourned to allow further reflection, ceremony, research or consultation;
 - b) referred for discussion to Elders, Grandmothers, Knowledge Keepers or another culturally appropriate mediation process;
 - c) returned to the affected clan or Families for further consideration; or
 - d) referred to the alternative decision-making process prescribed by this Naaknigewin or an applicable Doodemaag protocol.
13. It shall not remain undecided indefinitely. If consensus is not achieved within [X days] after the matter is presented the matter is considered to be deferred for a period of not less than one year.

Appendix B: Application Forms A and B

Appendix C: Anishinaabe Chi-Naaknigewin, 2012

Appendix D: Addendum to the Preamble, Anishinaabe Declaration on E'Dbendaagzijig

1. We have been on this land and governed this land since time immemorial.
2. Our treaty rights shall be protected and practiced by our E'dbendaagzijig.
3. We will assert our Dodemaag System and adoption laws according to our kinships and customs with the key principles of inclusion and equality.
4. We will reinforce our traditional governance, principles, and structures.
5. We will continue to teach our children our laws and traditional ways as Anishinabek to protect the seventh generation.
6. As Anishinaabe people we unite to address the changing landscapes of external government policies as it affects the Anishinabek Nation, our land rights, and our inherent rights.
7. We will continue to practice and protect our spiritual laws as this is our connection to Creator and this is who we are.
8. Further the United Nations Declaration on the Rights of Indigenous People reinforces our inherent right of self determination:

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities.
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

(c) Any form of forced population transfers which has the aim or effect of violating or undermining any of their rights;

(d) Any form of forced assimilation or integration;

(e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.

2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 42

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

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.



Options to Support Broader First Nation Jurisdiction:

Collaborative Process on the Second-Generation
Cut-off and Section 10 Voting Thresholds

DISCUSSION QUESTIONS Response Template

Summer 2026

Respondent Name:	
First Nation/Organization:	
Email or phone number:	
Date Submitted:	



Indigenous Services
Canada

Services aux
Autochtones Canada

Canada 

PLEASE COMPLETE CONTACT INFORMATION ON TITLE PAGE

Any or all questions can be answered depending on relevance to each respondent.

Please respond in box provided. Box will automatically expand to fit inputted text.

You are also welcome to provide your own document – please ensure contact information is provided.

Addressing the Second-Generation Cut-off

1. What do First Nations need from Canada in order to implement an approach the second-generation cut-off – whether it is amending the *Indian Act* with a “single parent approach” or addressing it through a more self-determined approach via opt-in legislative options?

2. What other options could be considered to address the second-generation cut-off?

Core Principles

3. What core principles should be included to support First Nations to move away from *Indian Act* registration and membership and protect the rights of individuals?

4. How can Canada avoid imposing a one-size-fits-all approach while recognizing the diversity of First Nation governance systems, legal traditions, and citizenship laws?

5. How can future approaches respect First Nation jurisdiction while remaining consistent with domestic and international human rights obligations?



6. What safeguards are required to support small or under-resourced Nations and ensure they are not disadvantaged in this transition?

Minimum Standards/legal requirements

7. What elements should be included in a new legislative framework that recognizes jurisdiction over membership?

8. How could an opt-into mechanism to legislation work?

9. How would this work for bands that are currently under Section 10 of the *Indian Act*, Self Government, or Modern Treaty agreements?

10. What common or minimum standards and/or guidelines (legal requirements) should be included in federal legislation related to the determination of a First Nation member or citizen?

11. What type of appeal/protest process would need to be in place for individuals to challenge First Nations' decisions?

Individual rights



12. What ongoing obligations do Canada and/or First Nations have to registered individuals who may not be recognized as members of a First Nation? Who is obligated to address these?

13. What mechanisms or safeguards may be required to support individuals impacted by differing federal and First Nation-specific approaches?

Indigenous Governing Bodies

14. Would new models to assuming jurisdiction over membership be available exclusively to recognized *Indian Act* bands, or should other collectives such as Treaty groups, Tribal Council groups or other designated Governing bodies be recognized?

15. What types of roles could a third-party/neutral body hold to support First Nations in jurisdiction over membership (e.g. legal compliance, appeals, registry, etc.)?

16. What transition support do First Nations need for assuming and implementing jurisdiction?

National Registry

17. For First Nations who assume jurisdiction, what role, if any, should Canada have as it pertains to the Registrar, maintaining a national Register, other infrastructure, historical records, issuing status cards, and systems?

18. What, if any, type of standard or common identification (government or non-government) would be required to allow access to services and benefits or tax exemption?

19. What role, if any, should a nationally maintained register (government or non-government) continue to play in the future?

Section 10 of the *Indian Act*

20. How could expanding section 10 authority within the *Indian Act* support First Nations seeking broader jurisdiction over membership work? What changes to Section 10 authorities should be considered if there is legislation that recognizes First Nation jurisdiction?

21. What reporting mechanism or information sharing agreements could be used for First Nations to report on who has been recognized so that federal registries could be updated?

22. For First Nations transitioning from Canada-controlled membership under section 11 of the *Indian Act* to First Nation determined membership under section 10, the current requirement is to have a double-majority vote in favour of the transition – i.e. 51% of all members must vote, with 51% of those voting saying yes:

- a) What would you consider the appropriate voting threshold be to make the transitions under the *Indian Act*?

- b) What support do First Nations need to meet any voting threshold for the transition?

Additional Comments:

