



Indigenous Activists Networks **Defenders of the Land, Truth Campaign, Idle No More**

INFORMATION SHEET #1

Federal Recognition and Implementation of Rights Framework

What Is It?

On February 14, 2018, Prime Minister Justin Trudeau announced his plan to “**chart a new way forward**” for the federal government by creating a new **Recognition and Implementation of Indigenous Rights Framework** to include **new laws and policies** to define what federal “**recognition**” means in a law adopted by Parliament and what the federal government will and won’t include in “**negotiations**” of Indigenous Rights with First Nations, Metis and Inuit.

Top Down-Secretive Approach:

For the past three years the Trudeau government has operated in secret, using public relations techniques to hide its real intentions about their renewed federal-First Nations Termination Plan from our First Nation Peoples, the media and the public,.

- The Trudeau government has manipulated the term “**Nation-to-Nation**” by going around our Original Nations and negotiating two top down agreements with the **Assembly of First Nations (AFN)**. One on developing a **new funding policy** for First Nations and one on **shared priorities** with the Trudeau government.
- The Trudeau government also created a new **Federal-AFN Cabinet Committee** to include AFN into the federal decision-making process to develop **new law and policy**. The **AFN budget** has been substantially increased to implement these two agreements with the federal government.
- The Trudeau government has imposed **10 Principles for Indigenous Relationships** (First Nations, Metis, Inuit) to “**form a foundation for transforming how the federal government partners with and supports Indigenous peoples and governments**”. The federal “**Rights Recognition**” Framework is based on these “**10 Principles**”.

- The "**10 Principles**" are a continuation of settler government attempts to sever our relationship with our lands and Treaties by eliminating Aboriginal Title and our existing right of sovereignty and self determination; as well as, a fair and just, interpretation of our sacred Treaties.
- The Trudeau government is dissolving the federal **Department of Indian Affairs** by creating two new federal bureaucracies: 1) The **Department of Indigenous Services** to take over on-reserve program delivery and funding until existing Indian Bands are forced/convinced to sign new agreements under **new law and policy** to become federally recognized "**Indigenous Governments**". What Prime Minister Justin Trudeau calls the "**fourth level of government**" in Canada after the federal government, provincial governments and municipalities, "**a new order of government**", 2) and after new agreements are signed, the former Indian Bands will be moved under the **Department of Crown-Indigenous Relations**.

Trudeau Government's "Rights Recognition Framework":

- According to a September 2018, federal "**Overview Document**" the federal "**Rights Recognition Framework**" law will—if passed—form the basis for **ALL RELATIONS** between the federal Crown (government) and Indigenous Peoples (First Nations, Metis, Inuit) including "**pre-1975 Treaties**" and:
 - Will contain federal "**definitions**" of "**key terms**" [like Inherent Right to Self-Government, "Self-Determination" "Aboriginal Title and Rights", "Treaty Rights"] ;
 - Federal and Provincial/Territorial powers and jurisdictions will continue to dominate over First Nations and provincial governments have a veto over any agreements affecting their jurisdiction.
 - A federally established advisory committee or institution would be created to decide what Indigenous Nations or "**Collectives**" would be federally recognized and have the authority of a government possessing "**the legal capacity of a natural person**", meaning a **federal corporation**. This will all be subject to agreements with the federal and provincial governments (where their jurisdiction is affected). The federal legislation will include a "**list of powers**" for "**Indigenous Governments**", which can be amended by the federal government.
 - New funding arrangements are to go with new agreements and Indian Band's **tax exemption will be removed** to promote the new "**Indigenous Governments**" exercising powers to collect "**own source revenue**" the same as existing "**Indigenous Governments**" under self-government agreements, comprehensive land claims settlements or federal legislation.
 - The new law will likely use existing, or new federally created national institutions for First Nations, Metis and Inuit to: 1) provide an advisory role to

the federal government, 2) oversight of Indigenous Rights implementation, 3) dispute resolution and 4) public education.

The federal government is now completing a selective **National Engagement Process** that included **the provinces and territories, non-Indigenous Canadians**: people from civil society, from **industry** and the **business community**, and the public at large.

According to media reports the federal Minister of Crown-Indigenous Relations, Carolyn Bennett has stated the Trudeau government wants to introduce the “**Rights Recognition Framework**” legislation into Parliament before Christmas break and hold Committee hearings in the New Year.

During an **AFN National Forum on First Nation Rights** held September 11-12, 2018, Treaty #6 Grand Chief Wilton Littlechild announced that proposed **DRAFTING INSTRUCTIONS** on the “**Scope and content of a federal Recognition of Indigenous Rights Act**” has already been sent to the federal government (and other parties).

Time For Action!

This whole process is false “**Reconciliation**” and our Peoples have been deliberately misled and bypassed in this secret-top down approach of the Trudeau government who is using AFN, selected Chiefs/Leaders and Chiefs’ organizations!

There is not much time left for grassroots First Nation Peoples to stop Trudeau’s “Rights Recognition Framework” Termination Plan! It’s Time for Action! What will you do to Protect the Children, Our Peoples and Future Generations?

FOR MORE INFORMATION CONTACT:

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¹ **Defenders of the Land** is a network of Indigenous communities and activists in land struggle across Canada dedicated to building a fundamental movement for Indigenous rights, was founded at a historic meeting in Winnipeg from November 12-14, 2008. **Idle No More** was founded by four women (three of whom are Indigenous and one of whom is White) in November 2012 in response to several bills passed in Canada that undermine Indigenous rights and environmental protection. The movement grew quickly, and by January 2013 there were tens of thousands of Indigenous and non-Indigenous people taking part in locally-based actions and mass mobilizations around the world. The **Truth Campaign** is a core team of people who worked on Russ Diabo’s 2018 campaign for the position of AFN National Chief and who are now working to get Crown governments and Canadian society to address “**Truth Before Reconciliation**” because the Truth and Reconciliation Commission and its Calls to Action are not sufficient to address the

colonization that First Nations have historically experienced and which continues today particularly under the colonial policies and legislation passed under the **Constitution Act 1867**.