

**[9] United Nations Declaration on the Rights of Indigenous Peoples Act Implementation Secretariat, "The United Nations Declaration on the Rights of Indigenous Peoples Act Action Plan," Department of Justice Canada, 2023.**



Government  
of Canada

Gouvernement  
du Canada

# The *United Nations Declaration on the Rights of Indigenous Peoples Act* Action Plan

## *Ajuinnata*

(Inuktitut meaning: A commitment  
to action/to never give up)





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

United Nations Declaration on the Rights of Indigenous  
Peoples Act Implementation Secretariat

Department of Justice Canada

2023

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The Government of Canada would like to thank the Indigenous designers who created the artwork for the Action Plan 2023-2028.

This page is a placeholder for a proper acknowledgement and explanation of the meaning behind the illustration and selected imagery.

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# Introduction

In 2007, the United Nations General Assembly adopted the [\*United Nations Declaration on the Rights of Indigenous Peoples\*](#) (UN Declaration), a comprehensive international human rights instrument on the rights of Indigenous peoples around the world. The UN Declaration sets out the minimum standards for the survival, dignity and well-being of Indigenous peoples throughout the world.

In 2016, the Government of Canada endorsed the UN Declaration without qualification and committed to its full and effective implementation. On June 21, 2021, the [\*United Nations Declaration on the Rights of Indigenous Peoples Act\*](#) (UN Declaration Act) received Royal Assent and immediately came into force. It creates a lasting framework to advance the implementation of the UN Declaration at the federal level.

In keeping with the UN Declaration Act, the Government of Canada worked in consultation and cooperation with Indigenous peoples to identify the measures necessary to ensure federal laws are consistent with the UN Declaration, and to co-develop an action plan to achieve the objectives of the UN Declaration.

In December 2021, Justice Canada launched a two-phased broad, inclusive and distinctions-based consultation and cooperation process with Indigenous peoples to advance the implementation of the UN Declaration Act. The first phase involved identifying priorities and potential measures for a draft action plan, while the second phase consisted of validating proposed measures and modifying them as necessary, identifying and filling any gaps, and including additional measures.

In March 2023, Canada released a draft action plan and a [\*What We Learned to Date Report\*](#).

Since March 2023, Canada has been working intensively with Indigenous peoples, who identified gaps and brought forward hundreds of additional priorities, including numerous legislative, regulatory, policy and program changes for alignment with the UN Declaration, many of which have been included in this action plan. Many also raised the need for additional investments to support their capacity to participate in the implementation of the UN Declaration Act.

Numerous partners also called for the need to educate all Canadians on the UN Declaration and other topics that would enhance cultural sensitivity and promote understanding as well as good relations between Indigenous and non-Indigenous people in Canada.



Consistent with the Truth and Reconciliation Commission's Calls to Action, the Government of Canada is committed to supporting education and training so everyone can learn about:

- Indigenous rights as human rights
- the history, stories and values of Indigenous peoples
- the role of treaties, agreements and alliances as foundational to our ongoing nation-to-nation, Inuit-Crown and government-to-government relationships
- the truth about the grave harms against Indigenous peoples committed as part of settler colonialism and extensively documented by the Royal Commission on Aboriginal Peoples, the Truth and Reconciliation Commission, and the National Inquiry into Missing and Murdered Indigenous Women and Girls
- the strength and resilience of Indigenous peoples in the face of those harms and their unwavering determination to steward their traditional territories and rebuild their languages, cultures, laws and prosperity

The release of this action plan is the result of the first and second phase of the consultation and cooperation process and reflects another important step on our journey of reconciliation. We acknowledge the tight timeframes imposed by the UN Declaration Act, which created challenges for us all. Going forward, all submissions received from Indigenous partners are expected to inform the next phase of our implementation work together. Furthermore, the UN Declaration Act requires periodic review and amendment of the action plan, in consultation and cooperation with Indigenous peoples. In this way, the action plan is an evergreen roadmap, with opportunities to renew and further co-develop its contents as part of the UN Declaration implementation process.

## Vision for the future

The UN Declaration Act provides a historic, transformative opportunity to ensure the full implementation of the inherent rights of Indigenous peoples as affirmed in the UN Declaration. The [preamble to the UN Declaration Act](#) reflects the vision of Indigenous peoples and leaders who worked so hard and for so long to bring the UN Declaration into being, and has guided and inspired our work to date. We reproduce it here to remind us of the objectives we are pursuing through this action plan:

Whereas the United Nations Declaration on the Rights of Indigenous Peoples provides a framework for reconciliation, healing and peace, as well as harmonious and cooperative relations based on the principles of justice, democracy, respect for human rights, non-discrimination and good faith;

Whereas the rights and principles affirmed in the Declaration constitute the minimum standards for the survival, dignity and well-being of Indigenous peoples of the world, and must be implemented in Canada;

Whereas, in the outcome document of the high-level plenary meeting of the General Assembly of the United Nations known as the World Conference on Indigenous Peoples, Canada and other States reaffirm their solemn commitment to respect, promote and advance the rights of Indigenous peoples of the world and to uphold the principles of the Declaration;

Whereas, in its document entitled *Calls to Action*, the Truth and Reconciliation Commission of Canada calls upon federal, provincial, territorial and municipal governments to fully adopt and implement the Declaration as the framework for reconciliation, and the Government of Canada is committed to responding to those Calls to Action;

Whereas, in its document entitled *Calls for Justice*, the National Inquiry into Missing and Murdered Indigenous Women and Girls calls upon federal, provincial, territorial, municipal and Indigenous governments to implement the Declaration, and the Government of Canada is committed to responding to those Calls for Justice;

Whereas First Nations, Inuit and the Métis have, throughout history and to this day, lived in the lands that are now in Canada with their distinct identities, cultures and ways of life;

Whereas Indigenous peoples have suffered historic injustices as a result of, among other things, colonization and dispossession of their lands, territories and resources;

Whereas the implementation of the Declaration must include concrete measures to address injustices, combat prejudice and eliminate all forms of violence, racism and discrimination, including systemic racism and discrimination, against Indigenous peoples and Indigenous elders, youth, children, women, men, persons with disabilities and gender-diverse persons and two-spirit persons;

Whereas all doctrines, policies and practices based on or advocating the superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences, including the doctrines of discovery and *terra nullius*, are racist, scientifically false, legally invalid, morally condemnable and socially unjust;

Whereas the Government of Canada rejects all forms of colonialism and is committed to advancing relations with Indigenous peoples that are based on good faith and on the principles of justice, democracy, equality, non-discrimination, good governance and respect for human rights;

Whereas the Declaration emphasizes the urgent need to respect and promote the inherent rights of Indigenous peoples of the world which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories, philosophies and legal systems, especially their rights to their lands, territories and resources;

Whereas the Government of Canada recognizes that all relations with Indigenous peoples must be based on the recognition and implementation of the inherent right to self-determination, including the right of self-government;

Whereas the Government of Canada is committed to taking effective measures — including legislative, policy and administrative measures — at the national and international level, in consultation and cooperation with Indigenous peoples, to achieve the objectives of the Declaration;

Whereas the Government of Canada is committed to exploring, in consultation and cooperation with Indigenous peoples, measures related to monitoring, oversight, recourse or remedy or other accountability measures that will contribute to the achievement of those objectives;

Whereas the implementation of the Declaration can contribute to supporting sustainable development and responding to growing concerns relating to climate change and its impacts on Indigenous peoples;

Whereas the Government of Canada acknowledges that provincial, territorial and municipal governments each have the ability to establish their own approaches to contributing to the implementation of the Declaration by taking various measures that fall within their authority;

Whereas the Government of Canada welcomes opportunities to work cooperatively with those governments, Indigenous peoples and other sectors of society towards achieving the objectives of the Declaration;

Whereas the Declaration is affirmed as a source for the interpretation of Canadian law;

Whereas the protection of Aboriginal and treaty rights — recognized and affirmed by section 35 of the [Constitution Act, 1982](#)— is an underlying principle and value of the Constitution of Canada, and Canadian courts have stated that such rights are not frozen and are capable of evolution and growth;

Whereas there is an urgent need to respect and promote the rights of Indigenous peoples affirmed in treaties, agreements and other constructive arrangements, and those treaties, agreements and arrangements can contribute to the implementation of the Declaration;

Whereas respect for human rights, the rule of law and democracy are underlying principles of the Constitution of Canada which are interrelated, interdependent and mutually reinforcing and are also recognized in international law;

And whereas measures to implement the Declaration in Canada must take into account the diversity of Indigenous peoples and, in particular, the diversity of the identities, cultures, languages, customs, practices, rights and legal traditions of First Nations, Inuit and the Métis and of their institutions and governance structures, their relationships to the land and Indigenous knowledge;

Visit [www.Canada.ca/Declaration](http://www.Canada.ca/Declaration) to read the UN Declaration Act.

Indigenous peoples were clear throughout the UN Declaration Act Action Plan consultation and cooperation process: the Action Plan is another step along our journey together, it is not an end point. It offers a path toward reconciliation that will be walked by generations to come. It cannot and must not be a static document, but must continue to evolve in consultation and cooperation with Indigenous peoples.

It is in this spirit that we see the co-development of a joint Vision Statement as a work in progress for which more time is needed. We commit to undertaking this work through a new UN Declaration Act Advisory Committee we propose to establish as we enter the implementation phase starting June 2023.

We would like to take this opportunity to reflect back some of the many inspiring vision statements shared with us by a diverse range of Indigenous partners over the course of the UN Declaration Act Action Plan consultation and cooperation process to date:

*“Reconciliation for Indigenous Peoples is complex. There is no single concept that could clearly capture all that is required to achieve reconciliation. What we know is that reconciliation requires action. It requires a real effort by Canada and Canadian society to work with Indigenous Peoples to do better in the treatment of Indigenous Peoples in this Country. Reconciliation requires Canadian society to make amends for historical injustices that continue to hinder the wellbeing of Indigenous Peoples. Reconciliation requires the right for Indigenous Peoples to live in safety and be governed in accordance with their own Indigenous principles, values, customs and traditions without discrimination and that their Indigenous customs, laws and institutions not be constrained or diluted to conform to Canadian legal norms. Reconciliation requires a commitment by Canada and Canadian society to continue to work with Indigenous Peoples to improve a quality of life for Indigenous communities, families and our most vulnerable and that we become a world leader that respects the human rights of Indigenous Peoples.”*

- **Victoria B. Fred (for the Assembly of First Nations Yukon Region)**, Barrister & Solicitor, Kwanlin Dün First Nation

*“While all First Nations in Canada have been subjected to oppression and colonization, some of the historic expressions of colonization have been distinct in different regions. Most fundamental in this regard is that, unlike much of Canada, in British Columbia there are few treaties – the pre-Confederation treaties on Vancouver Island, part of Treaty 8 and a handful of modern treaties. Given this reality, in British Columbia a primary focus of First Nation-Crown relations has been, and continues to be, completing the unfinished work of structuring proper relations that respect First Nations' sovereignty, including their governments, laws, jurisdiction and inherent title and rights. This necessarily requires some different actions and approaches than the work that is required in other areas of Canada.”*

- **First Nations Leadership Council**, “FNLC Priorities Paper on the United Nations Declaration Act National Action Plan”, May 2023

*“Our vision is through the implementation of the United Nations Declaration of Indigenous People and the Action Plan is that all people will benefit, the Indigenous and the Canadian state alike. The Crown and the First Nations agreed, in treaty making, that their citizens would not only survive but prosper, the unique benefits of the coming together of two ways of life would be shared, and they would both benefit from the land and resources. The UNDA and the Action plan will promote greater compliance and awareness of the work required to respect and implement the human rights of Indigenous peoples.”*

- **Federation of Sovereign Indigenous Nations**, Vision and Value Statement, May 2023

*“The Anishinaabe Nation in Treaty 3 did not surrender any rights of self-government by agreeing to Treaty #3 in 1873. We exercise our inherent jurisdiction as the Anishinaabe (people) “planted on the land” by the Creator.*

*[...] Historic Treaties, signed before 1975, are constitutionally protected agreements that existed at the time of the Constitution Act of 1982 and were thereby recognized and affirmed. Canada recognizes 70 historic treaties, representing over 600,000 First Nations people in Canada and 364 First Nations. Indigenous peoples who entered into Historic Treaties (“Indigenous Historic Treaty Partners”) negotiated for certain Treaty rights and exchanged commitments with the Crown. The Supreme Court of Canada has stated on many occasions that the “honour of the Crown” requires the avoidance of “sharp dealing” because Treaties form a sacred relationship and it is assumed that the Crown intends to fulfil its promises.*

*[...] Under Article 37 of UNDRIP, it is imperative that Canada and Indigenous peoples work together to co-develop legislative and policy processes, tools, and mechanisms to ensure that Historic Treaties are recognized, observed, and enforced, or in other words—implemented. Implementing Historic Treaties in a broad and purposive manner to uphold the honour of the Crown is an ongoing process that can and should be supported and advanced by the UNDA.*

*[...] Canada’s Action Plan must provide for the honourable implementation of historic treaty promises and do so in a transformative way that renews the Crown-Indigenous treaty relationship and implements UNDRIP.”*

- **Grand Council Treaty #3**, Draft action plan submission, May 18, 2023

*“How can the Declaration be implemented in the Canadian legal system without breaking it down? The need to maintain a holistic approach must be stated here, since the Declaration brings together a set of rights of various kinds (economic, environmental, civil, social, health, cultural, etc.) that should not be compartmentalised.”*

- **Grand Council of the Waban-Aki Nation**, Action Plan submission, April 2023

*“The Action Plan is by no means a final solution to reconciliation in Canada. As such, whatever mechanisms the federal government chooses to bring Canada’s legal frameworks into compliance with UNDRIP must acknowledge that our understandings are always changing. The Action Plan’s mechanisms must, therefore, be flexible, forward looking, and support the renewal of Zagime’s nation-to-nation relationship with the Crown. This is a critical foundation to support a viable Action Plan.”*

- **Zagime Anishinabek First Nations**, Action Plan submission, February 2, 2023

*“Canada’s passing of the United Nations Declaration on the Rights of Indigenous Peoples Act, S.C. 2021, c. 14 (“UNDA”), and the development of this Action Plan is a watershed moment for Canada. It provides Canada with the opportunity, and imposes on it the responsibility, of recognizing, upholding, and protecting the fundamental rights of Indigenous people across the country — something, that to date, it has failed at, and until very recently it has actively worked against. Mikisew knows firsthand the positive changes that can come when Canada takes its international commitments seriously on a domestic stage: it was only after Mikisew engaged with the World Heritage Committee under the World Heritage Convention did Canada begin to take action to protect and restore the Wood Buffalo National Park (“WBNP”) World Heritage Site. Until Mikisew sought to hold Canada accountable for its international obligations, Canada had ignored the dying of the Peace Athabasca Delta and the resulting infringements of Mikisew’s Aboriginal and Treaty rights.*

*Mikisew is thus once again taking the opportunity to advocate for the federal government to develop strong, measurable, and meaningful actions to demonstrate its commitment to UNDRIP.”*

- **Mikisew Cree First Nation**, Action Plan submission, May 2023

*“The United Nations Declaration on the Rights of Indigenous Peoples Act is about the respect and recognition of the human rights of Indigenous peoples. Canada’s implementation of UNDRIP boasts efforts to reinvigorate and recognize Indigenous self-governance. In our view, doing so requires the co-development of Nation-to-Nation mechanisms, including recognition of Indigenous laws and jurisdiction, enforcement and affirmation of Indigenous governance models and laws. Implementation of the new relationship is to be mutually beneficial to both of our treaty-based nations, reflecting the spirit and intent of our Treaty. An examination of Indigenous rights, now that the Doctrine of Discovery has been legally nullified will also need to be clearly articulated and confirmed. This is why SLCN recommends that Canada interacts with a group of self-identifying Cree Nations who wish to participate in an efficient and egalitarian process to implement the Declaration.”*

- **Shoal Lake Cree Nation**, Action Plan submission, February 13, 2023

*"In 2007, the United Nations General Assembly adopted the UN Declaration on the Rights of Indigenous Peoples ("UNDRIP"). UNDRIP is the most comprehensive international instrument on the rights of Indigenous Peoples. It is a law that promotes and protects the minimum global standards to uphold the inherent human rights of Indigenous Peoples for regenerating their dignity, survival and well-being. It affirms treaties, the right of self-determination, traditional territories and resources, knowledge and heritage, language rights, and economic, health and social rights. It prevents any kind of discrimination. It makes Mi'kmaq persons under United Nations law's general human rights principles. It deemed Mi'kmaw laws, traditions, and customs part of customary international law. It elaborates on existing inherent human rights standards and fundamental freedoms and incorporates international human rights law to apply to the Mawio'mi and Mi'kmaq. It affirms Mi'kmaw self-determination, its inherent and treaty rights and the freedom to choose their future. It affirms the Mi'kmaw quest to safeguard their heritage, knowledge, culture, identity and languages, which is vital for recognizing, protecting, and fulfilling Mi'kmaw rights. These inherent rights transform the past into a tool to address present needs and future challenges."*

- **Eskasoni First Nation**, "UNDRIP Communications Report: UNDRIP and Canadian Law", April 2023

*"True reconciliation requires making space for Indigenous voices that have been systemically denied, dismissed, or unheard. It also includes recognizing distinctions within those voices, such as the established rights of modern treaty nations."*

*The systems in which Canada has been operating were not designed for reconciliation. In fact, in most circumstances, they were designed to do the opposite. As Canada works towards active reconciliation through this action plan and other initiatives, it is vital we do not leave the voices of modern treaty nations behind. Developing and implementing the Action Plan in a meaningful way means decolonizing engagement formats, decision-making processes, and reporting requirements. The Alliance is trusting our treaty partners to take our words, values and advice into your departments and approval processes, and advocate for change when needed."*

- **Chief Laura Cassidy of Tsawwassen First Nation**, on behalf of the Alliance of BC Modern Treaty Nations

*"True implementation of UNDRIP would necessitate a complete overhaul of Canadian law. This is a generational project. To do so properly and fully "in consultation and cooperation" with Indigenous peoples, adequate resources and time must be provided for all engagement and decision-making activities related to the Act to take place in a collaborative process. If this process is rushed, there is a strong possibility that a 'Pan-Indigenous' approach will be taken. DGG reminds Canada that such an approach would violate the diversity of Indigenous peoples that UNDRIP promotes and seeks to protect."*

- **Déliné Got'ine Government**, Action Plan submission, January 2023

*“We encourage Canada to continue to engage with us and other First Nations to gain better insight into what is required to implement UNDRIP. This current engagement on Canada’s Action Plan should be understood as the beginning of an ongoing dialogue. Among many other things, the Action Plan should include a commitment to continue to consult and work collaboratively to achieve reconciliation and the vision of UNDRIP.*

*[...] Reconciliation has many meanings for Indigenous Nations across Canada. We appreciate the work done by our National Indigenous organizations to promote reconciliation but believe it is imperative for Canada to engage with us directly at the local and regional level to gain tangible understandings of our challenges so we can work together cooperatively to develop meaningful solutions.”*

- **Tr’ondëk Hwëch’in Government**, Action Plan submission, December 16, 2022

*“Implementation of UNDRIP, and its core themes of Indigenous freedom and self-determination, will only be successful through implementation of Indigenous jurisdiction and title. Centuries of Crown colonialism have denied and eroded Indigenous jurisdiction and ownership, and suppressed and supplanted Indigenous self-governance.*

*The Action Plan, to effectively implement UNDRIP, must place focus on unwinding this colonial legacy in a structured way that returns and recognizes Indigenous jurisdiction and ownership while at the same time supporting Indigenous Nations to rebuild and renew our governance and institutions.”*

- **T̄silhqot’in National Government**, Action Plan submission, December 15, 2022

*“Full, effective and expedient implementation of the rights of Inuit that are recognized and affirmed by section 35, including the obligations and objectives of the Inuit-Crown treaties and self-government agreements, and the rights affirmed by the United Nations Declaration on the Rights of Indigenous Peoples, is foundational for creating prosperity among Inuit [...]”.*

- **Guiding Principles 3.1.2 of the Inuit Nunangat Policy**



*"In 2021, Canada and the Manitoba Métis Federation (MMF) — the government of the Red River Métis — signed the Manitoba Métis Self-Government Recognition and Implementation Agreement (SGRIA) to, among other things, "recognize, support, and advance the exercise of the Manitoba Métis' [also known as the Red River Métis] right to self-determination, and its inherent right to self-government recognized and affirmed by section 35 and protected by section 25 of the Constitution Act, 1982, in a manner that is consistent with the United Nations Declaration on the Rights of Indigenous Peoples, through a constructive, forward-looking, and reconciliation-based arrangement that is premised on rights recognition and implementation."*

*This same year, Canada's United Nations Declaration on the Rights of Indigenous Peoples Act (the Act) received royal assent and came into force. Both the Act and the SGRIA commit Canada to working with the MMF to implement the UN Declaration, to advance reconciliation with the Red River Métis, and to advance their inherent right to self-government and self-determination. Despite the developments of the last few years, there is much work to be done for Canada to reconcile with the Red River Métis and fully implement the UN Declaration."*

- **Manitoba Métis Federation**, Action Plan submission, April 28, 2023

*"There is no word in Michif, Cree or Dënë for "reconciliation". Instead, only Kwaayesh Aashtaayaahk – Michif, and Kwayskahstahsoowin – Michif and Cree, which means "setting things right" and Ĕta nıdet Ĕta Ĕghëdëleda há – Dënë, which means "gathering to work together". Canada's implementation of UNDRIP, which reflects the "minimum standards" of Indigenous rights, in accordance with the UNDRIP Act, and its commitments set out therein (e.g., "consultation and cooperation with Indigenous peoples," etc.), is critical to Kwaayesh Aashtaayaahk / Kwayskahstahsoowin / Ĕta nıdet Ĕta Ĕghëdëleda há."*

- **Métis Nation – Saskatchewan**, Action Plan submission, February 14, 2023

*"Canada's Action Plan must not just implement a plan, it must guarantee Indigenous People their free access to their rights. The UNDRIP lays out these rights within its Articles, and Canada must now enforce these rights. These rights are inherent, and minimum standards to ensure Indigenous Peoples' wellbeing. Until now, Canada's colonial laws and policies have not prioritized these minimum standards, and this is a chance to do better. The UNDRIP is Canada's framework for reconciliation, and the Action Plan is Canada's chance to make good on that promise."*

- **Native Women's Association of Canada**, Action Plan submission, April 2023

*"The implementation and application of the action plan necessitate a gender-based and intersectional approach. Advancing the rights of Indigenous peoples requires acting for the advancement of Indigenous women and girls, and recognizing the importance of their mobilizing role, the importance of their involvement in decision-making and of their full, equal and effective participation, as well as of their role as managers, leaders, protectors of natural resources and agents of change."*

- **Quebec Native Women**, Action Plan submission, April 2023

*“Bill C-15, [...], represents a once-in-a-lifetime opportunity to reset both the scales of justice and the balance of power so that indigenous women, children and two-spirit and gender-diverse people are protected, safe and free.*

*Accomplishing the equitable implementation of UNDRIP domestically will be no easy feat. It will require a distinctions-based approach that recognizes no hierarchy of rights among the first nations [sic], Inuit and Métis. Moreover, within each of the three distinctions-based groups, the unique experience of Indigenous women, girls and two-spirit and gender-diverse people will also require specific analysis and attention, given their precarious and vulnerable positions in Canadian society.”*

- **Les Femmes Michif Otipemisiwak – Women of the Métis Nation**, Testimony to House of Commons Standing Committee on Indigenous and Northern Affairs, on Bill C-15, April 15, 2021

*“Opportunities are cultivated to advance digital pathways rooted in Indigenous ways of knowing and being, driving positive change for generations. Indigenous Peoples leveraging technology to amplify their worldviews, tech equity and digital sovereignty.”*

- **Indigenous Friends Association**, Draft action plan validation, April 2023

*“These considerations should inspire a main principle of UNDA, that is, that new approaches to Indigenous relations are required by Canada that respect and reflect the realities of Indigenous communities, their self-determination, and ways of collectively organizing; principles upheld by UNDRIP, but which are so often obfuscated by the scaffolding of the state and the colonial relations that Canada maintains with a select number of Indigenous organizations.”*

- **Ontario Federation of Indigenous Friendship Centres**, Feedback on 'What We Learned to Date Report', January 24, 2023

*“The youth we have spoken to have clearly articulated that UNDRIP’s implementation will not reflect their or their communities’ needs and values unless it is done in a good way. In part, this means a substantive, accessible, meaningful, and continuous engagement. Indigenous people, including youth, take a risk when agreeing to engage with the Government of Canada; they risk having their words misrepresented, and they risk being ignored. Taking the time to engage in a substantive way will help Indigenous youth and their communities feel respected in the process. Ultimately, the needs, voices, and wellbeing of Indigenous youth and future generations must be centered in the Action Plan and any future initiatives taken under the umbrella of UNDRIP implementation.”*

- **Canadian Roots Exchange**, “Indigenous Youth Voices and the UNDRIP Action Plan: Preliminary Report”, August 2022

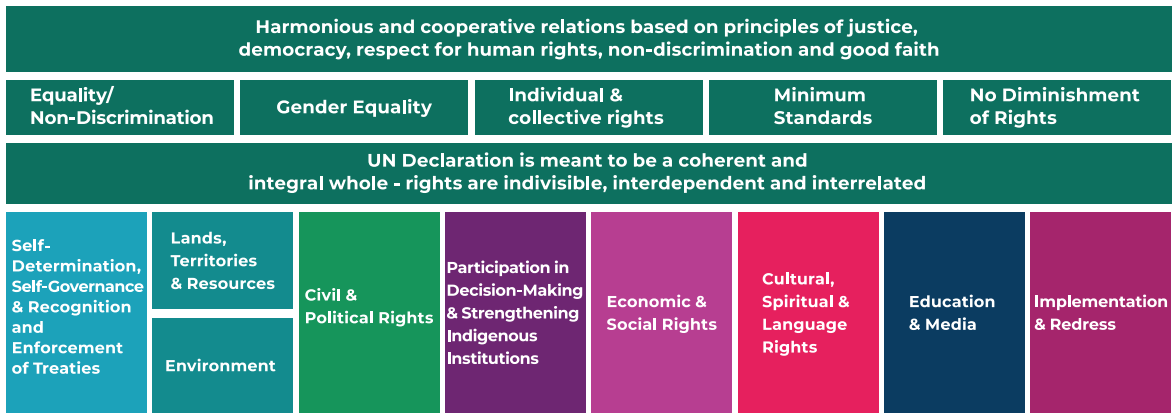
# 2023-2028 Action Plan

The Government of Canada is committed to implementing the measures identified in this action plan, which outlines a whole of government roadmap for advancing reconciliation with Indigenous peoples through a renewed, nation-to-nation, government-to-government, and Inuit-Crown relationship based on recognition of rights, respect, cooperation, and partnership as the foundation for transformative change. It is important to emphasize that the action plan is not intended to be a comprehensive or restrictive set of actions to be taken by the federal government and Indigenous peoples to implement the UN Declaration. Rather, it will be an evergreen document that will allow for responsiveness to new priorities that emerge over time. The measures identified in the action plan are in areas where there were emerging trends or similarities in proposals among Indigenous peoples on priorities and key actions required to advance implementation of the UN Declaration Act.

The measures are organized into five chapters:

1. **Shared Priorities:** this section sets out commitments to implement measures required by the UN Declaration Act as well as measures that address cross-cutting Indigenous priorities, and responds to priorities put forward by Indigenous peoples, including First Nations, Inuit and Métis, Modern Treaty and Self-Governing Nations, diversity groups (e.g., Indigenous women, Elders, youth, persons with disabilities, Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Plus [2SLGBTQI+] people) and urban and off-reserve organizations.
2. **First Nations Priorities:** this section sets out commitments to implement measures that respond to submissions put forward by First Nations representative organizations, historic and numbered Treaty partners, and First Nations governments.
3. **Inuit Priorities:** this section sets out commitments to implement measures that respond to submissions put forward by Inuit Tapiriit Kanatami (ITK) and Inuit Treaty Organizations.
4. **Métis Priorities:** this section sets out commitments to implement measures that respond to submissions put forward by the Métis National Council (MNC) and its governing members – the Métis Nation of Ontario, the Métis Nation of Saskatchewan, the Métis Nation of Alberta and the Métis Nation of British Columbia - as well as to separate submissions put forward by the Manitoba Métis Federation.
5. **Indigenous Modern Treaty Partner Priorities:** this section sets out commitments to implement measures that respond to submissions put forward by Modern Treaty Partners across Canada.

Each measure is categorized as related to the legislated priorities or thematic areas of the UN Declaration to provide an organizing framework for reporting. These thematic areas reflect the rights set out in the UN Declaration as follows:



# Next steps for implementing the Action Plan

The action plan is a starting point for ongoing consultation and cooperation with Indigenous peoples on UN Declaration implementation. The Government of Canada is committed to working with Indigenous peoples to advance implementation of the action plan in order to achieve the objectives of the UN Declaration.

A variety of new and existing mechanisms may be utilized to make progress on the work ahead, including permanent bilateral mechanisms, national and regional committees to co-develop implementation plans for the measures where needed, as well as possible federal-provincial-territorial-Indigenous fora.

To ensure Indigenous peoples' continued participation in the action plan implementation process, Justice Canada, along with a number of federal departments, will provide funding to support Indigenous participation in the various implementation, monitoring and oversight processes described in the Action Plan.

# Shared understandings and principles

Ensuring that the words and language used throughout the action plan are clear and consistent is important for successful implementation.

The [2021 National Action Plan: Ending Violence Against Indigenous Women, Girls and 2SLGBTQQIA+ People](#) includes a “Note to Reader” (pages 3 to 5) that defines some of the key terms that are also used in this action plan, including Indigenous, Inuit, First Nations, Métis, and Urban Realities. Recognizing the extensive collaboration that informed the definitions used in that report, we have also adopted them for purposes of this action plan.

Moreover, while the action plan uses different terminology, such as Indigenous partners, organizations, groups, and representative organizations, the terms used are not meant to be exclusionary. In keeping with the broad and inclusive consultation and cooperation approach, further dialogue with Indigenous peoples will clarify any ambiguity.

## Guiding principles

The following guiding principles are inspired from Indigenous partners' written submissions toward the action plan or other existing reports. These principles offer starting points to a mutual understanding, and will continue to be co-developed with Indigenous partners as we work toward the action plan's future renewal.

### Building on what has come before

This action plan has been informed by, builds upon and should be read in harmony with the recommendations made by the Royal Commission on Aboriginal Peoples, the Truth and Reconciliation Commission and the National Inquiry into Missing and Murdered Indigenous Women and Girls.

### Consultation and cooperation

The UN Declaration Act mandates the Government of Canada to not only consult with Indigenous peoples, but also cooperate with them. This means that Indigenous peoples have the opportunity, including through their representative organizations, to participate in and to positively influence federal decision-making processes with adequate time and supported by adequate resources.

### Co-development

Co-development reflects the highest end of the consultation and cooperation spectrum and involves Indigenous peoples and the Government of Canada working together in good faith through a substantive, collaborative, and consensus-based process to develop effective solutions and advance UN Declaration implementation in a timely way.

### Regional considerations

Implementation approaches will take into consideration region-specific knowledge and realities, including consultation at the local and regional levels, to maximize action plan measures' positive impact across the country.

## **Inclusive and intersectional**

The UN Declaration Act states that “measures to implement the UN Declaration in Canada must take into account the diversity of Indigenous peoples and, in particular, the diversity of the identities, cultures, languages, customs, practices, rights and legal traditions of First Nations, Inuit and the Métis and of their institutions and governance structures, their relationships to the land and Indigenous knowledge”.

The work of implementing the UN Declaration must also ensure, in all aspects and at all stages, the intentional and meaningful inclusion of First Nations, Inuit and Métis, Elders, youth, children, women, men, persons with disabilities, gender-diverse people and two-spirit individuals, as well as those residing in urban/off-reserve areas. The specific needs, experiences, identities, abilities, and knowledge of these populations will be respected and taken into consideration with the aid of an inclusive and intersectional approach that considers the principles of gender-based analysis plus (GBA+) as well as the social determinants of intersecting identities.

First Nations, Inuit and Métis Elders and Knowledge Keepers are centrally important to the health and continuity of distinct Indigenous cultures, knowledge, languages, laws, and many other inter-related facets of self-determination. Respect for and particular attention to the rights and unique contributions of Elders and Knowledge Keepers will be integral to fulfilling many of the commitments set out in this action plan.

## **Progressive and transformative**

Implementing the UN Declaration requires intentionally moving beyond existing ways of doing things and work that is already underway. To be transformative and honour the vision at the heart of the UN Declaration, this work must build on and exceed current efforts.

## **Measurable and accountable**

Actionable and sustained UN Declaration implementation must include co-developed accountability mechanisms and evaluation tools and frameworks that reflect Indigenous ways of knowing and understanding. This will help ensure that implementation is flexible, sustainable and adaptive to the evolving needs and priorities of Indigenous peoples. Regular assessment and reporting must utilize clear and specific indicators and timelines that have been co-developed with Indigenous peoples, and be supported by data collection and reporting methods that prioritize Indigenous data governance and sovereignty.

## **Accessible**

The language used in the action plan must be gender inclusive and in an accessible format to maximize reach and promote inclusion.

## **Integrative and holistic**

Action plan measures are considered co-dependent and interconnected and thus must not be compartmentalized.



# Chapter 1: Shared priorities

As a preliminary note to this Chapter, Canada recognizes that the UN Declaration Act states that “measures to implement the Declaration in Canada must take into account the diversity of Indigenous peoples and, in particular, the diversity of the identities, cultures, languages, customs, practices, rights and legal traditions of First Nations, Inuit and the Métis and of their institutions and governance structures, their relationships to the land and Indigenous knowledge.”

Canada recognizes that while some priorities may be shared among First Nations, Inuit and Métis, adopting a distinctions-based approach requires that Canada's relationships and engagement with First Nations, Inuit and Métis include different approaches or actions and result in different outcomes. Canada also recognizes the importance of historic and modern treaties in informing its relationships and approaches. Finally, Canada acknowledges the need for sensitivity to the impacts that colonization and various forms of discrimination have had on Indigenous identities and the ability of some Indigenous people to maintain their connections to traditional lands, cultures, languages and communities.

## Legislated priorities

### Measures for ensuring that the laws of Canada are consistent with the UN Declaration

The goal of this priority area is to ensure a Canada where:

- Respect for Indigenous rights is systematically embedded in federal laws and policies developed in consultation and cooperation with Indigenous peoples affected by them

The Government of Canada will take the following measures in consultation and cooperation with Indigenous peoples:

1. Develop and implement a process and further direction for federal government departments and agencies to ensure bills and proposed regulations are consistent with the UN Declaration through measures such as:
  - Building on initial interim guidance for assessing consistency of federal laws with the UN Declaration (**Justice Canada**)
  - Cabinet directives or mandatory assessment tools on consistency with the UN Declaration (**Privy Council Office Treasury Board of Canada Secretariat**)
  - Other tools to advance the implementation of section 5 of the UN Declaration Act. (**Various departments**)



2. Identify and prioritize existing federal statutes for review and possible amendment, including:
  - A non-derogation clause in the *Interpretation Act* **(Justice Canada)**
  - An interpretive provision in the *Interpretation Act* or other laws that provides for the use of the UN Declaration in the interpretation of federal enactments **(Justice Canada)**
  - Any other specific pieces of legislation either already under review or which Indigenous peoples and relevant departments have jointly identified as a priority for review. **(All departments)**
3. Where a statute requires periodic review, responsible departments will conduct that review in a manner that ensures consistency with the UN Declaration and meets applicable consultation and cooperation requirements in the UN Declaration Act **(All departments)**

## Addressing injustices, prejudice, violence, systemic racism and discrimination

The goal of this priority area is to ensure a Canada where:

- Indigenous peoples fully express and exercise their distinct rights, and enjoy living in Canada without interpersonal, systemic and institutional interference, oppression or other inequities associated with Indigenous-specific racism and discrimination, wherever they reside.

The Government of Canada will take the following measures in consultation and cooperation with Indigenous peoples:

4. Co-develop a comprehensive approach to combat anti-Indigenous racism in support of Canada's new Anti-Racism Strategy. **(Canadian Heritage)**
5. Provide program funding to support community-based initiatives to combat anti-Indigenous racism. **(Canadian Heritage)**
6. Fully implement Joyce's Principle and ensure it guides work to co-develop distinctions-based Indigenous health legislation to foster health systems that will respect and ensure the physical, mental and cultural safety and well-being of Indigenous peoples. Co-development of the distinctions-based Indigenous health legislation will be undertaken with First Nations, Inuit, Métis, intersectional partners, and provinces and territories to inform potential legislative options. **(Indigenous Services Canada)**
7. Work with partners, including Indigenous organizations, health systems partners, educational institutions and engage with provincial and territorial governments, to develop a longer-term national approach to addressing anti-Indigenous racism in health systems to support health equity and accessibility for Indigenous peoples. This work includes:
  - Developing a longer-term national approach to improving access to culturally-safe health services and integrating cultural and patient safety in health systems
  - Introducing measures to increase accountability within health systems
  - Support for and capacity building in health human resources.

The longer-term approach will be informed by the ongoing National Dialogues, the renewal of Canada's Anti Racism Strategy, and the co-development of distinctions-based Indigenous health legislation in order to fully implement Joyce's Principle. **(Indigenous Services Canada, Health Canada)**

8. Work with provinces and territories to improve fair and equitable access to quality and culturally safe health services, including through seamless service delivery across jurisdictions and meaningful engagement and work with Indigenous organizations and governments. **(Indigenous Services Canada, Health Canada)**
9. Guided by the findings of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls and the Métis-specific calls for *Miskotahâ*, work to end systemic violence against Indigenous women, girls, and gender-diverse people by:
  - Continuing to implement the Federal Pathway to address the root causes of violence against Indigenous women, girls, and 2SLGBTQI+ people
  - Developing a comprehensive Violence Prevention Strategy to expand culturally relevant gender-based supports for Indigenous women, children, families and 2SLGBTQI+ people facing gender-based violence
  - Working in partnership with Indigenous peoples and organizations, as well as provincial and territorial governments, and other partners to develop effective and culturally-appropriate solutions for people seeking to escape abusive environments including access to safe housing, shelters, counselling services, legal assistance and healing projects, across the country including on reserve, in the north and in urban areas. **(Various departments)**
10. Continue to inform the implementation of the National Action Plan to End Gender-Based Violence (GBV), particularly Pillar 4, in conjunction with Indigenous peoples. The National Plan to End GBV was launched in November 2022 and includes a pillar specifically on Indigenous-led approaches that is complementary to and aligned with the 2021 Missing and Murdered Indigenous Women, Girls, and 2SLGBTQI+ People National Action Plan. Pillar 4 recognizes the importance of preventing and addressing GBV against Indigenous women, girls, and 2SLGBTQI+ people through Indigenous-led, gender-based approaches. **(Various departments)**
11. Implement Pillar 3 of the Federal 2SLGBTQI+ Action Plan, "Support Indigenous 2SLGBTQI+ Resilience and Resurgence," focusing on advancing rights and equality of Indigenous 2SLGBTQI+ people through collaboration and cooperation with Indigenous peoples and national Indigenous organizations, governments, and representative institutions, while recognizing distinct cultural approaches to identity. **(Various departments)**

12. Partner with Indigenous communities and organizations, industry, other federal departments and provinces and territories to develop and implement a strategy to:
  - Increase safety and security of Indigenous women, girls and 2SLGBTQI+ people at all stages of resource project development
  - Empower Indigenous women, girls and 2SLGBTQI+ people to influence and equitably benefit from resource development through increased participation across disciplines and occupations, leadership positions and throughout the supply chain
  - Partner and pathfind with other federal departments to identify whole of government responses to mitigate the impacts of resource development projects on Indigenous women, girls and 2SLGBTQI+ peoples. **(Natural Resources Canada)**
13. Ensure that federal laws comprehensively protect Indigenous women, girls and 2SLGBTQI+ individuals from coerced sterilizations. **(Justice Canada)**

## Promoting mutual respect and understanding as well as good relations, including through human rights education

The goal of this priority area is to ensure a Canada where:

- All peoples and sectors of Canadian society respect the diversity and distinctiveness of Indigenous peoples and their inherent, constitutional and human rights and there are systems, structures and processes that uphold those human rights.

The Government of Canada will take the following measures in consultation and cooperation with Indigenous peoples:

14. Develop and implement foundational training co-created by Indigenous subject matter experts, including with the Canada School of Public Service, for federal public servants that will build fundamental understanding and competence about the history, rights and title of Indigenous peoples, treaties, the UN Declaration, the UN Declaration Act, the dynamics of respectful relations, Indigenous-specific systemic racism, and meaningful reconciliation. **(Justice Canada and various departments)**
15. Create an Intercultural Learning Strategy that utilizes consultation with both internal and community stakeholders to inform the review, procurement, promotion, design and delivery of learning products to promote intercultural competence in all aspects of learning. **(Royal Canadian Mounted Police)**
16. Encourage federally regulated employers to work in partnership with their employees and Indigenous organizations and groups to ensure workplaces and practices are equitable and inclusive, while raising awareness of Indigenous culture and issues. This work is to be done in a manner that is measurable. **(Employment and Social Development Canada)**
17. Work with the National Judicial Institute to explore options for the provision of training on the UN Declaration to the judiciary. **(Justice Canada)**

18. Develop and distribute, in collaboration with Indigenous educational organizations, museums and other organizations, as appropriate, educational materials to inform non-Indigenous Canadians on the UN Declaration and the human rights of Indigenous peoples. **(Justice Canada and various departments)**

## Ensuring oversight and accountability on the implementation of the UN Declaration

The goal of this priority is a Canada where:

- Indigenous peoples can expect and trust that the Government of Canada will honourably fulfill all of its legislated (including under the UN Declaration Act), common law, fiduciary and constitutional obligations and responsibilities.
- Indigenous peoples can easily access processes and mechanisms to ensure accountability on the part of the Government of Canada in meeting the objectives of the UN Declaration and upholding Indigenous title and rights.

The Government of Canada will take the following measures in consultation and cooperation with Indigenous peoples:

19. Establish an independent Indigenous rights monitoring, oversight, recourse or remedy mechanism or mechanisms to provide Indigenous peoples with access to and prompt decision through just and fair procedures for dispute and conflict resolution and effective remedies for infringements/violations of their individual and collective rights.

Functions could also include:

- Advancing, monitoring and/or reporting on implementation of the UN Declaration and the UN Declaration Act, as part of ensuring accountability
- Promoting Indigenous rights through research and education
- Advancing initiatives to prevent and end systemic discrimination and other human rights violations experienced by Indigenous peoples
- Contributing to the goal of rebuilding Indigenous governance and ongoing implementation of international human rights instruments in Canadian law

Any Indigenous rights mechanism or mechanisms will:

- Be Indigenous-led and include representation from First Nations, Inuit and Métis and equitably reflect gender and other diversity
- Be distinctions-based by reflecting the distinct rights, interests and circumstances of First Nations, Inuit and Métis
- Be informed by the customs, traditions, rules, and legal systems and legal understandings of Indigenous peoples and international human rights
- Be accessible and easy to use for Indigenous peoples
- Be appropriately resourced
- Be complementary and not duplicative of other monitoring, oversight and dispute resolution mechanisms. **(Justice Canada)**

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

The Government of Canada will take the following measures in consultation and cooperation with Indigenous peoples:

20. Publicly report on progress in an annual report to Parliament and work to ensure coordinated and comprehensive monitoring of implementation of the action plan across existing and new bodies that may be created. **(Justice Canada)**
  - Include in the UN Declaration Act Annual Report on implementation a section describing progress towards dismantling the Indian Act and recognizing the self-determination of Indigenous nations, as well as monitoring and evaluating the application and outcomes of GBA+. **(Crown-Indigenous Relations and Northern Affairs Canada, Justice Canada and various departments)**
  - Coordinate for the UN Declaration Act Annual Report the comprehensive reporting of the actions taken in consultation and cooperation with Indigenous peoples pursuant to section 5 by each relevant federal department and agency. **(Justice Canada)**
  - Develop metrics with Indigenous peoples and representative organizations to ensure that useful measurements are being reported on. **(Justice Canada)**
21. Co-develop and implement a process to review and update the action plan every five years, and a process for making amendments to the action plan. **(Justice Canada)**
22. Establish an Action Plan Advisory Committee (APAC) that will include First Nations, Inuit, and Métis experts selected by First Nations governments and representative institutions, Métis governments and representative institutions and by Inuit Treaty Organizations, or their designates, to provide support and advice, upon request, related to the implementation of shared priorities included in this action plan.

Advice from the APAC will be considered as the Minister, in consultation and cooperation with Indigenous peoples and with other federal ministers, implements the shared priorities in this action plan. **(Justice Canada)**

# Cross-cutting priorities

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

The goal of this priority area is to ensure a Canada where:

- Indigenous peoples exercise and have full enjoyment of their rights to self-determination and self-government, including developing, maintaining and implementing their own jurisdiction, laws, governing bodies, institutions and political, economic and social structures related to Indigenous communities.
- Treaties, agreements and other constructive arrangements with Indigenous peoples are affirmed and fully implemented.
- Colonial laws, policies and practices that have interfered with Indigenous peoples' self-government are repealed or amended.
- Legal pluralism in Canada recognizes and reflects Indigenous legal orders. Recognition of the inherent jurisdiction and legal orders of Indigenous nations is therefore the starting point of discussions aimed at interactions between federal, provincial, territorial, and Indigenous jurisdictions and laws.
- Indigenous governments, like any order of government, have access to ongoing, long-term and stable fiscal mechanisms and revenues to fulfil their roles and responsibilities as governments, and ensure their citizens' wellbeing and ability to thrive.

The Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

23. Canada will withdraw the Comprehensive Land Claims and Inherent Right Policies and will issue a public statement that clarifies Canada's rights recognition approach, including identifying laws and policies that guide the negotiation of treaties, agreements and other constructive arrangements. The public statement will include that the extinguishment of rights is not a policy objective. **(Crown-Indigenous Relations and Northern Affairs Canada)**
24. Remove and address jointly identified barriers to settlement, and co-develop approaches for the implementation of the right to self-determination through treaties, agreements and other constructive arrangements, as well as through new policies and legislative mechanisms. **(Crown-Indigenous Relations and Northern Affairs Canada)**
25. Consistent with article 37 of the UN Declaration, honourably implement historic and modern treaties, self-government arrangements, agreements and constructive arrangements – see specific measures found in subsequent chapters. **(All departments)**
26. Co-develop, in cooperation with Self-Governing Arrangement Holders, solutions to policy impediments impacting the implementation of stand-alone self-government agreements/arrangements and work to resolve them through appropriate actions and mechanisms. **(Crown-Indigenous Relations and Northern Affairs Canada)**

27. Engage with partners on the co-development of a Service Transfer Policy Framework. The purpose of the Framework would be to jointly advance the transfer of responsibility for the design, delivery and management of services from Indigenous Services Canada to Indigenous partners. **(Indigenous Services Canada)**
28. Increase access to justice for Indigenous peoples, strengthen communities and advance self-determination by:
  - Finalizing an Indigenous Justice Strategy, in consultation and cooperation with Indigenous partners, provinces and territories, that will provide the framework for concrete actions to address systemic discrimination and the overrepresentation of Indigenous people in the Canadian justice system **(Justice Canada and various departments)**
  - Providing on-going support for community-led work and initiatives related to revitalization and enforcement of Indigenous laws and legal orders. **(Justice Canada, Public Safety Canada, and various departments)**
29. Continue to implement the *Act respecting First Nations, Inuit and Métis children, youth and families* which affirms the inherent right of self-government, including jurisdiction in relation to child and family services, and sets minimum standards in relation to the delivery of culturally appropriate and Indigenous led services with the aim to reduce the number of Indigenous children in care and ensure they remain connected to their families, communities and culture. **(Indigenous Services Canada)**
30. Continue to support Indigenous Data Sovereignty and Indigenous-led data strategies through legislative, regulatory and policy options to help ensure that First Nations, Inuit, and Métis have the sufficient, sustainable data capacity they need to control, manage, protect, and use their data to deliver effective services to their peoples, tell their own stories, participate in federal decision-making processes on matters that impact them, and realize their respective visions for self-determination. This should include nation-to-nation, Inuit-Crown, and government-to-government approaches to streamline timely sharing and access to federal data and information holdings with Indigenous partners, while respecting the privacy of individuals. This will support Indigenous jurisdiction over their data, and enable Indigenous-led survey and other data collection strategies, such as for the purpose of processing claims; facilitating decision-making; and for genealogical research. **(Indigenous Services Canada, Treasury Board of Canada Secretariat, Library and Archives Canada, and various departments)**
31. Building on ongoing policy and program renewal, the Government of Canada will work in collaboration with Indigenous partners to identify opportunities to reform and strengthen the foundational elements that support rights-based negotiations and approaches. This collaborative work may include a review of program administration, capacity support, funding, and delivery models, including the management of the process for determination of section 35 rights. **(Crown-Indigenous Relations and Northern Affairs Canada)**

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

The goal of this priority area is to ensure a Canada where:

- Indigenous peoples exercise and have full enjoyment of their inherent rights, including the right to own, use, develop and control lands and resources within their territories.
- Indigenous jurisdiction over lands and resources is fully exercised and respected, including through processes for harmonization where necessary.
- The Government of Canada fully respects Indigenous title and rights, and the sacred relationship and responsibilities of Indigenous peoples to their lands, waters and resources, including through its laws, policies and practices.

The Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

32. Develop guidance on engaging with Indigenous peoples on natural resources projects, including in collaboration with provinces, territories, and industry, that:
  - Aligns with the UN Declaration, including article 32(2), which calls for consultation and cooperation in good faith with the Indigenous peoples concerned in order to obtain free, prior and informed consent, prior to the approval of any project affecting their lands or territories and other resources
  - Provides practical recommendations for successful free, prior and informed consent implementation (including in situations where multiple regulatory processes are involved) consistent with the outcome(s) of action plan measure 66
  - Supports the integration of specific, localized knowledge held by Indigenous peoples in the design and governance of projects
  - Informs improved and enhanced engagement processes with Indigenous peoples on natural resources projects. **(Various departments)**
33. Develop and implement actions to increase the economic participation of Indigenous peoples and their communities in natural resource development. **(Natural Resources Canada)**
34. Work in consultation and cooperation with First Nation, Métis and Inuit communities, governments and organizations to (i) enhance the participation of Indigenous peoples in, and (ii) set the measures that could enable them to exercise federal regulatory authority in respect of, projects and matters that are currently regulated by the Canada Energy Regulator (CER).

Steps to achieve these objectives include to:

- Develop regulations respecting the Minister of Natural Resource Canada's power to enter into arrangements that would enable Indigenous governing bodies to be authorized to exercise specific powers, duties and functions under the *Canadian Energy Regulator Act*.



- Amend the *Canadian Energy Regulator Onshore Pipeline Regulations* and Filing Manuals applicable to the lifecycle (design, construction, operation and abandonment) of CER-regulated infrastructure, in a manner that:
  - incorporates specific localized knowledge held by Indigenous peoples, as well as Indigenous laws, policies, practices, protocols, and knowledge
  - strengthens measures to prevent and address impacts to Indigenous rights and interests, including in relation to heritage resources and sites of Indigenous significance.
- Develop a systemic model to enhance Indigenous peoples' involvement in compliance and oversight over the lifecycle (design, construction, operation and abandonment) of CER-regulated infrastructure. The model should integrate learnings from existing structures and relationships.
- Consult and cooperate to identify and take the measures needed to support Indigenous governing bodies, and/or the potential establishment of new Indigenous decision-making institutions, to exercise regulatory authority on projects and matters regulated by the Canada Energy Regulator, including:
  - Co-develop with First Nation, Métis and Inuit communities, governments and organizations and relevant federal departments and regulators the mandate of such bodies or institutions, as well as the mechanisms required for empowering them with certain regulatory authorities
  - Identify the actions and allocate the resources required to further develop capacity and expertise for the exercise of regulatory authority by such bodies or institutions.

This work could lead to other federal departments, regulators or institutions, similarly working in consultation and cooperation with First Nation, Métis and Inuit communities, governments and organizations, to:

- enhance the participation of Indigenous peoples
  - set the measures that could enable them to exercise regulatory authority, in respect of federally regulated natural resource projects. **(Natural Resources Canada, Canada Energy Regulator)**
35. Indigenous peoples exercise harvesting rights (for example, by hunting, trapping, gathering and fishing) in the majority of lands, waters and ice administered by Parks Canada, as they have for millennia. To implement Indigenous peoples' rights and responsibilities for lands, waters, and ice, and advance the requirements of section 5 of the UN Declaration Act, Parks Canada will enable harvesting by Indigenous peoples within heritage places where barriers remain. This will be accomplished through the co-development of legislative amendments and policy initiatives that respect section 35 rights, such as stewardship agreements that align with Indigenous laws and protocols, support access and enhance roles of Indigenous Guardians, including enforcement. This work will be coordinated with other action plan measures and include cultural competency training for Parks Canada employees to reinforce understanding of Indigenous rights and responsibilities. Work will be undertaken in collaboration with federal government departments with overlapping mandates and authorities, as required. **(Parks Canada)**

36. Pursue amendments and reforms to fisheries legislation, regulation, or policies to support self-determination and the meaningful implementation and exercise of Indigenous fishing rights, including Aboriginal and treaty rights. **(Fisheries and Oceans Canada)**
37. In a manner that is measurable, enhance collaborative tools agreements and transparent approaches to better deliver on the collaborative design, development, delivery and management of fisheries, as well as conservation and protection of fish habitat. Fisheries and Oceans Canada and Crown-Indigenous Relations and Northern Affairs Canada will continue to pursue fisheries-related collaborative governance opportunities through nation-to-nation, Inuit-Crown and government-to-government negotiations. **(Fisheries and Oceans Canada)**
38. Provide predictable and flexible funding that will ensure Indigenous partners have the capacity to provide fisheries, habitat, science, and oceans and marine-related services. Provide predictable and flexible funding to ensure Indigenous nations and organizations have the capacity to meaningfully participate in advisory, co-management, and decision-making processes tied to aquatic resources and oceans management. **(Fisheries and Oceans Canada)**
39. Develop and implement legislative, policy, or program supports, as well as provide predictable and flexible funding, to ensure fisheries guardians can meet community needs. **(Fisheries and Oceans Canada)**
40. Develop and employ mechanisms that respect and incorporate Indigenous Knowledge as a distinct knowledge system in the management of fisheries, fish habitat, conservation, marine safety and protection of the marine environment. **(Fisheries and Oceans Canada)**
41. Through meaningful consultation and collaboration and partnerships with Indigenous groups and British Columbia and Yukon partners, Fisheries and Oceans Canada will implement the Pacific Salmon Strategy Initiative to protect and revitalize salmon populations and their habitats. **(Fisheries and Oceans Canada)**
42. Through meaningful consultation and collaboration and partnerships with Indigenous governments, organizations, communities and other partners, advance marine Indigenous Protected and Conserved Areas to support Canada's commitments to reconciliation and marine conservation. **(Fisheries and Oceans Canada)**
43. Establish effective mechanisms and processes to address systemic racism in the enforcement of fisheries laws and regulations. **(Fisheries and Oceans Canada)**
44. Pursue the development of national aquaculture legislation that will support self-determination and the meaningful implementation of Aboriginal and treaty rights. **(Fisheries and Oceans Canada)**
45. Co-develop frameworks, mechanisms, processes and policy approaches that assist the Department of National Defence and the Canadian Armed Forces in aligning its programs and activities with article 30 and other relevant articles of the UN Declaration. **(Department of National Defence and Canadian Armed Forces)**

## Environment (article 29)

The goal of this priority area is to ensure a Canada where:

- Indigenous peoples enjoy the right to a healthy natural environment with Indigenous ways of knowing incorporated into the protection and stewardship of lands, waters, plants and animals.
- Indigenous peoples play a central role on biodiversity conservation, water and environmental conservation, and climate change action planning, policy development and decision-making.
- Self-determined climate action is supported as critical to advancing Canada's reconciliation with Indigenous peoples.

The Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

46. Together with First Nations, Inuit, and Métis, advance an Indigenous Climate Leadership Agenda, including distinctions-based strategies, that vests the resources and authorities necessary for Indigenous peoples to fully exercise their right to self-determination on climate. This includes ensuring that First Nations, Inuit, and Métis peoples have stable, long-term financing to implement their climate actions, make climate related-decisions with the Government of Canada, and that systemic barriers to Indigenous climate leadership are addressed. **(Crown-Indigenous Relations and Northern Affairs Canada and Environment and Climate Change Canada)**
47. Continue to support Indigenous leadership in conservation through initiatives such as Indigenous Guardians, Indigenous Partnerships Initiative and Indigenous-Led Area Based Conservation that will provide capacity support until 2026, as well as the Project Finance for Permanence. **(Environment and Climate Change Canada)**
48. Build on important work that has already occurred, to recognize, elevate, and incorporate Indigenous science into Environment and Climate Change Canada scientific inquiry by continuing to stand up the new Indigenous Science Division, established in 2022, to bridge, braid, and weave Indigenous science with western science to inform Environment and Climate Change Canada's science, policy, and program decision making. **(Environment and Climate Change Canada)**
49. Create a Canada Water Agency and advance the modernization of the *Canada Water Act* to reflect Canada's freshwater reality, including climate change and Indigenous rights. **(Environment and Climate Change Canada)**
50. Monitor the implementation of the 2022-26 Federal Sustainable Development Strategy and in developing a new strategy for 2026, through their engagement in the Minister's Sustainable Development Advisory Council as well as other consultative methods. Involvement of Indigenous peoples is a core principle of the *Federal Sustainable Development Act*. The 2022-2026 Federal Sustainability Development Strategy includes perspectives from members of National Indigenous Organizations, a commitment to report on the *implementation of the UN Declaration Act*, and to take a wide range of actions in support of First Nations, Inuit, and Métis. **(Environment and Climate Change Canada)**

51. The Impact Assessment Agency will implement the *Impact Assessment Act* (IAA) in a way that aligns with the objectives and spirit of the UN Declaration. This includes, but is not limited to:

- Carrying out impact assessments in a manner that emphasizes the need to seek free, prior, and informed consent
- Maximizing Indigenous collaboration and partnership, including the advancement of regulations to enable agreements under p.114(1)(d) and (e) of the IAA
- Early, consistent, and meaningful engagement and participation through all phases of impact assessment
- Respect for Indigenous rights, culture and jurisdiction
- Mandatory consideration of Indigenous Knowledge in impact assessment
- Continually building Crown-Indigenous relations
- Supporting Indigenous capacity in impact assessment
- Consideration of health, social and economic factors, including impacts to women, youth and Elders
- Consideration of any cumulative effects that are likely to result from a designated project in combination with other physical activities that have been or will be carried out. **(Impact Assessment Agency of Canada)**

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

The goal of this priority is to ensure a Canada where:

- Indigenous people enjoy equal respect and protection of their civil and political rights.
- Indigenous peoples enjoy their right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.

The Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

52. Pursue legislative amendments to the *Immigration and Refugee Protection Act*, amendments to relevant Regulations and revisions to policies in order to address complex border crossing and migration challenges faced by Indigenous peoples divided by Canada's international borders, including options to amend Canada's right of entry provision, and work and study permit requirements.

Engagement with Indigenous peoples and their representative organizations to implement the action plan measure is being initiated in 2023, with a view to advancing amendments and policy reforms in 2024. In parallel, the Government of Canada will continue discussions with international partners on Indigenous border crossing issues. **(Canada Border Services Agency and Immigration, Refugees and Citizenship Canada)**

53. Respond to the Supreme Court of Canada's decision in *R. v. Desautel*<sup>1</sup> by undertaking exploratory discussions with section 35 rights holders to contribute to addressing the impacts of colonialism on Indigenous groups affected by international borders. **(Crown-Indigenous Relations and Northern Affairs Canada)**
54. Leveraging the First Nations and Inuit Policing Program (FNIPP), engage and work with Indigenous communities and provinces and territories on approaches to enhance policing services that are professional, dedicated and responsive to First Nation and Inuit communities, with a focus on supporting:
- Culturally responsive policing in First Nation and Inuit communities
  - Self-administered policing in First Nation communities
  - Expansion of the FNIPP to additional First Nation and Inuit communities
  - Operational needs for current FNIPP communities. **(Public Safety Canada)**
55. Explore community-based approaches to public safety in Indigenous communities by supporting the implementation, and assessing the effectiveness, of Community Safety Officer Pilot projects approaches to help meet community safety needs of Indigenous communities. **(Public Safety Canada)**
56. Through the National Strategy to Combat Human Trafficking, continue to invest in trauma-informed and culturally relevant community-based projects and support the Canadian Centre to End Human Trafficking and its hotline. **(Public Safety Canada)**
57. Through the National Crime Prevention Strategy's Northern and Indigenous Crime Prevention Fund, continue to invest in Indigenous-led crime prevention strategies and community services. **(Public Safety Canada)**
58. Through the Aboriginal Community Safety Planning (CSP) Initiative, continue to:
- support Indigenous-led efforts and community-based solutions that identify and address the unique safety and wellbeing priorities of Indigenous communities in an holistic and culturally relevant manner through the creation of community safety plans
  - support Indigenous rights, including rights to self-determination and self-government, by seeking community-informed and full consent before beginning the CSP process which is foundational to its success
  - support capacity building within Indigenous communities as they deliver projects they have identified as a priority
  - support action to address violence against Indigenous women and girls. **(Public Safety Canada)**
59. Through the National Office of Investigative Standards and Practices within the Royal Canadian Mounted Police, continue to coordinate and provide oversight for high-profile and major case investigations, with a portion of the work dedicated to Indigenous women, girls, and 2SLGBTQI+ people who are overrepresented as victims of crime in Royal Canadian Mounted Police jurisdictions. **(Royal Canadian Mounted Police)**

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<sup>1</sup> R. v. Desautel, 2021 SCC 17.

60. Correctional Service of Canada will continue to:

- Reduce the disproportionate Indigenous population in correctional facilities through consultation, education, funding and cooperation for policing and restorative justice initiatives
- Expand existing Section 81 Healing Lodge capacity, identify geographical gaps to capitalize on developing additional Healing Lodges and revisit communities that previously expressed interest in a Section 81 Healing Lodge
- Provide effective, culturally competent, and non-discriminatory interventions and reintegration support for Indigenous offenders
- Provide programs, policies and practices designed to respect gender, ethnic, cultural, and linguistic differences and are responsive to the special needs of Indigenous offenders
- Work in collaboration with northern communities and Inuit stakeholder in shaping the Anijaarniq Strategy to address the needs of Inuit offenders to support successful reintegration into their home communities
- Promote the Indigenous Offender Reintegration Contribution and review existing proposals to assist in meeting the reintegration and healing needs of Indigenous offenders
- Provide employment and employability on-the-job and vocational training to Indigenous offenders through CORCAN
- Actively participate in whole of government and pan-Canadian initiatives, such as the Indigenous Justice Strategy and the Federal Framework to Reduce Recidivism
- Communicate with the peoples who have been harmed by crime and give them the opportunity to communicate with the offender who harmed them through the Correctional Service of Canada's Restorative Opportunities
- Collaborate with the Learning and Development Branch of Correctional Service of Canada to formally educate staff about Indigenous peoples
- Proactively incorporate the requirement to consider Indigenous Social History as part of its decision-making framework. **(Correctional Service of Canada)**

61. Support the safe and successful reintegration of Indigenous people in the criminal justice system into the community by:

- Looking to reduce overrepresentation of Indigenous people in the criminal justice system by supporting rehabilitation and safer communities (including through culturally appropriate interventions), through the Federal Framework to Reduce Recidivism
- Collaborating with stakeholders to provide tailored supports for community reintegration

- Continuing to invest in Indigenous-led community corrections programming, through the Indigenous Community Corrections Initiative, to address the overrepresentation of Indigenous people in corrections and the criminal justice system by supporting community-led alternatives to custody and reintegration projects responsive to the unique circumstances of Indigenous people in Canada
  - Continuing to support culturally-appropriate programs, led and designed by Indigenous organizations, to ensure appropriate attention and accountability towards Indigenous issues in the correctional systems and addressing overrepresentation of Indigenous offenders (particularly women). **(Public Safety Canada)**
62. Support Indigenous people during the conditional release process by continuing to:
- Provide training to staff and Board members of the Parole Board of Canada (PBC) to support cultural competency, including Indigenous Cultural Responsiveness Training
  - Offer culturally adapted hearing processes to increase responsiveness to the needs of Indigenous people and non-Indigenous people who have demonstrated a commitment to an Indigenous way of life through the involvement of Elders and Cultural Advisors and the Indigenous community at PBC hearings
  - Reflect in policy the requirement for Board members to consider social history factors in every decision taken involving an Indigenous offender, and to demonstrate consideration of those factors in their reasons for decision where applicable
  - Reflect in policy the requirement for Board members to consider culturally appropriate community alternatives in decision-making for Indigenous peoples. **(Parole Board of Canada)**
63. Establish a federally-led working group in 2023 on Indigenous emergency management comprised of federal senior officials, national Indigenous organization leaders and provincial and territorial representatives. **(Public Safety Canada)**
64. In order to protect the safety and security of First Nations, Inuit and Métis and their right and ability to exercise self-determination and self-governance in matters with a nexus to national security, Canada will share information to support decision-making. The information shared will be unclassified and/or classified when appropriate security clearances are in place. **(Canadian Security Intelligence Service)**
65. Continue to work collaboratively with Indigenous partners throughout the development and implementation of firearms legislation and related initiatives to ensure consistency with the UN Declaration, and to identify potential unintended impacts to Section 35 rights in its implementation. **(Public Safety Canada)**

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

The goal of this priority is to ensure a Canada where:

- Indigenous peoples enjoy and exercise the right to participate in decision-making in all matters that affect them.
- Indigenous peoples, governments, industry and other implicated sectors develop a shared understanding of the objectives of, and when and how to seek Indigenous peoples' free, prior and informed consent.

The Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

66. Develop coordinated, whole-of-government approaches to the implementation of the right to participate in decision-making related to legislative, policy and program initiatives, consistent with the UN Declaration, including articles 18 and 19, which could include:
  - Elements to ensure relevant processes respect and reflect consultation and cooperation with affected Indigenous peoples to obtain their free, prior and informed consent
  - Measures to address barriers to full and effective participation by Indigenous peoples, including, for example, in relation to access to information and capacity supports
  - Identifying and pursuing potential legislative changes and changes to Government of Canada decision making practices and processes to implement the right to participate in decision-making
  - Providing guidance on identifying Indigenous representative institutions for the purposes of implementing the right to participate in decision-making. **(Various departments)**
67. Work with Indigenous partners to ensure co-development of legislation, policies, programs, regulations and services furthers the right of Indigenous peoples to self-determination, led by priorities and strategies determined and developed by Indigenous peoples, and that co-development processes result in initiatives that comply with Indigenous rights and advance Indigenous priorities. This includes advancing concrete measures co-developed under the permanent bilateral mechanisms process such as the Inuit Nunangat Policy and distinctions-based co-development principles. **(Crown-Indigenous Relations and Northern Affairs Canada and various departments)**
68. Strengthen Indigenous peoples' participation in decision-making through an improved whole-of-government approach to consultation and accommodation which is aligned with the UN Declaration by:
  - Co-developing consultation arrangements with Indigenous partners that establish agreed-upon duty to consult and engagement processes, in a manner that is consistent with self-determination objectives and free, prior and informed consent
  - Co-developing information on Aboriginal and treaty rights through a system newly co-managed with Indigenous partners



- Establishing a permanent Indigenous advisory committee to guide the federal approach to consultation and to explore considerations for an Indigenous-managed consultation capacity support fund. **(Crown-Indigenous Relations and Northern Affairs Canada)**
69. Utilizing a gender-based lens, develop a strategic and holistic approach to implementing relationship agreements with Indigenous Women's Organizations to ensure the equality rights of Indigenous women, including First Nations, Inuit, and Métis women. The agreements support these organizations' ability to advocate for Indigenous women's rights, define their own priorities, and partner with federal government departments to ensure programs, policies, and legislation respect/uphold Indigenous women's distinct rights and gendered needs. **(Crown-Indigenous Relations and Northern Affairs Canada)**
  70. Increase the ability of grassroots organizations to bring forward the interests and perspectives of Indigenous women's and 2SLGBTQI+ grassroots organizations' voices to influence the development of federal policy, programs, and legislation. **(Crown-Indigenous Relations and Northern Affairs Canada)**
  71. Strengthen Indigenous engagement by improving bilateral mechanisms with Indigenous partners, improve linkages between federal/provincial/territorial officials and Indigenous representatives across public health and health care systems and better align the Health Portfolio and Indigenous Services Canada on strategic direction. **(Health Canada, Public Health Agency of Canada, Indigenous Services Canada)**
  72. Co-develop with First Nations, Inuit, and Métis right holders or their national designates distinctions-based, whole of government policy guidelines on fully and effectively engaging Indigenous peoples on international issues affecting them, with a commitment to explore the development of policy in specific areas where appropriate. This work will seek to enhance the participation of Indigenous peoples in decision-making on matters which would affect their rights and to advance Canada's contribution to the work of the entities of the UN system and other intergovernmental organizations in their implementation of article 41. **(Global Affairs Canada)**
  73. Centralize review of policy and program documents to ensure UN Declaration Act engagement principles with Indigenous peoples are respected and maintained. **(Canadian Heritage)**

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

The goal of this priority is to ensure a Canada where:

- Indigenous peoples are supported by initiatives that promote connection, development, access and improvement, as well as full participation in all aspects of Canada's economy.
- Indigenous peoples are healthy, adequately housed and safe.

The Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

74. Building on the work from the National Indigenous Economic Development Board Report on Economic Reconciliation, as well as the First Nations Financial Management Board's Roadmap Project and the National Indigenous Economic Strategy, advance economic reconciliation through engagement on key aspects for Indigenous economic development such as initiating discussions on an Indigenous-led investment and financial asset management regime, and address persistent economic barriers for Indigenous businesses and communities, including the impacts of colonization and inequitable policies. **(Indigenous Services Canada and various departments)**
75. Ensure that the unique differences in how poverty is experienced among First Nations, Inuit, and Métis are recognized in the design and delivery of Government of Canada programs, policies, and services by fulfilling the commitment outlined by the Poverty Reduction Strategy to work with National Indigenous Organizations and others to identify and co-develop indicators of poverty and well-being, including non-income-based measures of poverty, that reflect the multiple dimensions of poverty and well-being experienced by First Nations, Inuit and Métis. **(Employment and Social Development Canada)**
76. Strengthen relationships with Indigenous communities through outreach activities to increase access to Government of Canada benefits and programs, including Employment Insurance, Canada Pension Plan, Old Age Security and Social Insurance Numbers. **(Employment and Social Development Canada)**
77. Increase Indigenous women's entrepreneurship to reduce socio-economic inequity between Indigenous and non-Indigenous populations and between Indigenous men and women; and support self-determination and economic reconciliation. **(Indigenous Services Canada and various departments)**
78. Advance discussions on the participation of Indigenous peoples in the gaming industry and in its regulation across Canada, collaboratively with Indigenous, provincial and territorial partners. **(Justice Canada)**
79. Award a minimum of 5% of the total value of all federal contracts to Indigenous businesses. **(Public Service and Procurement Canada)**
80. Co-develop a new and more holistic long-term and continuing care framework, that is culturally appropriate, gendered, safe and accessible to Indigenous peoples is crucial in helping to improve the quality of aging and health outcomes. The Government of Canada anticipates the distinctions-based co-developed long-term care framework to be finalized by 2025. **(Indigenous Services Canada)**
81. Improve health equity through access to culturally-appropriate health and wellness services and support for holistic approaches to healing, including community-based, land-based, culturally relevant and trauma informed mental health services addressing – among other things – suicide and addictions crises. **(Indigenous Services Canada)**
82. Collaborate with Indigenous representative organizations on a palliative and end of life care framework, that is culturally appropriate, safe, and accessible for Indigenous peoples. **(Health Canada)**
83. Collaborate with Indigenous representative organizations on Medical Assistance in Dying policy so that it respects and considers Indigenous knowledge and views on death. **(Health Canada)**

84. Continue to support Friendship Centres and other urban Indigenous organizations and coalitions in their work to identify and address local needs and priorities of urban/off reserve Indigenous peoples in a manner that is safe, secure, accessible and culturally-relevant. **(Indigenous Services Canada)**
85. Ensure that the equality rights of Indigenous persons with disabilities are respected in the design and delivery of Government of Canada programs, policies, and services. The Government of Canada will work with Indigenous communities and their representatives on the realization of the United Nations' *Convention on the Rights of Persons with Disabilities*. This includes seeking concrete data solutions to better understand the socio-economic situation of Indigenous persons with disabilities. The Government of Canada will also work with and fund Indigenous representative organizations and/or communities through existing programs, such as the Social Development Partnership Program (Disability), to support the implementation of the Convention. **(Employment and Social Development Canada)**
86. Support the right of Indigenous peoples to self-determination and food sovereignty according to their own priorities through the provision of long-term and flexible funding to strengthen access to traditional foods and local food systems, including – but not limited to – expanding the Harvesters Support Grant and Community Food Programs Fund. **(Crown-Indigenous Relations and Northern Affairs Canada)**
87. Support Indigenous peoples' food security, sovereignty and sustainability through:
- Funding and other program measures
  - Promoting food-focused research to better understand the intersection of Indigenous peoples' food security, sovereignty and sustainability
  - Promoting trade in Indigenous peoples' food products and removal of barriers to that trade. **(Agriculture and Agri-Food Canada)**
88. When people have access to safe and affordable housing, they are more economically secure, healthier, and see brighter futures for themselves and their families. While the National Housing Strategy prioritizes Indigenous and northern housing projects, significant gaps exist in addressing the housing needs of Indigenous peoples living in urban, rural and northern areas. The Government of Canada is committed to implementing a co-developed Urban, Rural and Northern Indigenous Housing Strategy with Indigenous partners. The Urban, Rural and Northern Indigenous Housing Strategy will complement the three existing distinction-based housing strategies: First Nations Housing and Related Infrastructure Strategy, the Inuit Nunangat Housing Strategy and the Canada-Métis Nation Housing Sub-Accord. **(Canada Mortgage and Housing Corporation and Indigenous Services Canada)**
89. Work with partners and Indigenous organizations on mental health promotion programming and prevention initiatives, including using distinction-based approaches where feasible to support culturally safe, relevant and trauma-informed initiatives. **(Public Health Agency of Canada)**

90. Address policy, program, and socio-economic gaps, and strengthen interdepartmental and intergovernmental relations, in full partnership with Métis, non-status, off-reserve, and urban Indigenous peoples, consistent with the CAP/Daniels decision.<sup>2</sup> **(Crown-Indigenous Relations and Northern Affairs Canada)**

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

The goal of this priority is to establish a Canada where:

- Indigenous peoples fully enjoy and exercise their distinct rights to maintain, control, develop, protect and transmit their cultural heritage, Indigenous knowledge, languages, food systems, sciences and technologies, without discrimination.
- Indigenous peoples are thriving, including through connection to culture and community, the use of their languages and the expression of their spiritual heritage.

The Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

91. Work with Indigenous governments, other Indigenous governing bodies and a variety of Indigenous organizations to review and consider proposed amendments to strengthen the *Indigenous Languages Act* pursuant to the independent review process. **(Canadian Heritage)**
92. Continue establishing measures to facilitate the provision of adequate, sustainable and long-term funding for the reclamation, revitalization, maintenance and strengthening of Indigenous languages through ongoing implementation of the *Indigenous Languages Act*. **(Canadian Heritage)**
93. Advance access to federal services in Indigenous languages; including translation of key departmental documentation. **(Canadian Heritage)**
94. Establish a process to engage Indigenous peoples on go-forward UN Declaration-related interests relevant to arts, culture, commemorations and heritage. **(Canadian Heritage)**
95. Enable broadened approaches to cooperative management, governance and decision-making with respect to the heritage places that Parks Canada has a role in administering. Parks Canada will work with First Nations, Inuit and Métis through a distinctions-based process to develop policy, regulatory and legislative options to recognize and support implementation of Indigenous systems of law and governance through a spectrum of governance, decision-making and management approaches in areas of interest including, but not limited to: economic and employment benefits; tourism; management plans; protection and conservation strategies; establishment of Indigenous Protected and Conserved Areas; access; archaeology; research, and restoration initiatives. **(Parks Canada)**

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<sup>2</sup> [Daniels v. Canada \(Indian Affairs and Northern Development\)](#), 2016 SCC 12, [2016] 1 S.C.R. 99

96. In coordination with other action plan measures, advance policy and on-the-land initiatives within the heritage places it has a role in administering to support and revitalize the relationships and connections of Indigenous peoples with lands, waters and ice that are essential to the overall well-being of Indigenous communities and individuals. A range of initiatives that will result in economic and employment opportunities will be implemented including, among other things, enhanced and sustainable Indigenous Guardian programs, support for on-the-land language and cultural learning by and for Indigenous peoples including youth, Indigenous-led place-renaming and revitalization of the stories of these places, promotion of public education to build understanding of Indigenous histories and stewardship approaches, and other policy-based initiatives that promote cultural continuity and revitalization. This work will be guided by the Indigenous Stewardship Circle, a diverse group of Indigenous leaders providing advice on how Parks Canada can support the implementation of the UN Declaration. **(Parks Canada)**
97. In coordination with other action plan measures, formalize the role of Indigenous knowledge in decision-making and support Indigenous data sovereignty through co-development of policy initiatives and tools, establishment of employee training and learning opportunities delivered by Indigenous organizations and experts, and by facilitating data access for Indigenous partners as appropriate. To affirm the value of Indigenous knowledge systems, Parks Canada will implement appropriate and respectful payments for the guidance received from Indigenous knowledge holders. **(Parks Canada)**
98. Co-develop with First Nations, Inuit Treaty Organizations or their designates, and the Métis a distinction-based comprehensive approach, which will include legislative, programming and/or service measures, to enable the repatriation/rematriation of Indigenous cultural belongings and ancestral remains. **(Canadian Heritage)**
99. Utilizing a culturally appropriate and gender-based lens, support the Calls for Justice by the National Inquiry into Missing and Murdered Indigenous Women, Girls and the Métis-centred Calls for Miskotahâ through applicable program and policy supports, leading engagement with other government organizations and Indigenous peoples to co-develop an approach to support funding for Indigenous-led cultural initiatives. **(Canadian Heritage)**
100. Support Indigenous peoples through applicable program and policy measures, including:
- Targeted funding for commercial Indigenous music artists, entrepreneurs, and organizations to increase the participation of Indigenous peoples within the Canadian music industry
  - Supporting students through the Canada Arts Training Fund and Indigenous Arts Knowledge Exchange. **(Canadian Heritage)**
101. Work in consultation and cooperation with First Nations, Inuit, and Métis to ensure appropriate measures are in place for Indigenous peoples to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, including working in partnership with responsible government departments to ensure that Canada's intellectual property legislative and regulatory frameworks (e.g., *Copyright Act*, *Trademarks Act*, *Patent Act*) are consistent with the UN Declaration. **(Canadian Heritage, Innovation, Science and Economic Development Canada)**

## Education, information and media (articles 14, 15, 16)

The goal of this priority area is to ensure a Canada where:

- Indigenous peoples enjoy the equal right to education, including post-secondary education, with necessary funding and supports, and have access when possible to education in Indigenous languages and cultures.
- All Canadians have increased knowledge of the UN Declaration as well as Indigenous rights, cultures, histories, stories and ways of knowing.

In addition to the measures set out under the "Promoting mutual respect and understanding as well as good relations, including through human rights education" element of the "Legislated Priorities" section, the Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

102. Deploy necessary efforts to support Indigenous peoples' and communities' right to self-determination on socio-economic issues including access to post-secondary education, skills training and employment. Such efforts will be inclusive of Indigenous peoples regardless of where they reside. **(Employment and Social Development Canada)**
103. Continue to advance and support self-determination in the provision of culturally competent early learning and childcare for Indigenous children, through the co-developed Indigenous Early Learning and Child Care Framework and dedicated federal investments to support its implementation. Continue to provide sustainable funding for self-determined early learning and child care services in Indigenous communities that emphasize Indigenous language and culture to support Indigenous youth's early-age language development in consultation and cooperation with Indigenous language keepers. **(Employment and Social Development Canada and Indigenous Services Canada)**
104. Co-develop options to implement the Truth and Reconciliation Commission's Call to Action 66, to "establish multi-year funding for community-based youth organizations to deliver programs on reconciliation and establish a national network to share information and best practices". **(Crown-Indigenous Relations and Northern Affairs Canada)**
105. Provide increased ongoing funding for the Indigenous Screen Office Program to support Indigenous narrative sovereignty and self-determination in the audiovisual sector. **(Canadian Heritage)**
106. Provide increased ongoing funding for Northern Aboriginal Broadcasting and expand nationally to support Indigenous broadcasting and the revitalization and preservation of Indigenous languages and cultures. **(Canadian Heritage)**

## Implementation and redress (articles 38, 39, 40, 41, 42, 46)

The goal of this priority area is to ensure a Canada where:

- Indigenous peoples participate as equal partners in a sustainable, adaptive, regionally-sensitive and transparent UN Declaration implementation process that is distinctions-based in its approach and informed by culturally relevant gender-based analysis.
- There are accessible and effective processes and mechanisms for negotiation of nation-to-nation, government-to-government, Inuit-Crown agreements, as well as for the resolution of disputes that reflect and respect legal pluralism and Indigenous laws and legal traditions. Dispute resolution processes would include the negotiation of redress for impacts upon Indigenous title and rights flowing from federal actions and practices.

In addition to the measures set out under the "Oversight and Accountability" and "Monitoring and Reviewing" elements of the "Legislated Priorities" section, the Government of Canada will take the following actions in consultation and cooperation with Indigenous peoples:

107. Support the ongoing work of the Independent Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential Schools and act upon her recommendations, including with a view to aligning federal laws with the UN Declaration. **(Justice Canada)**
108. Support an independent Advisory Committee that will provide guidance on prioritization, standards and recommendations on approaches to sharing different types of Indian Residential School documents, and to lead a whole-of-government process to scope and develop a federal approach to identify and share Indian Residential Schools-related documents with the National Centre for Truth and Reconciliation. **(Crown-Indigenous Relations and Northern Affairs Canada)**
109. Develop distinction-based mechanisms to formalize participation of Indigenous peoples' representative institutions throughout the Government of Canada's processes for: ongoing implementation of Canada's obligations under international human rights treaties; monitoring and reporting on Canada's obligations under those treaties; follow-up on recommendations by international human rights bodies; and consideration of adherence to international human rights treaties to which Canada is not yet party. **(Canadian Heritage)**

110. In coordination with other action plan measures, implement actions to support truth-telling and respond meaningfully to historic and ongoing harms that resulted from the establishment, management and operation of heritage places it has a role in administering, in collaboration with other relevant federal government departments, as required. This will include the co-development of site-specific apologies and acknowledgements with potentially implicated Indigenous nations and/or partners. Parks Canada will seek mandates and authorities for the delivery of apologies with any associated redress as required, and upon receiving authorities, will work with Indigenous nations and/or partners to co-develop and co-deliver apologies or acknowledgements, as appropriate, and co-implement redress-related actions in a manner that respects the interests and protocols of implicated Indigenous nations and/or partners. **(Parks Canada)**
111. Collaborate with Indigenous partners and the Province of British Columbia on the implementation of provincial measures in support of British Columbia's Declaration Act Action Plan, where federal involvement is appropriate, including through the bilateral process established through the Letter of Understanding between Justice Canada and the First Nations Leadership Council to advance implementation of the federal action plan in British Columbia. **(Various departments)**





# Chapter 2: First Nations priorities

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

The Government of Canada will take the following actions in consultation and cooperation with First Nations:

1. Continue work underway with First Nations partners on a new fiscal relationship to provide sufficient, predictable and flexible funding in support of closing socioeconomic gaps and advancing self-determination. **(Indigenous Services Canada)**
2. Re-affirm pre-1975 treaty relationships based on the principles of mutual respect, self-determination and the nation-to-nation relationship. Engage Treaty Nations in co-developing approaches, including reconvening of Treaty Councils if Nations wish to do so, for the renewal and honourable implementation of pre-1975 treaties and treaty relationships, including a shared vision to guide actions and a common understanding of the spirit and intent of pre-1975 treaties. **(Crown-Indigenous Relations and Northern Affairs Canada)**

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

The Government of Canada will take the following actions in consultation and cooperation with First Nations:

3. Continue to co-develop options for reform of the Specific Claims program, and the development of a reformed specific claims resolution process, including a Centre for the resolution of specific claims, to administer and oversee the process presently performed by Crown-Indigenous Relations and Northern Affairs Canada. As part of this process, co-develop changes to the Specific Claims Policy and amendments to the Specific Claims Tribunal Act as necessary to implement a reformed Specific Claims resolution process that is consistent with the UN Declaration. **(Crown-Indigenous Relations and Northern Affairs Canada)**
4. Building on the adoption of co-developed amendments to the *First Nations Fiscal Management Act* (Bill C-45), which seek to address capacity and institutional gaps, including through enhancements to the institutions' mandate and data collection functions, the establishment of the First Nations Infrastructure Institute, and the expansion of First Nations' law-making powers and enforcement tools under the Act, it is proposed that Crown-Indigenous Relations and Northern Affairs Canada continues to work closely with the Institutions under the *First Nations Fiscal Management Act*, Indigenous Services Canada and other relevant federal and Indigenous partners to explore new concepts and the co-development of new or enhanced opt-in mechanisms

and initiatives to allow First Nations to strengthen their capacity and assume greater jurisdiction and control in the areas of financial management, taxation, access to capital markets, and infrastructure-related service delivery. **(Crown-Indigenous Relations and Northern Affairs Canada)**

5. Co-develop a redesign of the Additions to Reserve Policy. **(Crown-Indigenous Relations and Northern Affairs Canada)**

## Environment (article 29)

The Government of Canada will take the following actions in consultation and cooperation with First Nations:

6. Support the environmental integrity of reserve lands by addressing and preventing the contamination of reserve lands, building effective community-based waste management solutions that include proper disposal of hazardous and plastic waste. **(Indigenous Services Canada)**

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

The Government of Canada will take the following actions in consultation and cooperation with First Nations:

7. Support the adoption of Bill C-38, which seeks to address discrimination in the registration and membership provisions of the *Indian Act*. **(Indigenous Services Canada)**
8. Co-develop a collaborative consultation process on a suite of broader reforms relating to registration and band membership issues, prior to any transition away from the *Indian Act*.

This includes to consult, cooperate and effectively engage with First Nations women to eliminate remaining gender-based issues.

Canada recognizes that the Indian Act is a colonial-era law designed to exert control over the affairs of First Nations, and as such, the Act will never be fully aligned with the UN Declaration. For Canada's laws to fulfill the UN Declaration, the Indian Act must be repealed.

The government is seeking to make the Act's 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. **(Indigenous Services Canada)**

9. Consult First Nations and other impacted Indigenous groups to support the co-development of opt-in alternatives to *Indian Act* registration and membership (First Nation citizenship). This will include a broad spectrum of Indigenous demographic groups, such as women, girls and 2SLGBTQI+ people, Elders, Treaty groups, etc. **(Crown-Indigenous Relations and Northern Affairs Canada; Indigenous Services Canada)**

10. Work with First Nations partners and representative organizations to advance the co-development of federal legislation that recognizes First Nations police services as essential services. **(Public Safety)**

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

The Government of Canada will take the following actions in consultation and cooperation with First Nations:

11. Continue to explore options with First Nations on their proposal to exercise their jurisdiction over their housing and for Canada Mortgage and Housing Corporation to transfer the care and control of funding for on-reserve housing programs to First Nations. **(Canada Mortgage and Housing Corporation)**
12. Support initiatives aimed at increasing First Nations control over service delivery, which represents an opportunity to foster a more accessible health care system for the communities they serve, ensuring that health services are high quality and culturally safe. **(Indigenous Services Canada)**
13. Collaborate with First Nations organizations on a sustainable approach to transfer First Nations health programs and services through various health transformation initiatives, including in the following jurisdictions: British Columbia, Manitoba, Nova Scotia, Quebec, Ontario and Saskatchewan. **(Indigenous Services Canada)**
14. Continue to improve the Income Assistance program in a way that is more responsive to the needs of individuals and families living on-reserve, including more comprehensive income assistance programming that at least meets provincial comparability. **(Indigenous Services Canada)**
15. Continue to work with First Nations on closing infrastructure gaps on reserve – based on priorities identified by communities - with the goal of improving current service delivery (including increasing the number of housing units) as well as supporting increased First Nations capacity for housing governance, management and planning. **(Indigenous Services Canada)**
16. Continue to support lifting of short and long term drinking water advisories in First Nations communities. **(Indigenous Services Canada)**
17. Continue efforts to advance water and wastewater service transfer to First Nations communities and support self-determined service delivery models in First Nations communities. This includes advancing development and introduction, in consultation with First Nations, of new proposed First Nations drinking water and wastewater legislation that includes pathways to protect source water and legally enforceable safe drinking water protections on First Nation lands comparable to those in place in provinces and territories. **(Indigenous Services Canada)**

18. Ensure the implementation of the *Accessible Canada Act* with respect to First Nations Band Councils is culturally appropriate, and that First Nations are supported in advancing accessibility at the community level by:
  - Engaging with First Nations on legislative and regulatory options for the implementation of the *Accessible Canada Act* on First Nations reserves
  - Identifying options to build accessibility capacity and expertise at the community level and support First Nations communities in removing barriers to accessibility.  
**(Employment and Social Development Canada)**

## Education, information and media (articles 14, 15, 16)

The Government of Canada will take the following actions in consultation and cooperation with First Nations:

19. Support First Nations control of First Nation education and self-determined education approaches at many levels, including the conclusion of Regional Education Agreements, as sustainable models, (underpinned by funding comparable to provincial education systems) to close the education gap, leading to better outcomes. Ensuring robust and responsive education systems paves the way for access to higher education opportunities, all of which foster more prosperous communities. **(Indigenous Services Canada)**





# Chapter 3: Inuit priorities

## Self-determination, self-government, and treaty implementation

The Government of Canada will take the following actions in consultation and cooperation with Inuit:

1. The Crown will respect and support the right of Inuit to exercise their right to self-determination, including co-developing Inuit-specific approaches for implementation of the right to self-determination, including through negotiated agreements, new policies and legislative mechanisms. **(Crown-Indigenous Relations and Northern Affairs Canada)**
2. The Crown will implement its modern treaty obligations and work in partnership with Inuit Treaty Organizations to apply an Inuit Nunangat approach – as outlined in Section 5 of the Inuit Nunangat Policy – to implementing, monitoring, and assessing the Modern Treaty Implementation Policy. **(Crown-Indigenous Relations and Northern Affairs Canada)**
3. Recognizing that Inuit modern treaties are living documents capable of evolving over time, the Crown will actively engage in good-faith negotiations with Inuit Treaty Organizations to pursue amendments to the terms of a modern treaty and will actively seek to involve all necessary partners. **(Crown-Indigenous Relations and Northern Affairs Canada)**

## Advancing Inuit-Crown partnership

The Government of Canada will take the following actions in consultation and cooperation with Inuit:

4. The Crown will continue to actively engage in and support the Inuit-Crown Partnership Committee (ICPC), and utilize it as a primary mechanism for facilitating work on Inuit-specific Actions for implementing the UN Declaration, as well as for advancing shared Inuit-Crown priorities that will evolve on an ongoing basis subject to decision by Inuit Treaty Organizations and the Crown. Current shared Inuit-Crown priorities are:
  - 1) Inuit land claims implementation
  - 2) Inuktitut revitalization, maintenance, protection, and promotion
  - 3) Inuit Nunangat Policy Space
  - 4) Reconciliation measures and efforts to end the issue of missing and murdered Indigenous women, girls, and 2SLGBTQI+ people
  - 5) Education, early learning, and skills development
  - 6) Health and wellness
  - 7) Environment and climate change



- 8) Housing
  - 9) Homelessness
  - 10) Infrastructure
  - 11) Economic development and procurement
  - 12) Legislative priorities
  - 13) International Inuit priorities
  - 14) Monitoring, evaluation, and learning
  - 15) Sovereignty, defence, and security **(Crown-Indigenous Relations and Northern Affairs Canada)**
5. The Crown will utilize the Inuit-Crown Partnership Committee to facilitate work on actions contained in this chapter, as well as to support implementation of obligations in the *UN Declaration Act* requiring consultation and collaboration with Indigenous peoples. **(Crown-Indigenous Relations and Northern Affairs Canada)**
  6. The Crown will provide periodic reporting to the ICPC related to monitoring the implementation of this Chapter. **(Crown-Indigenous Relations and Northern Affairs Canada)**
  7. The ICPC will be the exclusive body utilized to review and amend this chapter of the action plan, according to its own procedures and timelines. **(Crown-Indigenous Relations and Northern Affairs Canada)**
  8. The Crown will co-develop options to support the permanency of the ICPC, including consideration of legislative measures. **(Crown-Indigenous Relations and Northern Affairs Canada)**
  9. Through the ICPC, the Government of Canada will work with Inuit partners to seek the creation of a new and/or revised Cabinet Directive(s) and other tools to support the implementation of the Inuit-Crown Co-Development Principles and the Inuit Nunangat Policy. **(Crown-Indigenous Relations and Northern Affairs Canada)**
  10. The Crown will develop Inuit-specific guidelines for applying an Inuit Nunangat Approach, consistent with the Inuit Nunangat Policy, to the effective engagement of Inuit Treaty Organizations or their designates on international issues affecting them. This work will include tracking various departmental practices on enhancing participation and will seek to enhance the participation of Inuit in decision-making on matters which would affect their rights and to advance Canada's contribution to the work of the entities of the UN system and other intergovernmental organizations in their implementation of article 41. **(Global Affairs Canada)**

## Inuktitut revitalization, maintenance, protection and promotion

The Government of Canada will take the following actions in consultation and cooperation with Inuit:

11. Pursue co-development of regulations with Inuit Treaty Organizations under the *Indigenous Languages Act* that provide for the provision of Inuktitut language federal services in Inuit Nunangat, beginning with Nunavut. **(Canadian Heritage)**

## Health and wellness

The Government of Canada will take the following actions in consultation and cooperation with Inuit:

12. Through the Inuit-Crown Partnership Committee, federal departments will co-develop legislative and policy options for decision-makers with Inuit Treaty Organizations to create a framework for the processing and sale of Inuit country or traditional foods within Inuit Nunangat, as well as support the expansion of domestic and international trade of these foods. **(Canadian Food Inspection Agency, Agriculture and Agri-Food Canada)**
13. Support the improvement of health equity for the Inuit and furthering the advancement of Inuit self-determination over health services, including by applying an Inuit Nunangat approach as an important priority for Inuit partners and a longstanding priority of the ICPC. **(Indigenous Services Canada)**
14. Recognizing that a cooperative federal-provincial-territorial-Indigenous approach is necessary for the implementation of Canada's international human rights obligations, make best efforts to encourage provinces and territories to advance the implementation of these obligations in respect of Inuit both within and outside of Inuit Nunangat, including to improve social conditions, such as access to and delivery of health services. This includes using available levers and developing clear and robust strategies, and new approaches where necessary and appropriate. **(Various departments)**
15. The Government of Canada will work with Inuit Treaty Organizations or their designates on the realization of the United Nations *Convention on the Rights of Persons with Disabilities* for Inuit with disabilities. This includes seeking concrete data solutions to better understand the socio-economic situation of Inuit with disabilities as well as identifying data and information gaps that hinder effective monitoring of the status of Inuit with disabilities and potential solutions for remedying those gaps. The Government of Canada will also work with and fund Inuit Treaty Organizations through existing programs, such as the Social Development Partnership Program (Disability), to support the implementation of the Convention for Inuit with disabilities. **(Employment and Social Development Canada)**

## Sovereignty, defence and security

The Government of Canada will take the following actions in consultation and cooperation with Inuit:

16. Support Inuit self-determination in Inuit Nunangat including through National Defence investments in multi-purpose infrastructure that support Inuit needs, where feasible. **(Department of National Defence)**
17. Collaborate with Inuit Treaty Organizations or their designates to jointly identify Inuit- and Inuit Nunangat-specific priorities and considerations for inclusion, where feasible, in national defence policies, programs and initiatives jointly identified by partners whose focus includes Inuit Nunangat. **(Department of National Defence)**

18. Recognize the strategic role and contributions Inuit and Inuit communities have, including by prioritizing Inuit access to federal procurement, in relation to Canada's defence policies, programs and initiatives focused on the Inuit Nunangat region. **(Department of National Defence)**
19. Support Inuit self-determination by applying an Inuit Nunangat approach to Defence programs and conduct in the Inuit Nunangat region. **(Department of National Defence)**
20. In order to protect the safety and security of Inuit and their right and ability to exercise self-determination and self-governance in matters with a nexus to national security, Canada will share information with Inuit Treaty Organizations or their designates to support decision-making. The information shared will be unclassified and/or classified when appropriate security clearances are in place. **(Canadian Security Intelligence Service)**

## Education, early learning and skills development

The Government of Canada will take the following actions in consultation and cooperation with Inuit:

21. In order to enable Inuit rights holders to exercise their right to establish and control their own educational systems and educational institutions, subject to any self-government agreement, the federal government will partner with Inuit Treaty Organizations in order to establish a policy on federal involvement, funding and other support for Inuit primary and secondary education. **(Indigenous Services Canada. Crown-Indigenous Relations and Northern Affairs Canada)**

## Economic development and procurement

The Government of Canada will take the following actions in consultation and cooperation with Inuit:

22. In order to further the implementation of the Nunavut Agreement and to modernize the fisheries management regulatory regime and improve economic development opportunities in the Nunavut Settlement Area, continue the process to co-develop Nunavut Fishery Regulations with Nunavut Tunngavik Inc., Makivik Corporation, the Nunavut Wildlife Management Board and the Government of Nunavut. As part of this process, Crown-Indigenous Relations and Northern Affairs Canada, Fisheries and Oceans Canada, Nunavut Tunngavik Inc. and Makivik Corporation will explore possible amendments to the applicable modern treaties in order to enable the use of Communal Fish Plans as part of the regulatory scheme. **(Fisheries and Oceans Canada)**





# Chapter 4: Métis Priorities

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

The Government of Canada will take the following actions in consultation and cooperation with Métis:

1. Canada will recognize, support and advance the exercise of Métis rights to self-determination, and the inherent right to self-government, recognized and affirmed by section 35 and protected by section 25 of the *Constitution Act, 1982*, in a manner that is consistent with the UN Declaration through constructive, forward-looking, and reconciliation-based approaches and negotiations premised on rights recognition and implementation.

Consistent with the commitment to co-develop approaches for the implementation of the right to self-determination, Canada will introduce federal legislation to implement the co-developed Métis Self-Government Recognition and Implementation Agreements with the Métis Nation of Alberta, Métis Nation of Ontario and Métis Nation-Saskatchewan.

Consistent with the commitment to co-develop approaches for the implementation of the right to self-determination, Canada will continue to advance the development of Métis Treaties with the Métis Nation of Alberta, Métis Nation-Saskatchewan, Manitoba Métis Federation, and Métis Nation of Ontario in a manner that is consistent with rights-recognition approaches and implementation. **(Crown-Indigenous Relations and Northern Affairs Canada)**

2. Canada will continue to engage with Métis governments and partners to develop measures and approaches for the redress of Métis claims and historical wrongs.

Consistent with commitments made within the Recognition of Indigenous Rights and Self-Determination Discussion Tables with the Métis Nation of Alberta, Métis Nation of Ontario, Métis Nation-Saskatchewan, and Manitoba Métis Federation, Canada will continue to collaborate to develop expedited options with a view to settling their respective outstanding Métis claims. **(Crown-Indigenous Relations and Northern Affairs Canada)**

3. Consistent with the commitment to advance approaches for the recognition and implementation of Métis rights, Canada will continue to collaborate with Métis governments and partners through Recognition of Indigenous Rights and Self-Determination Discussion Tables (where applicable) and other mechanisms to co-develop approaches and/or processes that facilitate a whole-of-government approach for determining, recognizing, and protecting the exercise of Métis rights recognized and affirmed by Section 35 of the *Constitution Act, 1982*.

Consistent with the commitment to enter into arrangements with Indigenous partners that establish an agreed-upon process when fulfilling the duty to consult, Canada will collaborate with Métis governments and partners to co-develop or update and fully implement their respective Consultation Agreements with Canada through an effective and efficient whole-of-government approach to consultation and accommodation that aligns with the UN Declaration. **(Crown-Indigenous Relations and Northern Affairs Canada)**

4. Consistent with the commitments set out in the Memorandum of Understanding for Advancing Reconciliation (MOU) signed in 2018, as well as under the UN Declaration and other mechanism, Canada will continue to advance reconciliation between Métis Nation British Columbia (MNBC) and Canada by fulfilling its commitments in the MOU by co-developing agreements and shared solutions regarding the subject areas listed at 1.2, as well as other items of mutual interest. Negotiations will continue to focus on determining MNBC's Aboriginal Rights under Section 35, of the *Constitution Act, 1982*, in a manner that is consistent with rights-recognition approaches and implementation. In parallel with the section 35 determination negotiations, Canada commits to advancing the co-development of practical agreements or shared solutions that focus on processes and service delivery. **(Crown-Indigenous Relations and Northern Affairs Canada)**
5. Consistent with the commitment to co-develop approaches for the implementation of *An Act respecting First Nations, Métis, and Inuit children, youth and families* (the Act) that affirm rights to self-determination and jurisdiction, Canada will collaborate with provincial and territorial governments to seek to ensure that policies, practices and approaches taken to implement the Act uphold the inherent Métis right to self-determination, and rights of children, youth and their families affirmed in the UN Declaration by advancing substantive equality for Métis-specific priorities and principles, including sustainable and predictable funding, Métis Data Sovereignty and Métis social determinants of wellbeing. **(Indigenous Services Canada)**
6. Engage with each Métis government negotiating and implementing self-government, to co-develop an adaptation (or annex) to Canada's Collaborative Self-Government Fiscal Policy to address the various forms of Métis self-government. **(Crown-Indigenous Relations and Northern Affairs Canada)**
7. Co-develop measures to advance the renewed fiscal relationship set out in the Canada – Métis Nation Accord. **(Crown-Indigenous Relations and Northern Affairs Canada)**

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

The Government of Canada will take the following actions in consultation and cooperation with Métis:

8. In order to ensure the safety, wellbeing, and resilience of Métis communities, co-develop measures to facilitate effective identification of and response to threats to Métis security, including, but not limited to:
  - the provision of information to MNC and its Governing Members regarding threats to Métis security, including specific threats to communities and infrastructure

- the provision of national security-related information to MNC and its Governing Members that may impact Métis individuals and/or communities
  - ensuring more accurate and effective identification of threats to Métis security
  - supporting technical capacity to receive and respond to provided information and to ensure responses include the procedures and protocols of the Métis
  - measures to protect the privacy and information of Métis citizens, including ensuring that no commitment or activity in this action plan measure requires MNC and its Governing Members to provide information relating to Métis citizens, governments and communities to the Government of Canada. **(Canadian Security Intelligence Service)**
9. Conclude a Justice and Policing Sub-Accord through the Canada-Métis Nation Permanent Bilateral Mechanism in order to end over-representation, reduce recidivism rates, ensure preventative and Métis culturally responsive restorative justice, achieve equity within Canada's justice system(s) for Métis citizens and advance Métis inherent rights to self-determination and self-government, including, but not limited to:
- federal data sharing agreements
  - sustainable funding and capacity for Métis governments to support their citizens incarcerated, interacting with, and having lived experience in the justice system, through initiatives including but not limited to Métis specific restorative justice, comprehensive victims, family, and community services and supports, Gladue services, and other programs and services
  - Métis law and legal systems
  - policing
  - other undertakings in relation to advancing the role of Métis governments **(Justice Canada and Public Safety Canada)**

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

The Government of Canada will take the following actions in consultation and cooperation with Métis:

10. Consistent with the commitment to co-develop approaches for the implementation of the right to self-determination, Canada and the Métis Nation will advance the following measures under the Canada-Métis Nation Permanent Bilateral Mechanism:
- co-develop and implement co-development principles **(Crown-Indigenous Relations and Northern Affairs Canada)**
  - co-develop nation-to-nation, government-to-government processes for the co-development of legislative and regulatory initiatives pursuant to section 5 of the UN Declaration Act that implement Articles 18 and 19. **(Justice Canada, various departments and agencies)**



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

The Government of Canada will take the following actions in consultation and cooperation with Métis:

11. Consistent with the commitment to co-develop approaches for the implementation of the right to self-determination and rights to health affirmed in the UN Declaration, Canada will ensure work continues with Métis governments and representative institutions to realize Métis specific equal access to health services, improve equitable health outcomes for Métis, and ensure the Métis Vision for Health informs the co-development of the distinctions-based indigenous health legislation. **(Indigenous Services Canada)**
12. Ensure that the unique differences in how poverty is experienced among First Nations, Inuit, and Métis are recognized in the design and delivery of Government of Canada programs, policies, and services by working with the Métis National Council (MNC) to co-develop Métis-specific indicators of poverty and well-being. **(Employment and Social Development Canada)**

## Education, information and media (articles 14, 15, 16)

The Government of Canada will take the following actions in consultation and cooperation with Métis:

13. In order to enable Métis citizens to access quality elementary and secondary education that is centered on Métis culture and upholds article 14 of the UN Declaration, which affirms the right of the Métis to establish and control Métis education systems and institutions, the federal government will establish, through co-development with the Métis, collaborative working relationships, policies and approaches to Métis elementary and secondary education. **(Indigenous Services Canada)**





# Chapter 5: Indigenous Modern Treaty partner priorities

Modern Treaties are constitutionally protected agreements that form part of the constitutional framework of Canada and represent a distinct expression of reconciliation. To date, twenty-six Modern Treaties have been concluded between the Crown and Indigenous peoples, covering over 40% of Canada's land mass. The Supreme Court of Canada has stated on many occasions that Modern Treaties are the pinnacle of reconciliation between Indigenous peoples and the Crown and are the primary tool for the reconciliation of prior and unextinguished Aboriginal rights and asserted Canadian sovereignty (*First Nation of Nacho Nyäk Dun v Yukon*, 2017 SCC, para 10; *Beckman v Little Salmon/Carmacks First Nation*, 2010 SCC 53, para 10). Indigenous peoples who entered into Modern Treaties ("Indigenous Modern Treaty Partners") defined some or all of their Aboriginal rights as treaty rights which, by their very nature, are legally distinct and were painstakingly negotiated and agreed to by both Canada and the Indigenous people in question.

Indigenous Modern Treaty Partners are therefore a distinct element within the distinctions-based approach that includes First Nations, Inuit, and Métis peoples, as recognized within Canada's Collaborative Modern Treaty Implementation Policy.

Indigenous Modern Treaty Partners, whether First Nations, Inuit, or Métis, have distinct priorities that arise from (1) the unique relationship they have with Canada and provinces or territories as a result of their modern treaties; (2) the integral position modern treaties hold within the constitutional framework of Canada; and (3) the particular obligations, interests, rights, jurisdictions and authorities that are recognized within their Modern Treaties.

Under article 37 of the UN Declaration, and consistent with Canada's Collaborative Modern Treaty Implementation Policy, it is imperative that Canada and Indigenous peoples work together to co-develop legislative and policy processes, tools, and mechanisms to ensure that Modern Treaties are recognized, observed, and enforced, or in other words, implemented. Implementing Modern Treaties in a broad and purposive manner to uphold the honour of the Crown is an ongoing process that can and should be supported and advanced by the UN Declaration Act. This Modern Treaty Chapter sets out key actions that the UN Declaration Act can support in pursuit of this imperative.

The Government of Canada will take the following actions in cooperation with Indigenous Modern Treaty Partners:

1. Continue co-development of the annexes to Canada's Collaborative Modern Treaty Implementation Policy, as set out within section 8.1 of the Policy, to fulfill the following commitments within the applicable timelines:
  - A. Establishing new implementation mechanisms and improving the effectiveness of existing ones. Existing implementation mechanisms, such as Implementation Panels, Committees and other coordinating entities may not be adequately designed to support timely responses to new or emerging issues relating to modern treaty implementation. Canada will work with Indigenous Modern Treaty Partners to collaboratively strengthen the role and effectiveness of these structures and develop new structures in addition to those outlined in Annex A of Canada's Collaborative Modern Treaty Implementation Policy
  - B. Developing a strategy for the comprehensive, meaningful and reliable measurement of progress in the context of implementing the broad objectives individually outlined in each modern treaty. Quantitative indicators are insufficient to measure improvements in governance, restoration of culture, language and heritage and other key elements of modern treaty implementation. Canada and Indigenous Modern Treaty Partners will collaboratively develop a measurement strategy, building off of existing efforts, to define and measure progress against the broad objectives of modern treaties
  - C. Ensuring that Indigenous Modern Treaty Partners are able to fully exercise their jurisdictional powers and manage and administer programs and services to their citizens, members or beneficiaries as set out in their agreements. Crown-Indigenous Relations and Northern Affairs will ensure coordination among federal departments and agencies to develop clear and robust mechanisms with Indigenous Modern Treaty Partners and with provincial and territorial governments to ensure that barriers to Indigenous Modern Treaty Partners' exercise of jurisdiction and management and administration of programs and services are removed in a timely manner. These mechanisms will provide that Canada will use available levers and, where necessary, develop new mechanisms to influence provinces or territories, or both, to act to overcome these barriers. A cooperative federal-provincial-territorial-Indigenous approach is necessary to ensure agreements are fully implemented
  - D. Ensuring that Indigenous Modern Treaty Partners without self-government are able to conclude self-government arrangements. Crown-Indigenous Relations and Northern Affairs will co-ordinate with departments to develop clear and robust mechanisms by which Canada will collaboratively work with Indigenous Modern Treaty Partners that do not yet have self-government and with the relevant province or territory, or both, to ensure that barriers to entry into self-government arrangements are resolved in a timely manner. The mechanisms developed will provide that Canada will use available levers and, where necessary, develop new mechanisms to influence provinces and/or territories in this effort
  - E. Supporting the evolution of modern treaties. Modern treaties are living documents capable of evolving over time. Should an Indigenous Modern Treaty Partner so choose, Canada will support the evolution of modern treaties in various ways. This includes, but is not limited to, introducing robust periodic review and renewal processes designed to facilitate negotiated amendments to modern treaties to reflect advancements in the

law, including the implementation of of the UN Declaration, changes in federal policies, recommendations from review processes and contemporary contexts. Canada will collaboratively work with Indigenous Modern Treaty Partners to develop approaches that support the evolution of agreements to ensure modern treaty rights keep pace with emerging Indigenous rights frameworks, including the UN Declaration Act

- F. Improving dispute resolution processes. Canada's refusal to reasonably consent to arbitration has presented challenges in addressing disputes effectively, efficiently and in good faith. Canada will re-examine its approach to dispute resolution and work with Indigenous Modern Treaty Partners to co-develop solutions
- G. Addressing challenges that prevent boards established by modern treaties from recruiting and retaining qualified nominees to serve as members and chairpersons. These challenges, if not addressed, create significant risks to the ability of Indigenous Modern Treaty Partners to meaningfully participate in the co-management of lands, resources, waters and wildlife within their territories. Canada will collaboratively work with Indigenous Modern Treaty Partners to identify issues and co-develop solutions in a timely manner
- H. Establishing effective mechanisms to ensure that all federal departments and agencies are alive to implementation issues and that these issues receive the right level of attention. The tools created through the Cabinet Directive—the Deputy Ministers' Oversight Committee, the Modern Treaty Implementation Office, and Assessment of Modern Treaty Implications—need to be improved to ensure departments understand and coordinate their whole-of-government obligations. Canada will collaboratively work with Indigenous Modern Treaty Partners to implement and, where necessary, revise or replace the Cabinet Directive in accordance with *Canada's Collaborative Modern Treaty Implementation Policy*, evaluations, lessons learned and the experience of all Modern Treaty Partners to date
- I. Providing meaningful training to federal government officials to ensure modern treaties are respected and their promises upheld. Deputy heads will undertake further measures to enhance and expand training for all of their federal public servants
- J. Improving information-sharing with Indigenous Modern Treaty Partners. Canada will collaboratively work with Indigenous Modern Treaty Partners to establish clear and efficient information-sharing mechanisms to improve transparency and minimize information asymmetry
- K. Developing effective and transparent mechanisms to engage with Indigenous Modern Treaty Partners early on in legislative, policy, and program development processes to ensure federal initiatives are consistent with Modern Treaty relationships, objectives, and obligations
- L. Ensuring adequate and dedicated funding is available to Modern Treaty partners to support meaningful participation in legislative, policy, and program development initiatives including intergovernmental forums
- M. Co-developing guidance that provides instructions to federal departments and agencies on the meaning and parameters of legislative and policy co-development, and the specific circumstances under which co-development should occur
- N. Fostering cultural competency and support education, knowledge and understanding of Modern Treaties throughout the whole-of-government. **(Crown-Indigenous Relations and Northern Affairs Canada)**

2. Direct federal public servants, including deputy heads, to implement the UN Declaration Act in a way that promotes, recognizes and respects that:
  - Modern Treaties are constitutionally protected agreements that form an integral part of the constitutional framework of Canada and represent a distinct expression of reconciliation
  - Indigenous Modern Treaty Partners have a unique relationship with Canada and provinces or territories as a result of their Modern Treaties
  - the particular obligations, interests, rights, jurisdictions and authorities of Modern Treaty Partners are recognized within their Modern Treaties
  - Indigenous Modern Treaty Partners are therefore a distinct element within the distinctions-based approach that includes First Nations, Inuit and Métis peoples. **(Crown-Indigenous Relations and Northern Affairs Canada and various departments)**
3. Ensure the full, effective, diligent and timely implementation of all Modern Treaties in Canada, including by taking any necessary effective legislative, policy and administrative measures to ensure federal laws and policies support rather than conflict with or impede implementation. **(Crown-Indigenous Relations and Northern Affairs Canada and various departments)**
4. Take a broad, purposive approach to implementing Modern Treaties in a way that fulfills the spirit and intent of Modern Treaties and upholds the honour of the Crown. **(Crown-Indigenous Relations and Northern Affairs Canada and various departments)**
5. Direct federal public servants, including deputy heads, to actively apply the principles and implement the commitments in Canada's Collaborative Modern Treaty Implementation Policy to ensure the promises in Modern Treaties are being fulfilled in a way that reflects their spirit and intent. **(Crown-Indigenous Relations and Northern Affairs Canada and various departments)**
6. Explore establishing an Indigenous Modern Treaty, Federal and Provincial/Territorial Forum to ensure a cooperative approach to Modern Treaty implementation, including associated funding commitments. **(Crown-Indigenous Relations and Northern Affairs Canada)**
7. Explore opportunities to work cooperatively with provinces and territories towards achieving the objectives of the UN Declaration in relation to the advancement of the rights, interests, jurisdictions, obligations and authorities of Indigenous Modern Treaty Partners throughout Canada. **(Crown-Indigenous Relations and Northern Affairs Canada)**

8. Continue to co-develop funding methodologies under Canada's *Collaborative Self-Government Fiscal Policy* to ensure that Self-Governing Indigenous Governments have sufficient fiscal resources to fulfill their responsibilities under their agreements, targeting completion of co-developed proposals ready to advance for federal policy and financial approvals in the following timelines:
  - a) Infrastructure (Phase II) by March 2024
  - b) Lands, resources and treaty management by March 2024
  - c) Language revitalization by March 2024
  - d) Addressing disparities in socio-economic outcomes by a date to be mutually agreed upon by federal and Indigenous participants in the Collaborative Fiscal Policy Development Process. **(Crown-Indigenous Relations and Northern Affairs Canada and various departments)**
  
9. Co-develop recommendations to establish a credible, effective, sustainable and independent Modern Treaty oversight mechanism to hold the federal government accountable to Parliament by September 2023. **(Crown-Indigenous Relations and Northern Affairs Canada)**
  
10. Direct federal public servants, including deputy heads, that the UN Declaration is to be used as an interpretive tool to inform and advance Indigenous Modern Treaty Partners' interests, rights, jurisdictions, and authorities as set out in Modern Treaties and will in no way be implemented or understood so as to detract from those interests, rights, jurisdictions, and authorities, as recognized in article 37 of the UN Declaration. **(Crown-Indigenous Relations and Northern Affairs Canada and various departments)**
  
11. Engage in collaborative development of revitalization options for federal Indigenous tax policies with the aim of these policies being more fully reflective of the self-determination of Indigenous Modern Treaty Partners and supporting and incentivizing Indigenous Modern Treaty Partners to build towards self-sufficiency through their own tax systems. This could include: developing additional incentives for Indigenous Modern Treaty Partners to enter into or continue existing tax arrangements with other levels of government; and exploring additional tax arrangements for Indigenous Modern Treaty Partners to generate tax revenues from a wider range of sources. **(Finance Canada)**
  
12. Collaborate with Modern Treaty Partners to pursue possible changes to federal environmental legislation, regulations and policies to:
  - a) align with Canada's Modern Treaty relationships, objectives and obligations, including the spirit and intent of those agreements
  - b) address issues and barriers to the effective exercise of Indigenous Modern Treaty Partner jurisdiction respecting the environment
  - c) support successful free, prior and informed consent implementation regarding federal legislative or administrative measures that may affect the environment-related modern treaty rights and obligations. **(Crown-Indigenous Relations and Northern Affairs Canada and various departments)**



13. Collaborate with Modern Treaty Partners to pursue possible changes to federal fisheries legislation, regulations and policies to:
  - a) align with Canada's Modern Treaty relationships, objectives and obligations, including the spirit and intent of those agreements
  - b) address issues and barriers to the effective exercise of Indigenous Modern Treaty Partner jurisdiction respecting fisheries
  - c) support healthy fish and aquatic plant populations
  - d) support successful free, prior and informed consent implementation regarding federal legislative or administrative measures that may affect the fisheries-related modern treaty rights and obligations. **(Fisheries and Oceans Canada)**
14. Ensure that federal legislation, policies and programs related to land and land use planning are reflective of Modern Treaties relationships, objectives and obligations and the spirit and intent of these agreements. **(Crown-Indigenous Relations and Northern Affairs Canada)**
15. Support the evolution of Modern Treaties by ensuring that they reflect developments in federal law and policy and that modern treaty rights keep pace with emerging Indigenous rights frameworks, including the UN Declaration. Such support must include ensuring that Indigenous Modern Treaty Partners have capacity to participate in negotiation and amendment processes. **(Crown-Indigenous Relations and Northern Affairs Canada)**
16. Engage directly with Indigenous Modern Treaty Partners whose traditional territories and nations span across international borders and with relevant international partners to develop mechanisms, legislative, policy, or otherwise, that reflect the self-determination of such Indigenous Modern Treaty Partners to facilitate the full implementation of article 36 of the UN Declaration. **(Crown-Indigenous Relations and Northern Affairs Canada)**



