Restoration of Jurisdiction

Anishinabek Nation Governance

Winter 2016

"As Anishinabek, we have always governed ourselves using our own traditional ways. Over time, our traditional ways were replaced by other governments' laws without our consent, including the Indian Act. We had no control over these laws and they weren't ours. We needed to start thinking about how we could get back to the ways we used to look after ourselves. We got this opportunity when our Chiefs asked us to explore self-government negotiations with Canada in 1995.
Since that time, we signed a Framework Agreement on Governance in 1998, and the Anishinabek Nation Agreement-in-Principle With Respect to Governance in 2007. Our Chiefs approved our own Anishinabek Nation Chi-Naaknigewin in 2012. The Anishinabek Nation Governance Agreement is now close to being finished. The bottom line with all of these steps is to find ways to help make things better for our people, that's what this has always been about from the beginning."

— Grand Council Chief Patrick Madahbee, February 2016

The Anishinabek Nation Governance Agreement will establish the Anishinabek Nation Government and will recognize the authority of the Participating First Nation Governments to make their own laws and policies in key areas of governance in a way that reflects Anishinaabe culture and traditions.

The Anishinabek Nation Governance Agreement sets out:

- Two levels of government – one at the First Nation level and one at the Anishinabek Nation level;
- Law-making powers for First Nations and the Anishinabek Nation to preserve, promote and develop the use of Anishinabek culture and language;
- Law-making powers for First Nations and the Anishinabek Nation to select leaders;
- Law-making powers for First Nations to determine citizenship;
- Law-making powers for First Nations and the Anishinabek Nation for the management and operations of our governments; and
- A process for negotiating other law-making powers.

The Anishinabek Nation Governance Agreement also:

- Provides for the development of constitutions at the First Nation level and the Anishinabek Nation level;
- Confirms the application of the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act to the First Nation and the Anishinabek Nation Governments;
- Establishes a government-to-government relationship with Canada, including new fiscal arrangements; and,
- Establishes a new Anishinabek Nation – Canada Intergovernmental Forum to enable cooperation on issues of mutual interest.

Stand-up election held on June 4, 2015 at the Grand Council Assembly in Curve Lake First Nation.

The Anishinabek Nation Governance Agreement will not limit or take away any Aboriginal or treaty right of our First Nations and is not intended to interpret or define our inherent right of self-government. The fiduciary relationship between Canada and the First Nations will continue.

In June of 2015, the negotiators for the Parties reached a consultation draft of the Anishinabek Nation Governance Agreement for review and discussion. Work is continuing on the related fiscal agreement and Implementation Plan.

The Governance Working Group, which was established in 2007 and which is made up of representatives from our member First Nation communities continues to meet and provide practical advice to support the successful implementation of the Anishinabek Nation Governance Agreement. For 2016-2017, the Governance Working Group will continue to develop practical tools, including draft policies and laws, to support individual First Nations to get ready for the new governance arrangements under the Anishinabek Nation Governance Agreement.

In the coming months, negotiators will continue their work to finalize the Anishinabek Nation Governance Agreement and the details of the fiscal agreements. We will also meet quarterly with the Government of Ontario to see how Provincial Ministries may be able to support the new governance arrangements.

Anishinabek

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