

ASSEMBLY OF FIRST NATIONS
ANNUAL REPORT - 2008-2009



Assembly of First Nations

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MESSAGE FROM THE NATIONAL CHIEF



Ahneen and welcome, Elders, Chiefs, Councillors, special guests and all delegates to the Assembly of First Nations' 30th Annual General Assembly (AGA), located in beautiful Calgary, Alberta, and the territory of Treaty No. 7.

I would like to acknowledge Chief Charles Weaselhead of the Kainai Nation, Grand Chief of Treaty 7, and the Acting AFN Alberta Regional Chief. Thank you for welcoming us to Treaty No. 7 territory.

I would also like to acknowledge and thank all of the Chiefs from Treaty No. 7 territory for hosting us this year, as well as the Chiefs of Treaty No. 6 and Treaty No. 8 in Alberta for your support in hosting our AGA.

I would also like to acknowledge the many sponsors who have contributed to the 2009 AFN Host Committee in support of the

social, cultural and business networking events that have been organized for the Chiefs and delegates to our Assembly. I would like to thank the many people who have worked and volunteered to help make these events and our Assembly a success.

I would be remiss if I did not acknowledge the extremely valuable service provided to the AFN over the past three years by the previous AFN Alberta Regional Chief, Dr. Wilton Littlechild. I am very pleased that he has accepted the challenge of serving as a Commissioner on the Truth and Reconciliation Commission, and I wish him every success in that endeavour.

Another active and productive year has come and gone since we met one year ago in Québec City. We have addressed many issues in the last year that you can read about in this report and learn about the progress we have achieved on many of the critical issues that we face together as First Nations. In addition, I have also prepared a separate report on my specific activities for your information.

I look forward to meeting with all of you at my last AGA as National Chief and I wish you well in your important deliberations over the next few days.

In closing, I wish you peace, prosperity, good health and happiness for you, all of your loved ones and for your communities. It has been a true honour and pleasure for me to serve you as National Chief.

Meegwetch,

Phil Fontaine
National Chief



REGIONAL CHIEF RICK SIMON NOVA SCOTIA AND NEWFOUNDLAND

Welcome Elders, Chiefs, council members and youth to this very important gathering in Calgary to choose a new National Chief to lead the Assembly of First Nations (AFN) for the next three years.

Five candidates have come forward in the hopes of being elected to the position of National Chief, and all of them have a vision on where they would like to take the Assembly over their term if they are elected. Whoever is successful, the challenge will be with the Chiefs of Canada and the Regional Chiefs to rally behind and support the newly elected National Chief in moving forward together.

At this time, I would like to acknowledge and thank outgoing National Chief Phil Fontaine for the hard work and dedication and vision that he brought to the position during his unprecedented three terms as head of the AFN. The wealth of knowledge that I gained in working with Phil Fontaine during the nine years that he was National Chief will serve me well in the future, and I would like to personally thank him.

I also want to acknowledge and remember the passing of Regional Chief Len Tomah last fall. Len gave the best years of his life to Native politics and he will be remembered for his contributions, both nationally and in the Atlantic, for many years to come.

Since I reported to the Special Chiefs Assembly in December, the main priority of the leadership in my region continues to be Mi'kmaw Nationhood and the political will required to get the job done.

A historic conference on the subject was held in March that included all Chiefs, councillors and organization heads, as well as youth, Elders and the Mi'kmaq Grand Council. The conference was led by the Assembly of Nova Scotia Mi'kmaw Chiefs and Governance Committee co-chairs, Chief Morley Googoo and Chief Deborah Robinson. The two-day conference took a hard and factual look at our history and how it relates to the current *Indian Act*. This conference is just one of many initiatives underway since signing of the Proclamation of Nationhood on October 1, 2008, better known as Treaty Day by the Mi'kmaq.

The **Mi'kmaq of Nova Scotia Nationhood Proclamation** reads as follows:

“Two hundred and fifty six years ago the Mi'kmaq signed the Treaty of 1752. This is one within the Covenant Chain of Treaties signed between the Mi'kmaq of Nova Scotia and the Crown from 1725 to 1761. We recognize and affirm that our Treaties are made Nation to Nation by their respective governments.

The Chiefs of Nova Scotia hereby come together to proclaim and assert Nationhood of the Mi'kmaq of Nova Scotia over our traditional lands and waters.

We, the Chiefs and Councils of Nova Scotia, as the elected representatives of the Mi'kmaq, agree to work together to develop a Mi'kmaw governance structure that unites and empowers our Nation to enhance the quality of life and well-being of our people.”

This was signed on October 1, 2008, in Halifax. Since then, the Kwilmu'kw Maw-klusuaqn Mi'kmaq Rights Initiative has been coordinating the effort through the Negotiation Office.



Some of the most significant issues that came out of the Nationhood conference include unity, language, citizenship, communication, principles, guidelines and the involvement of the youth. A commitment to an annual Nationhood conference, where updates on the work done can be discussed, was also agreed to by the conference participants.

The issue of Mi'kmaq citizenship is central to the Nationhood process. This issue involves the identification of who is a Mi'kmaq person belonging to the Mi'kmaw Nation. This issue is complex and involves various historical injustices, such as the loss of Indian status by Mi'kmaq women and the continued classification of Mi'kmaq as status 6.1 or 6.2 under the *Indian Act*. The conference noted this as a key issue and stressed that the question of "Who is a Mi'kmaq?" must be developed and decided by us, the Mi'kmaq Nation.

Other issues in the region that I continue to be involved in include my role as the Executive Chair by the Mi'kmaw - Nova Scotia - Canada Tripartite Forum. This Forum was formed in 1997 between the three parties as a partnership to strengthen relationships and to resolve issues of mutual concern affecting Mi'kmaq communities. The recommendations of the 1989 Royal Commission on the Donald Marshall Jr. prosecution and the 1996 Royal Commission on Aboriginal Peoples served as a strong backbone for the Tripartite Forum.

In 1997, the 13 Nova Scotia Chiefs signed a Memorandum of Understanding (MOU) with the federal and provincial governments. Under this MOU, the Chiefs would represent all of their registered band members in the Tripartite Forum. A "without prejudice" addendum to the MOU was signed in 1998, ensuring all Tripartite Forum meetings and discussions were not considered "consultation".

The Forum operates with four committee levels which include the Executive, Official, Steering and Working Committee levels. Each committee level represents the three parties who work together with tolerance and by consensus to discuss and resolve issues and act as a catalyst for change.

The Executive Committee is the highest level of decision-making in the Tripartite Forum. Final decisions are made at this level with consensus from all members. Decisions made here can overrule present policy, change future policy, and initiate and provide input into legislative change, if necessary.

The "grassroots" of the Forum is established through the seven working committees which include Culture & Heritage, Economic Development, Education, Health, Justice, Social, and Sports & Recreation. As the various Working Committees identify issues through research and community engagement, these issues are brought to the Working Committee table for discussion, solution development and next steps. Comprised of representatives from the three parties, experts and technicians in each of the seven areas work together to develop and carry out their annual work plans.

Open and public community participation is also encouraged as Working Committees attempt to host their meetings across the province in Mi'kmaw communities. The Mi'kmaw - Nova Scotia - Canada Tripartite Forum continues to be upheld as a model that can work for the rest of the country. If you require more information, I encourage you to visit the website at www.tripartiteforum.com.

If you have any questions or comments regarding any of the areas outlined, feel free to talk to me at the Assembly or to any of the Mi'kmaw Chiefs who will be in attendance.

We'lalin.

Rick Simon
NS/Nfld Regional Chief



REGIONAL CHIEF ROGER AUGUSTINE NEW BRUNSWICK AND PRINCE EDWARD ISLAND

I would be remiss not to take this opportunity to congratulate our National Chief for his generous and successful guidance throughout an unprecedented three terms as head of the Assembly of First Nations (AFN). I was very fortunate to have been his Chief of Staff for over a year (of the four years I spent at the AFN office) and saw many important goals achieved. Phil Fontaine is a Canadian nation-builder who greatly advanced the aims of our membership. I, along with a few others, personally saw the commitment and resolve that he brought to all the key issues that he can rightly take credit for: 1) the Residential Schools Settlement; 2) the Official Apology; 3) the Truth and Reconciliation Commission; 4) the new Specific Claims Tribunal Act; and 5) the AFN Corporate Challenge. On behalf of all the First Nations that I now represent, thank you Phil for all that you have done!

Recently returning home, now as Regional Chief for NB and PEI, I was troubled by the fact that, in many respects, things were pretty much as they were when I left for Ottawa. So, in an effort to inject my national experience, I penned an open letter to the Premier of New Brunswick on the state of Government – First Nations relations. Here is an excerpt:



“Having recently returned to Miramichi after serving as Chief of Staff to AFN National Chief Phil Fontaine, I expected to find that at least the major trends that are improving First Nations rights nationally would already be ‘in play’ here in New Brunswick. Because New Brunswick’s tumultuous past has made it the epicentre of some of the most protracted and major resource disputes in recent times.

Instead, I returned to see a government that has just revamped the management of public forests – without soliciting First Nations’ input in any way. Thus, I’m compelled to remind you how quickly your government has forgotten the traumas of the ‘War in the Woods’ and Burnt Church, only a decade ago!

In fact, one Supreme Court of Canada ruling after another has emanated from around these disputes – as a result First Nations here should expect, at a minimum, to be accorded the right to the ‘duty to consult and the duty to accommodate’ which applies to all government measures that impact our constitutionally-protected Treaty rights and our traditional lands.”

As a result of this letter, I’m now busy advancing three goals that will require federal, provincial and industry cooperation as a priority:

1. My commitment to the AFN Corporate Challenge is unwavering; I was instrumental in forging the first such precedent in New Brunswick – Eagle Forest Products – whereby the First Nations consortium held a 10% interest in a state-of-the-art Oriented Strand Board (OSB) facility, employing First Nation members and paying dividends.
2. I also intend to chart a First Nations Safe Water Strategy, focusing on the protection of provincial watersheds and coastal areas, in an effort to reconcile First Nation uses with other users. This will be a joint NB/PEI initiative that the AFN considers central to enhancing the environmental integrity of the region. I have amassed a considerable file documenting ongoing abuses respecting this key AFN priority.



3. Funding for this Safe Water Strategy would have it become the key vehicle for the AFN and governments to work together to properly implement the “Duty to Consult / Duty to Accommodate” obligations that now apply to resource sectors throughout our traditional territories. It goes without saying that I intend to hold governments accountable for these AFN advances – some of which emanated from hard-fought battles in this very region!

I look forward to showing the rest of Canada the true New Brunswick and PEI advantage: when First Nations, governments and industry work in the spirit of collaboration and mutual respect.

Roger Augustine,
Regional Chief



REGIONAL CHIEF GHISLAIN PICARD QUEBEC AND LABRADOR

In this election year for the position of National Chief, it is an honour and a pleasure for the Chiefs of Quebec and Labrador to participate in the Annual General Assembly. On behalf of the Chiefs of the Assembly of First Nations of Quebec and Labrador (AFNQL), I would first like to thank the National Chief, Phil Fontaine, for his invaluable contribution to the advancement of the cause of the First Nations of Canada. I would like to thank him personally for all he has done for the communities of Quebec and Labrador. We wish him every success in his new undertakings.

I would also like to take this opportunity to thank you all for your participation in our General Assembly in Quebec as part of the 400th anniversary of the founding of the City of Quebec. We hope you enjoyed your stay in Quebec and that you will return soon.

Since my last report, the Chiefs of Quebec and Labrador have decided to support a Declaration on an Affirmation Process of First Nations' Sovereignty. As distinct peoples and nations, we have the right to self-determination, including the inherent right to self-government. We are firmly resolved to exercise those rights and to enter into a new nation-to-nation relationship with the governments of Quebec and Canada. I will explain our action plan in this regard in more detail below.

RESTATEMENT OF OUR SOVEREIGNTY

The First Nations of Quebec and Labrador insist on restating that they have always been and remain sovereign peoples. If such a statement is obvious for First Nations, it is vital to recall this historical fact for the other governments who tend to forget it and who continue their efforts to assimilate the First Nations.

In November 2008, the Chiefs-in-Assembly adopted a formal declaration recalling and describing our sovereignty. Following that, in April 2009, an action plan on First Nations sovereignty was adopted. The plan includes a number of sovereignty-related activities, concrete manifestations of the autonomy that is the inalienable right of First Nations across the territory. Many concrete measures have already been taken, some quite some time ago, and are well known to many of our First Nations. Those actions could inspire others in order that everyone may understand the meaning of First Nations sovereignty. It must be made clear to all that this does not mean separation on the part of the AFNQL, but rather a search for clarity and respect in our relationship with others.

LITTLE DIALOGUE WITH THE GOVERNMENT OF QUEBEC

The lack of respect on the part of the Quebec provincial government for the Aboriginal and Treaty rights of First Nations worsened in 2008-2009. Jean Charest, the Premier, launched the *Plan Nord* [North Plan - TRANS.], a plan to develop the resources and the territory, without considering the Aboriginal rights of the First Nations, and without consulting properly or seeking some form of arrangement. The Premier also appointed a minister to handle the occupation of the territory, an act that could easily be interpreted as a provocation. The AFNQL is very concerned by this clearly colonialist attitude of the provincial government and has made this issue a priority in its activities.

The provincial government also adopted without proper consultation a document called *Guide sur la consultation et l'accommodement* [Consultation and Accommodation Guide - TRANS.] for its departments. The AFNQL rejected that approach and proposed its own consultation protocol which the provincial government refuses to consider.

Many provincial laws are enacted without proper consideration being given to the situation of the First Nations and the authority of their governments. The AFNQL has tried again and again to bring the provincial government to its senses and to convince it to



cease its colonialist action, but the Quebec government will not listen to reason.

In the view of the AFNQL, the Province of Quebec will soon deserve the unenviable title of the most retrograde province in Canada in regards to respect for the rights and cultures of First Nations.

AT THE UNITED NATIONS

For the third year in a row, the AFNQL participated in the work of the 8th session of the UN's Permanent Forum on Indigenous Issues.

Prior to leaving for New York, the AFNQL representatives held a press conference in Montreal with members of many of Quebec's civil society groups. They had come together to reveal publicly an open letter that they had co-signed requesting that the Canadian government support the United Nations Declaration on the Rights of Indigenous Peoples.

The 2009 AFNQL delegation to the UN was smaller than the one in 2008. On behalf of the Nitassinan, Chief Raphaël Picard of the Betsiamites community presented a parallel event on the importance of the governance and management of ancestral territories for the self-determination of the Nitassinan Peoples. Following that, the First Nations Education Council (FNEC) also held a parallel event on the policies of compulsory integration of First Nations. The AFNQL presented its parallel event on the political, legal and territorial rights of First Nations.

I also had the opportunity to speak twice during plenary sessions and I insisted that the Permanent Forum put pressure on Canada to adopt the UN Declaration on the Rights of Indigenous Peoples, and I mentioned the serious problem of the underfunding of our communities. Lucien Wabanonik, the Grand Chief of the Anishinabeg Nation, who was my travelling companion, also spoke during the plenary session to alert the Permanent Forum of the Quebec government's intentions regarding the *Plan Nord* in which Quebec's First Nations may not be given their rightful place in regard to this project situated beyond the 49th parallel.

I then spoke with Professor S. James Anaya, the UN Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples. I spoke to him about Canada's unwillingness to sign the United Nations Declaration on the Rights of Indigenous Peoples, the problem of the compulsory assimilation of our Peoples, the problem of the placing of children in care and, finally, I invited him to visit our communities in the near future, including Kitchisakik where living conditions are the most difficult.

HUMAN RESOURCES

The Commission on Human Resources Development for the First Nations of Quebec (CHRDFNQ) – working in the areas of adult employment, training and education and serving 29 communities in Quebec – has continued its work in line with the post-2010 work strategy for First Nations in the communities and off-reserve, and has once again become involved within the AFN's technical committee on the development of human resources. It developed (with significant help from Chief Lance Haymond) a strategic action plan aimed at improving the agreement through a bilateral process.

While supporting research and the positions of the AFN on employment parity, it proceeded with its own socio-economic studies. It objected formally to the findings of the study of Human Resources and Skills Development Canada (HRSDC) on nordicity, which it found too biased to be applied as stated. It also assessed the combined and cumulative impact of inflation and demographic growth on its employment and training funds, which have never been indexed to take into account those two important factors. It has been calculated that unless the funding for employment and training is increased, by 2013-2014, the CHRDFNQ will be at only 56% of its 1996-1997 capacity.



Besides its work for adult education, professional training and other human resources development initiatives, the CHRDFNQ also worked on labour market development, by creating a model of a First Nations and Inuit Advisory Committee with Quebec's Commission des partenaires du marché du travail [Commission of Labour Market Partners - TRANS.].

ECONOMIC DEVELOPMENT

In 2008-2009, the First Nations of Quebec and Labrador Economic Development Commission (FNQLEDC) was heavily involved in the implementation of the federal government's new framework for Aboriginal economic development. Its initiatives helped organize many meetings between representatives of the Department of Indian Affairs and Northern Development and economic development agents of First Nations communities, as well as to undertake a number of possible activities aimed at bringing the viewpoint of the First Nations to the implementation of the framework. The FNQLEDC also completed a study of partnerships for the establishment of a First Nations forestry co-operative and continued to offer specialized training to its members. Among major upcoming projects (2009-2010), the FNQLEDC plans to undertake Phase 2 of the First Nations of Quebec Business Network (FNQBN), that is the organization of two business shows, as well as the design of an ecotourism strategic plan for all First Nations in Quebec.

HEALTH AND SOCIAL SERVICES

The First Nations of Quebec and Labrador Health and Social Services Commission (FNQLHSSC) continues to intensify its activities, keeping them increasingly focused on reaching the objectives stated by the First Nations of Quebec in their *Plan directeur 2007-2017, remédier aux disparités et accélérer le changement* [2007-2017 Master Plan: Eliminate Disparities and Accelerate Change - TRANS.]

In 2008-2009, the Commission implemented its new strategic plan focused on the main issues identified in the ten-year plan: improving the health and well-being of the populations; improving the socio-economic conditions of First Nations; and strengthening First Nation self-governance and clarifying intergovernmental relations. It should be noted that besides working in health and social services, the Commission is actively involved in early childhood, social development and research.

Over the past year, the organization has worked more specifically on issues surrounding the living conditions of seniors, access to care for border communities, traditional adoption, medical transportation and access to drug products. It was also very active in the Aboriginal Health Transition Fund (AHTF); health-related careers with the signing of an agreement assisting access to faculties of medicine; mental health and dependency with the development of new work settings; as well as the implementation of active measures to counter poverty and social exclusion.

Close links were maintained throughout the year with both levels of government to ensure progress on specific issues, in particular the funding of children and family assistance services, implementation of the Youth Protection Act, negotiation of delegation of authority regarding day care (which is presently managed by the Province), as well as various government bills with an impact on First Nations activities.

SUSTAINABLE DEVELOPMENT

In 2008-2009, the First Nations of Quebec and Labrador Sustainable Development Institute (FNQLSDI) was involved in a number of issues. First, the project manager ensured a constant strategic overview of all sustainable development matters. He also continued the promotion of tools and publications, such as the Sustainable Development Strategy of the First Nations of Quebec and Labrador, the consultation protocol, the research protocol, the 4-R guide (reducing, reusing, recycling and reclaiming), as well as the minutes and reports of our various events, symposiums and workshops. The project manager also undertook a feasibility study on the establishment of a consultation support team for the FNQLSDI.

The Institute closely followed the work on the new forest management practices. The project manager examined all related documents and participated in the parliamentary committees on the working document entitled: *Occupation du territoire*



forestier québécois et création des sociétés d'aménagement des forêts [Occupation of Quebec's Forest Territory and Establishment of Forest Development Organizations - TRANS.]. Furthermore, a technical committee was set up to develop directions to follow and actions to be taken regarding the new forest management practices, besides defining the very important directions on the continuing activities of the Institute. Two meetings of the forest committee were also held in order to determine our position on forest issues, consultations and biodiversity. Finally, the Institute continued its regular activities, such as visits to communities, representation at various tables, the analysis of sustainable development cases, support to communities, etc.

EDUCATION

The mission of the FNEC is to reach full legal jurisdiction in education for its member communities. It has a mandate to defend their educational interests throughout their lives, taking into account the unique cultural identity of First Nations. In view of the present situation, the FNEC considers the underfunding of First Nations education at all levels its major priority.

The FNEC has therefore significantly increased its activities in order to end the chronic underfunding of First Nations education:

- Implementation of a five-year strategic representation plan aimed at countering the forced integration of First Nations into the province's systems.
- Drafting of a five-year plan entitled the Five-Year Plan for Reinforcing a First Nations Educational System by Implementing Essential Services in Support of FNEC Member Communities.
- Submission of a brief with the AFNQL, to the Expert Mechanism on the Rights of Indigenous Peoples: *Le Droit à l'éducation par les Premières Nations au regard des dispositions en droit international des droits de l'homme, février 2009 [The Right of First Nations Education under the Provisions of International Law on Human Rights, February 2009 - TRANS.]*
- Petition on post-secondary education.
- Participation in various demonstrations and drafting of press releases.
- Drafting of a brief on the funding of First Nations education on the national level in the Province of Quebec. Brief presented to the Standing Committee on Aboriginal Affairs and Northern Development (AANO).
- Development, with the Ontario Region, of a funding formula for First Nations schools that takes into consideration all the cost factors linked to education.
- Development of a statement of principles establishing clearly those principles in which the communities believe and for which they are ready to get together and support the FNEC with a view to their recognition.
- Preparation of a brief establishing the criteria required to identify and denounce the various forms of compulsory integration. Brief submitted during the 8th session of the Permanent Forum on Indigenous Issues.

Be it at the regional, national or international level, the FNEC will remain very active in order to make known the real situation of First Nations education funding and to promote partnerships.

Best wishes for a productive Annual General Assembly!

Iame!

Regional Chief Ghislain Picard



REGIONAL CHIEF ANGUS TOULOUSE ONTARIO

Ahnee and welcome to the AFN Annual General Assembly. Over the past four years, it has been a great honour to serve in this capacity. My focus has been on building consensus, improving coordination and advocating at every opportunity for First Nations rights and jurisdiction.

Through working effectively together, we've made some good progress in general and specifically with the Ontario Government. As we look forward, we'll want to build on the solid foundation we have set and advance specific priorities on Treaty implementation including Resource Benefit Sharing, our assertion of jurisdiction, addressing our critical infrastructure needs and community safety as well as continuing a special focus on youth and education.

KEY ISSUES AND ACTIVITIES

There are a diverse range of key issues that we have been engaged with recently in Ontario. I'll attempt to address the highlights here.

EDUCATION

First Nations in Ontario have confirmed that Education is a top priority. Post-secondary funding is a particular concern and one that I've addressed on several occasions with the Minister of Indian and Northern Affairs Canada (INAC). Our Ontario First Nations Education Coordination Unit as well as all of those attending our Education Forum in early June have worked hard to bring forward a focused message on this issue. We have confirmed that post-secondary funding is essential to our future and that First Nations play an integral role in this process ensuring support for students, assistance with transition and, most importantly, keeping a connection between young people and their home community which has many mutual benefits.

As many of you know, INAC has been talking about making significant changes to the program and now the Minister has announced an evaluation and changes that will be coming. The suggestion that INAC may turn over delivery of this program to some third-party entity or transform the funding into an application-driven contest to which we would have no involvement is simply not acceptable.

The Minister says that this is not an exercise aimed at reducing funding but rather one that will result in funding more students through better processes. I am very concerned that the Minister may take action without proper consultation and without consideration for our rights and responsibilities on behalf of our students. We will be pressing hard on this issue - standing firm on the need for consultation and an end result that reflects our rights and the interests of our students first and foremost.

Also on education - as with many of our other issues - a central and critical problem is the 2% cap on our funding that has been in place for over a decade. This must be removed and we continue to bring forward the fact that it is simply unfair - it is crippling our communities now and eliminating opportunity in the future.

With the Ontario government - on education - we see new interest in finding better ways of working together and have been encouraged with potential new funding for First Nation post-secondary institutes. This is still a work in progress but at least there seems to be some positive momentum.

HEALTH

On Health matters, we continue to press the need for a government-to-government relationship. The introduction of the Local Integrated Health Networks in Ontario has created a very serious challenge for many First Nations who have experienced an utter lack of communication and appropriate involvement. This situation prompted direction from the Chiefs in Assembly to advance



an Accord with Ontario to address these fundamental matters. The Chiefs Committee on Health has been seized with this issue and has worked hard to develop a comprehensive strategy and approach to address our issues with Ontario as well as ensuring consistency with how we continue to advance and strengthen our relationship with Canada.

A significant report will be tabled at our upcoming All Ontario Chiefs Conference proposing simultaneous bi-lateral relationships between First Nations and Ontario and First Nations and Canada. This approach will be structured to enable us to drive to practical outcomes with Ontario, to set an agenda that respects First Nation interests and needs and, at the same time, ensures the Treaty right to health and the fiduciary relationship is maintained with the federal government.

IPPERWASH INQUIRY IMPLEMENTATION

In regards to the Ipperwash Implementation work, we've again seen a great deal of activity.

We are moving ahead with an Experts Forum on Treaty implementation in June of this year and we just completed such a Forum on Policing in May with impressive results for action and we have ongoing work on consultation and accommodation and other files.

On resource benefit sharing, of course, Ontario made a significant announcement – that it is setting aside \$30 million as a down payment for future resource benefit payments to First Nations in Ontario. We've organized a working group on Resource Benefit Sharing (composed of all of the Provincial-Territorial Organizations and independents) and it is currently gathering and sharing information through a research project including a review of all Crown source revenues (i.e. stumpage fees, mineral rights, royalties and taxes collected directly from Treaty territory and benefits) generated by Ontario by an accredited economist and a review of the spirit and intent of all Treaty language in Ontario that involves the sharing of the land and its resources. It is anticipated that the research will lead to the development of a possible agreement on Resource Benefit Sharing. This agreement could set out the parameters for a resource benefit sharing initiative with Ontario that is directed at First Nations communities and respects the autonomy of First Nations as governments.

We have also advanced options for transforming the New Relationship Fund into the Dudley George Memorial Reconciliation Fund as an appropriate and effective vehicle to advance reconciliation.

We have also added new areas to the Ipperwash work – heritage and burial sites and jurisdiction. This is a process that is working – it is difficult for sure as there are many interests and we MUST ensure that every Treaty area / every First Nation is fully respected in this process and that decision-making continues to reside at the First Nations level. But this process is making progress by getting the right people around the table and ensuring genuine sharing of information with Ontario.

ENVIRONMENT

On the environment front, there is also a lot of activity both responding to the government and also advocating and being proactive about our rights and responsibilities. The Water Declaration is a great example of the latter. We came together last fall at a special gathering to talk about water and this led to more discussion and dialogue – with the Elders and through ceremony in particular – to confirm a Declaration on Water. This is a powerful and important document for us all to use and to reflect upon as we advance our rights, jurisdictions and responsibilities to the waters.

As is the case across the country, INAC has also been busy – attempting to develop legislation about drinking water and waste water that proposes to incorporate provincial regulations. First Nations throughout Ontario have been clear that this is not acceptable – consultation must be meaningful and that first and foremost we must address underlying infrastructure issues before there can be any consideration of appropriate regulation. This matter is another key aspect of advocacy with Canada at this point and we will continue to present the very consistent position of First Nations in Ontario in this regard.



SOCIAL DEVELOPMENT

With regard to social development and child welfare, we again have a long list of issues that require attention. But we have also been successful in getting the right kind of meetings with the right officials to begin to see real work and real outcomes. On June 4, 2009, First Nation, federal and provincial senior officials agreed to advance a work plan for coordinated action. Some of the priority issues raised by Ontario First Nation leadership included the need for a full funding review, increased designations, funding for band representatives and recognition for customary care arrangements.

LEGISLATION AND ONTARIO FIRST NATION ADVOCACY

Bill 173, *An Act to Amend the Mining Act*, was introduced in the Ontario legislature. Based on the direction of our Ontario Political Confederacy, the Political and Technical Process produced some useful legislative provisions for inclusion in the Bill. Looking forward, Members of the Political Confederacy and the Ontario Ministers have agreed to keep the political and technical process going for work on regulations and implementation requirements.

In regard to federal legislation, Ontario First Nations have united around our opposition to Bill C-8 – Matrimonial Real Property (MRP). It is clear to all First Nations that this Bill does not fulfill consultation requirements, undermines our jurisdiction and does not increase access to justice or any remedy to the issues of matrimonial property. At this point, we are waiting to see if and when the federal government will bring this Bill back for second reading.

INFRASTRUCTURE AND OUR ECONOMIES

One of our major pre-occupations earlier this year was to advocate strongly for recognition of First Nation needs in infrastructure and other economic stimulus. We took this message to both the federal and provincial governments. While we saw some dedicated spending for First Nations (and indeed probably more than we've seen previously) this is still NOT good enough.

We are still excluded from the significant allocations – the money that is getting transferred to provinces and municipalities. We need to have our interests and our tremendous needs recognized.

The money that was announced now appears caught up in INAC administration. This is not what we want or need. We need to re-build our economies. We need investment and partnership and we need fairness and respect first and foremost.

Looking to the future, we are planning a major event in the fall of 2009 specifically on the Ontario First Nation economy. We are hoping to organize specific roundtables on different sectors like energy resources benefit sharing, business partnerships, and education and skills development.

IN MEMORIAM

One last note is to share the sad news of the passing of Maynard “Sam” George. Sam was known to many of you and will be forever remembered by the Ontario First Nation leadership for his dedication to our people and his quest for truth and justice.

Sam served his people as a Councillor for his home community and he served all First Nations with his passionate and diligent pursuit of the truth regarding the death of his brother Dudley George. The Ipperwash Inquiry, and the resulting recommendations aimed at implementing First Nations rights and creating better relations between all the peoples of this land, would never have happened without Sam.

It is a tribute to Sam that the land at Ipperwash has now been returned to his community. This is a fulfillment of his goal to preserve his brother's memory and return the land of his people to his people.



Sam now stands as an inspiration and a role model for us all – to gather strength from our traditional beliefs and spirituality and have unwavering faith and confidence in our rights and in justice for First Nations peoples.

I wish you all a successful Assembly and look forward to discussing with you the important work, plans and priorities before us.

Chi-Meegwetch.

Regional Chief Angus Toulouse



REGIONAL CHIEF BILL TRAVERSE

MANITOBA

INTRODUCTION

I was elected to the position of Manitoba Regional Chief for the Assembly of First Nations (AFN) on January 28, 2009, during an Assembly at the Long Plain First Nation. I am from the Dauphin River First Nation in Manitoba.

It has been a busy five months of traveling to First Nation communities in Manitoba, AFN Executive meetings, and meetings with government officials. My focus has been to connect with First Nation communities – Anishinabe, Dakota, Dene, Cree and Oji-Cree – and the AFN.

The border crossing issue is heating up again, the duty to consult is an ongoing issue with our First Nation communities, and education funding is a critical issue affecting our youth who are applying for post-secondary education. Health is also a big issue affecting all of our First Nations, especially with the H1N1 virus. We need to work as one to address all of these very important issues.



ACTIVITIES:

- The Wuskwi Sipiik School met with Inky Mark, MP, to discuss the school proposal – received a letter dated June 10, 2008, from Inky Mark, forwarding the proposal to Indian Affairs Minister Chuck Strahl. The Wuskwi Sipiik School is no longer meeting the needs of the community. It was built as temporary facility in 1994, designed to last 10 to 15 years.
- Ebb & Flow Vocational School: Met with Chief and Council and some of the staff to discuss a Vocational School at Ebb & Flow. Received a proposal from the Chief and Council with a request to hire staff to conduct a feasibility study and business plan.
- Indian Agriculture proposal: Request from the Indian Agriculture Council to schedule a meeting with INAC officials. Indian Agriculture wants to access monies to open an office and organize meetings with other First Nation Agriculture members.
- Traveled to Ottawa with Chief David Crate, Fisher River First Nation, to discuss the launch of a Human Rights campaign.
- Attended the Treaty Two Meeting, Keeseekoowenin First Nation.
- H1N1 planning with Manitoba Chiefs.
- Duty to Consult meetings at Brokenhead First Nation and Manitoba Keewatinowi Okimakanak.
- National Council of Treaty Chiefs, Fort Qu'Appelle, Saskatchewan.

There is so much to be done, and it can only be done with every single one of us taking up the challenge and the responsibility. I have every confidence that we can and we will and, with this, I look to the future with optimism and hope.

Bill Traverse,
Regional Chief



REGIONAL CHIEF LAWRENCE JOSEPH

SASKATCHEWAN



INTRODUCTION

Fellow Chiefs and members of all First Nations across Canada:

It is my honour to report to the Assembly of First Nations (AFN) Chiefs on my activities as Regional Chief for Saskatchewan over the past year.

My three-year term as Chief of the Federation of Saskatchewan Indian Nations (FSIN) will be coming to end this September. I have valued the work with my colleagues, the Regional Chiefs and AFN Executive Committee over this time in our collective efforts to make our communities healthier and stronger. Under my current responsibility for Treaty Implementation, my continuing vision is to establish an effective vehicle so that our First Nations, as signatory to Treaty, can sit down with the Federal Crown to assert our Treaties and secure recognition of their central role in the future development of our communities.

This report will provide an overview of these activities and my plans for future work.

KEY ISSUES AND ACTIVITIES

Treaty Implementation/National Council of Treaty Chiefs – In my current portfolio responsibility as Chair of the AFN Standing Committee on “Achieving Justice and Our Fair Share – Implementing Treaties”, my efforts have concentrated on setting up processes at the national level to facilitate a united front on implementing our Treaties. I believe the establishment of the National Council of Treaty Chiefs (NCTC), through resolution at the AFN Special Chiefs Assembly (SCA) in December, creates a promising opportunity to assert our Treaties and compel the Federal Crown to truly implement our Treaties.

As a part of the 2007 work on specific claims reform, the AFN and Government of Canada signed a political agreement committing to a joint approach on Treaty issues, beginning with a national conference which was held in Saskatoon in March 2008. Building on the conference’s momentum, the Chiefs of Saskatchewan endorsed a proposal which I brought forward at the AFN SCA in December to build unity at the national level on Treaty Implementation. The AFN Chiefs-in-Assembly supported Resolution No. 66/2008, establishing the NCTC to begin the work of seeking common ground on a National Strategy/Action Plan for Treaty Implementation. The resolution recognized and spoke to the need for unity and support for each other in our common goals and collective efforts, including the Treaty 1-11 movement.

My co-chair of the NCTC is Chief Isadore Day of the Serpent River First Nation. He is a descendent of the original signatory to the Lake Huron Robinson Treaty of 1850. We were very pleased with the outcome of the inaugural meeting of the NCTC which was held at the Treaty Four Governance Centre in Fort Qu’appelle, Saskatchewan on March 22-25, 2009. Chiefs from across Canada attended the meeting, jointly organized by the AFN and the FSIN. Given this was a significant and historic meeting, we undertook the proper cultural protocols and also held a highly successful Joint Youth and Elders Think Tank on March 23rd. On March 24-25, we hosted many Chiefs from all Treaty regions to seek their vision on how we can find common ground in our collective goal to see the spirit and intent of our Treaties implemented.

A summary report of the meetings is available through the AFN, which identifies the following as key findings:

1. First Nation cultural traditions are the foundation of Treaties.
2. Building unity on Treaty implementation that respects diversity of processes.
3. Impact of Treaty violations on the quality of life First Nation people.



4. Recognition of inherent authority of Treaty Signatories/Role of AFN and NCTC process as a vehicle in generating unity on Treaty implementation issues.
5. Focusing Spirit and Intent based on First Nations perspectives, not Eurocentric view.
6. Building on work of past leaders, teaching future leaders.
7. The urgency to move forward on Treaty implementation.

Building on this momentum, we began to draft a phase two work plan to submit to the Government of Canada for further resources. On invitation, my co-chair and I have had the privilege of visiting various First Nations organizations to discuss the work of the NCTC and seek direction on next steps. I reported back to the FSIN Chiefs-in-Assembly and attended the Treaty Six Gathering and the Alberta Assembly of Treaty Chiefs. I hope to receive more invitations from other regional organizations throughout Canada in the coming weeks. Securing resources to continue this work is currently underway.

I am aware that some Treaty First Nations have concerns with the AFN initiating work on Treaty implementation and that individual First Nations as signatories to Treaty fear that their rights may be compromised by national and/or regional processes. I want to make it clear that from the outset the NCTC process is intended develop an Action Plan for Treaty Implementation and provide the “vehicle” for supporting First Nations to achieve Treaty implementation. It is not a forum for negotiating Treaty or making decisions on behalf of individual Treaty First Nations. In the mandating resolution, the Chiefs-in-Assembly encouraged consensus among individual Treaty First Nations and recognized the value of unity and collective action at the regional and national levels while honouring the nation-to-nation relationship. As co-chairs of the NCTC, Chief Day and I will continue to abide by the fundamental principle of First Nation autonomy while moving forward collectively.

My vision continues to be to establish an effective vehicle to support the Treaty partners in fulfilling the spirit and intent of our original Treaties.

KEY PRIORITIES FOR 2009/10

Over the coming months, as AFN Regional Chief for Saskatchewan, I hope to continue to elevate the Treaty agenda on Treaty Implementation with our work on the NCTC. I will work towards securing sustainable resources so that we can put forward a comprehensive Action Plan and a common vision for Treaty Implementation. I will continue to make myself available to work with any First Nation or Treaty organization, on our collective goal to make the Federal Crown accountable to its promises in the Treaties made with various First Nations. This is among the most challenging and rewarding work and I will continue to press forward to raise the national profile of Treaties.

To conclude, I look forward to serving the AFN in the future and working with a new National Chief. I thank National Chief Phil Fontaine for his many years of service to the AFN and congratulate him for his many successes. I wish him all the best in his future endeavors, as I am sure he will continue to work hard for our communities in the years to come.

Regional Chief Lawrence Joseph
FSIN



REGIONAL CHIEF WILTON LITTLECHILD

ALBERTA



Tansi, Oki, Amba Watchtech, Danit'ada,

It is indeed my honour to present the 2009 Annual Report on behalf of the Regional AFN of Treaties 6, 7, 8 (Alberta). There are 47 First Nations in our region representing the Cree, Blackfoot (Siksika, Piikani and Kainai), Dené (Beaver, Chipewyan, Tsuu T'ina and Slavey), Nakota/Nakoda and Ojibwe peoples, tribes and nations. It is also my pleasure to welcome all delegates of the Assembly of First Nations 2009 Annual General Assembly to our region and especially to the traditional territory of Treaty No. 7. We are very proud of our region and on behalf of the Chiefs of the Treaties No. 6, 7 and 8, thank you for traveling to our territories. We sincerely hope you have an enjoyable experience.

INTERNATIONAL

Since the UN Declaration on the Rights of Indigenous Peoples was adopted by the UN General Assembly, much effort has been put towards the implementation of the Declaration, in particular towards getting those countries who either voted directly against its adoption or who abstained from the vote to reverse their decisions and to adopt the UN Declaration. Those that voted against it, you will recall, were the United States, Canada, New Zealand and Australia.

We are very happy to announce that the Australian, Colombian and most recently, Peruvian governments have reversed their positions and adopted the UN Declaration on the Rights of Indigenous Peoples. We are very hopeful that US President Barack Obama will reverse the decision made previous to his election and support the UN Declaration. We are also hopeful that New Zealand will change its decision. This would leave the Harper government as the sole opposition to a framework that would build better relations between the Indigenous peoples of our lands and the Government of Canada.

The UN Human Rights Council conducts Universal Period Reviews (UPR) on countries regarding human rights. The UPR on Canada was held in February. We attended this meeting, as well as subsequent meetings in Canada, to review the recommendations put forth by UN member states. One strong recommendation voiced by various countries was for Canada to adopt the UN Declaration. The response from Canada on June 9th in Geneva was – unfortunately – to reject the many calls by states and all Indigenous delegations for Canada to review its position with the objective of trying to reach global consensus on the UN Declaration. We addressed the Human Rights Council to express profound disappointment in this regard; however, we will continue our efforts to achieve resolution to this and other Human Rights matters.

Further, a meeting was held in January at the United Nations on the implementation of Article 42 of the UN Declaration. In our submission, I recalled it was the Maskwacis Cree in the 1980s who called for a mechanism to be in place to ensure the UN Declaration would be implemented. It is imperative that such a mechanism is agreed upon to implement the UN Declaration and work must continue to influence those countries who have not adopted the UN Declaration to do so and to implement the articles of the Declaration.

The United Nations Permanent Forum on Indigenous Issues was held May 18-29, 2009, in New York. This year's agenda focused on a review of the recommendations of the forum over the past seven years. Our delegation submitted a number of interventions on the agenda items. These interventions can be found on our website at www.regionalafn.ab.ca.

I extend my appreciation to the Chiefs of Treaties 6, 7 and 8 for their support in allowing me to continue the work at the international level and to the National Chief for appointing me as co-chair to the international portfolio; however, it has been the Maskwacis Cree who I must give the most credit to. I personally thank them for the trust and confidence they placed in me to carry on the work to the point where we now have a Declaration adopted by the United Nations that sets the standards for



our Indigenous rights, acknowledging we are human beings who have rights and ensuring our human rights are being protected by conducting periodic reviews on states including Canada. I am proud of the vision that the Maskwacîs Elders and leaders had over 30 years ago. It has been my honour to represent the Maskwacîs Cree at the international meetings through the International Organization on Indigenous Resource Development (IOIRD), a non-governmental organization with consultative status at the UN Economic and Social Council (ECOSOC).

GLOBAL STOP TB INITIATIVE

Two very important conferences were held this year – the first being the Global Indigenous STOP TB Conference held in Toronto on November 12-14, 2008. This brought together Indigenous peoples from 60 countries on the critical issue of Tuberculosis (TB) and the alarming rise of confirmed cases among Indigenous peoples. It is startling to learn that the rate of tuberculosis is 29 times greater among First Nations than the rest of Canada and 90 times greater among the Inuit.

The second meeting was held in Brazil where our delegation presented recommendations to the Global STOP TB Partnership forum. In addition, the AFN Health Secretariat conducted a side event at the United Nations Permanent Forum on Indigenous Issues to bring awareness and call for a partnership inclusive of Indigenous peoples. Further information is available through the AFN Health Secretariat.

CONSULTATION AND ACCOMMODATION

We hosted the Western Region forum on the National Chief's Task Force on Consultation & Accommodation on March 2-3, 2009. The report from this meeting was presented to the national task force to contribute to the national plan. It was very clear from our discussions that the governments have a legal obligation to consult and accommodate on all matters that will impact First Nations and that the duty to consult lies with each First Nation.

PAPAL VISIT

Along with Ms. Kathleen McHugh, chair of the AFN Women's Council, I participated in a delegation that traveled to Vatican City for an audience with His Holiness Pope Benedict XVI in April. An invitation had been extended to the National Chief for a private audience with His Holiness regarding the residential school experience. Further information will be provided by the National Chief, however, I must add that it was a historic experience that will remain a highlight and I hope it will add to the healing. As the head of the Catholic Church, the Pope expressed great sorrow for the experience so many of our peoples experienced while attending the various residential schools.

GANG VIOLENCE AND DRUGS

The issue of gangs and drugs in our First Nations is a major concern for the leaders of our First Nations in Treaties 6, 7 and 8 (Alberta). Former Chief Victor Buffalo of the Samson Cree Nation tabled a resolution at the December 2007 Assembly of Chiefs pressing the government to come to the aide of the leaders in addressing this social issue being encountered by so many of the First Nations across our country.

As this matter is not solely a First Nation problem, the Alberta Government has developed a joint ministry initiative to develop a strategic plan and some First Nations in our region have had an opportunity to be included in the initiative. At a meeting held in the Ermineskin Cree Nation, I presented the findings on gangs from a justice reform report that I chaired for the Province of Saskatchewan, as the results are applicable to Alberta. It was important to ensure that First Nations are included in the initiative and we look forward to the Alberta Gang Strategy when it is finalized.

EDUCATION

The education of our peoples remains in crisis. Continued advocacy at all levels is critical to ensuring that the Government of Canada removes the cap on the funding so that every First Nation person receives the education guaranteed through Treaties.



An extremely important meeting was held May 6-7, 2009, in Geneva through the Office of the High Commissioner for Human Rights. An Expert Meeting on Education was convened and we presented interventions to ensure our Treaty Right to Education was included in the report on the Indigenous right to education that will be submitted by the Expert Mechanism on the Rights of Indigenous Peoples to the Human Rights Council.

Our office has also been working on a provincial committee established by the Minister of Education – “Inspiring Education” – with the mandate to improve education. It is our intent to ensure education for First Nations students is included in the 20 Year Plan. We must utilize every means to ensure our Treaty Right to Education is protected and enhanced.

SPORTS

In November, the World Indigenous Nations (WIN) Sports Inc. in conjunction with the Province of Manitoba hosted the WIN Sports Congress, bringing together a group of experts in the field of sports to set the ground work for the inaugural World Indigenous Nations Games that will be held in Winnipeg in 2012. This will bring Indigenous athletes and cultural participants from around the world to compete in contemporary sports and traditional games.

AFN ANNUAL GENERAL ASSEMBLY 2009

I acknowledge the Chiefs of Treaty No. 7 and their supporters in pulling together an outstanding plan for hosting the 2009 AFN Annual General Assembly. I am very proud to have served as the Co-Chair of the Planning Committee along with Mr. Andy Popko and we are very thankful for the excellent work done by the host committee.

In closing, this has been a year full of activities and challenges. I am very fortunate to have worked with the Chiefs of Treaties 6, 7 and 8. I am very impressed with the due diligence and dedicated hard work of our Chiefs. I am also very honoured to have worked with the Executive of the AFN. I extend my appreciation to each Regional Chief for the fundamentals we have established.

I also acknowledge the National Chief, Phil Fontaine, and express my sincerest appreciation for the work we have done together and for the support he has given me throughout my term as Regional Chief. I also offer my personal gratitude for everything he has done on behalf of First Nations and our peoples in the nine years he dedicated to the Assembly of First Nations. He has been a leader, a colleague and a friend. I wish him all the best in his future.

Finally, as this will be my final annual report, I acknowledge all of our Indigenous peoples for whom it has been an honour to serve. I hope that the work I have tried to do as the Regional Chief has achieved the instructions of my grandfather: “When the community is in your hands, do all that you can to make it better and then turn it over to the future.” Hai Hai.

Dr. Wilton Littlechild, IPC
Regional Chief of Treaties 6, 7 and 8 (Alberta)



REGIONAL CHIEF SHAWN ATLEO BRITISH COLUMBIA

Greetings, my name is A-in-chut, Shawn Atleo, and I have served for the last five and a half years as Regional Chief of the BC Assembly of First Nations (BCAFN). It is a pleasure and an honour to provide an update at this 30th Annual General Assembly and to join the National Chief, and my colleagues on the Executive Committee, in welcoming all Chiefs, Elders, veterans and delegates to this important gathering. A special thank you as well to the Treaty 7 Nations for allowing us to conduct our business in their traditional territories.

Firstly, I would like to thank the BC representatives of the many regional and national committees for their continued support of our work. In particular, thank you to Chief Lisa Shaver (Penelakut First Nation) for representing BC on the National Women's Council, and to Ken Watts and Toni Williams for their dedicated work as the BCAFN youth representatives.

The BCAFN office would also like to welcome two summer interns. Alex Gagne of Bowen Island, BC, joins us from Dalhousie University where she is completing her Masters in Marine Management. Also joining our team is Sarah Robinson, a member of the Fort Nelson First Nation. Sarah is currently pursuing a degree in First Nations Studies at the University of British Columbia. We are excited to have these two talented individuals aboard and look forward to their contributions.

In the BC region, there are 203 First Nations that I am honoured to support and advocate for as Regional Chief. While diverse and distinct, the First Nations of BC have taken on the tremendous work of coming together to address important issues and initiatives that affect their nations. The following is a brief report on the recent activities in the BC Region.

FIRST NATIONS LEADERSHIP COUNCIL

On March 17th of this year we celebrated the four-year anniversary of the signing of the BC First Nations Leadership Accord. The signing of this Accord resulted in the formation of the First Nations Leadership Council (FNLC), which brings together the political executives of the First Nations Summit (FNS), the Union of BC Indian Chiefs (UBCIC) and the BC Assembly of First Nations (BCAFN). The FNLC works collectively to politically represent the interests of First Nations in BC and to develop strategies to bring about significant and substantive changes to government policy. This collective approach has helped the BC Region to address our historic and internal divisions and to build unity.

While the BCAFN has its own mandates and initiatives, much of our work is coordinated with the FNLC, and has resulted in the development of a number of province-wide political action plans in the areas of Health, Forestry, Fisheries, Justice, Energy and Mining, Economic Development as well as the building of capacity through the establishment of councils in each area.

RECOGNITION AND RECONCILIATION ACT

A major shift could be taking place in the near future in British Columbia in regards to the recognition of Aboriginal title. The Province and First Nations leaders in BC have been working towards a Recognition and Reconciliation Act, which is intended to create a new political and legal environment in this province. It stems from work that began in 2005 with the New Relationship between the Province and First Nations, which was a vision based on respect, recognition and accommodation of Aboriginal title and rights. Through the New Relationship, the parties committed to work towards reconciliation of Aboriginal and Crown titles and jurisdictions and to establish processes and institutions for shared decision-making about the land and resources for revenue and benefit sharing.

Over the summer months, the BCAFN, FNS and UBCIC are holding a series of regional engagement sessions province-wide to seek advice and listen to concerns on the proposed legislation from all First Nations. The proposed legislation is only in the drafting



stages, and an All-Chiefs Assembly is scheduled in August to continue gathering feedback and political direction. First Nations leaders will provide final approval prior to introducing any legislation.

5TH REGIONAL CHIEF'S ASSEMBLY

In February, I was pleased to welcome over 400 delegates to the Vancouver Island Conference Centre in Snuneymuxw territory for the 5th Regional Chief's Assembly. Entitled, "Rebuilding our Economies and Repairing our Environment", the event allowed 130 Chiefs and proxies in BC a chance to come together with business and industry leaders to continue building the economic development component of the BC First Nations Title and Rights Strategy. I was also honoured to welcome Chiefs from Ontario, Quebec and Labrador, Saskatchewan, Alberta, Manitoba and Atlantic Canada that were there in an effort to foster greater inter-regional and inter-tribal trade.

The focus of the Assembly was building economic self-sufficiency for First Nations while striving to strike a balance between development and sustainability. Underlying this theme is the need for greater cooperation between our nations in order to achieve economic self-sufficiency. Delegates heard from a host of eminent speakers and panelists including Ian Gill from Ecotrust Canada, business leader and philanthropist Milton Wong, Jim Sinclair from the BC Federation of Labour, Satsan (Herb George) from the National Centre for First Nations Governance, as well as Chiefs Shane Gottfriedson and Judith Sayers and Grand Chiefs Doug Kelly and Stewart Phillip.

Concluding the Assembly, the First Nations Forestry Council, First Nations Fisheries Council and Interim First Nations Energy Council signalled this new era of collaboration by signing a Co-operation Protocol. This Protocol will bring the councils together where there is common ground, enabling them to share information, resources and strategies to achieve their goals.

BC FIRST NATIONS FISHERIES COUNCIL

Building on our collective rights and connection to the fisheries, the First Nations Fisheries Council continues to work on structure, function and new mandate recommendations, which are available at www.FNFisheriesCouncil.ca. I am encouraged that the Fisheries Council continues working with Fisheries and Oceans Canada (DFO) to finalize a commitment to action and an associated work plan. The council has been active in a range of areas, including:

- Advocating on important fisheries issues, including urging federal and provincial governments to include First Nations in current discussions with respect to the jurisdiction for managing aquaculture;
- Engaging with DFO on significant concerns associated with the current management approach in the early timed Chinook fishery with respect to DFO's approach to limited food fisheries and a conservationist agenda; and,
- Urging DFO to work collaboratively with First Nations to address concerns with the Pacific Integrated Commercial Fisheries Initiative, and to improve the management of the First Nations commercial fisheries access component of the program.

The Fisheries Council has also recently established itself as a Society, and has moved from the BCAFN offices to offices in Port Hardy, BC.

INTERIM FIRST NATIONS CHILD AND FAMILY WELLNESS COUNCIL

After two province-wide forums, the Interim First Nations Child and Family Wellness Council (IFNCFWC) was established at the Indigenous Child at the Centre II Forum held on July 21-23, 2008. During this Forum, delegates developed and endorsed the "One Heart, One Mind Statement of Solidarity and Cooperation." This Statement affirmed our commitment to work together in a nation-to-nation and community-driven process to secure the individual and collective survival, dignity and well-being of our children.

The IFNCFWC was formed by direction of the BC First Nations Chiefs and is comprised of three representatives from each of the five regions in BC. Its mandate is to finalize and commence the implementation of the Indigenous Child at the Centre Action Plan and to establish a permanent First Nations Child and Family Wellness Council. The Action Plan was revised based on First



Nations' feedback and re-circulated to all BC First Nations on a number of occasions for review and comment. Work is underway to finalize the Action Plan and to develop a work plan for the implementation phase.

The IFNCFWC has been meeting on a monthly basis since October 2008. The IFNCFWC spokespersons and political working group members have held meetings with a number of key partners at both political and technical levels, including federal and provincial government departments and ministries, and numerous First Nations organizations. Particularly, the IFNCFWC continues to engage in political and technical discussions with the provincial and federal governments about the implementation of Jordan's Principle. My office, along with the FNS, UBCIC and IFNCFWC, have objected to the federal government's narrow interpretation of Jordan's Principle, and we uphold that it is a child first principle that must be broadly applied across health, social and economic sectors.

More information on the IFNCFWC is available at the following website: www.informationbc.ca/child2.

FIRST NATIONS ENERGY AND MINING COUNCIL

The First Nations Energy and Mining Council became a society on May 1, 2009, and was created to support First Nations in British Columbia in the actions that were outlined in the First Nations Energy Action Plan (developed at Chief Joe Mathias Hall in 2007) and the First Nations Mineral Exploration and Mining Action Plan (developed in Prince George in 2009). These Action Plans were informed by the feedback received from First Nations leaders and representatives at province-wide forums. The Energy and Mining Council is currently working on the following priorities:

- Developing a First Nations equity proposal to assist First Nations in participating in renewable energy projects;
- Developing recommendations on a new environmental assessment process that includes First Nations as decision makers;
- Engaging with the BC Bioenergy Network to support First Nations involvement in bioenergy projects;
- Supporting the FNLC in their participation on the Minister's Mining Roundtable; and,
- Discussions with the Major Projects Management Office (MPMO) to ensure that First Nations are aware of this new federal office and that MPMO engages First Nations in an appropriate manner.

HOUSING

On May 21, 2008, the First Nations Leadership Council, Indian and Northern Affairs Canada (INAC), the Canada Mortgage and Housing Corporation (CMHC), and the Province of British Columbia (BC) signed a First Nations Housing Memorandum of Understanding (MoU). The four key themes highlighted in the MoU are:

- Governance, Relationships and Accountability;
- Financial Management;
- Capacity Development; and,
- Comprehensive Approach to Housing.

One of the action items of the MoU is for the Parties to collaboratively develop interlinked on and off reserve housing strategies. BC conducted their engagement process in 2008, which will guide future work in developing ways to address the housing needs of Aboriginal people living off-reserve (see www.housing.gov.bc.ca/housing). The BC On-reserve Housing Forum was held on March 24-26, 2009, to seek input on the development of an on-reserve First Nations Housing Action Plan. The parties to the MoU will use the feedback and direction provided at the forum to continue to develop interlinked on and off-reserve housing strategies. Regular progress reports are being provided to all BC First Nations.

In conclusion, it has been another exciting and inspiring year, and I am pleased to submit this report on behalf of the BC Region.

Chu Kleco,

Shawn A-in-chut Atleo



REGIONAL CHIEF BILL ERASMUS NORTHWEST TERRITORIES



WELCOME

We welcome everyone to the 2009 Assembly of First Nations (AFN) Annual General Assembly (AGA) in Calgary, Alberta. The Dene Nation hosted its 39th Dene National Assembly in the community of Lutsel K'e. The community did an excellent job of hosting this event coordinated by Chief Steve Nitah and James Marlow. We thank the many volunteers who worked tirelessly to raise funds for this event. A special thanks to the Akaitcho Territory Government for a warm welcome into your region. We remember all of the past participants in our assemblies as many have passed on and they certainly made great contributions to our people and secured a future for all Dene. Today, we recognize and honour the contribution of our Elders and pray for your well-being and good health. Dene youth are our future, we recognize and honour them as well and thank them for being with us today. Please feel welcome amongst us as you truly represent the future of the Dene.

Last year, the Dene Nation held its 38th Annual Assembly in Fort McPherson. This was another historical event and showed the people of Denendeh cooperation, togetherness and strength as a nation, even across borders. We will continue to work together with our regions and look forward to our 40th anniversary of Dene Nation. National Chief Phil Fontaine and his staff attended the gathering as well.

On behalf of Dene Nation and the Assembly of First Nations, we congratulate the following newly-elected leaders: Chief Ted Tsetta of the Yellowknives Dene First Nation (N'dilo), Chief Jim Antoine of Liidlii Kue First Nation, Chief Joachim Bonnetrouge of the Deh Gah Gotie Dene Council, Chief Roy Fabian of the Hay River Dene Reserve, Chief Clifford Daniels of the Behchoko Community Government, Chief Alfonz Nitsiza of the Whati Community Government, Chief Edward Chocolate of the Gameti Community Government, (all Community Government Chiefs are effective July 27, 2009) and Chief Mildred Edwards of the Aklavik Indian Band.

We also congratulate newly-elected Grand Chief Sam Gargan of the Dehcho First Nations. He replaces Gerald Antoine, who was the interim Grand Chief of the Deh Cho for two years. Grand Chief Gargan served four terms as a MLA for the Deh Cho from 1983 to 1999, Speaker of the Legislative Assembly from 1995 to 1999 and Chief of the Deh Gah Gotie Dene Council in Fort Providence.

INDIAN RESIDENTIAL SCHOOLS AGREEMENT

A ceremony recognizing the National Day of Reconciliation was coordinated on June 11, 2009, in Yellowknife at Sombaa Ke Park. Lunch was provided by the Dene Nation to all that attended the gathering as selected leaders gave speeches on the remembrance. This gathering was one of many planned across the country, which brought politicians, Aboriginal leaders and residential school survivors together to mark both the anniversary of the apology and the re-launch of Canada's Truth and Reconciliation Commission (TRC).

The TRC was officially launched on June 1, 2008, and was formed to probe the abuse and assimilation of Aboriginal children during the time of residential schools in Canada. It was put on hold after members of the commission, including the chairman, resigned last October over issues of infighting and concerns about political interference. The long wait for the commission to resume had some Elders worried, but commemorating the first anniversary of the apology was nonetheless an important and symbolic event. Prime Minister Stephen Harper made his apology on behalf of the Government of Canada on June 11, 2008, and it was an emotional one for many. The government hopes that giving the TRC a new life will help the healing process – post-apology – to continue.



Minister Chuck Strahl officially re-launched the TRC with the appointment of three new members, including Marie Wilson of the NWT; Justice Murray Sinclair, chairperson from Manitoba; and Wilton Littlechild, Alberta Regional Chief for the AFN. Some survivors, however, have said that the Commission needs to go beyond seeking truth and should begin to address the intergenerational effects of residential schools. The TRC will run for five years and will cost \$60 million.

Dene who attended residential schools in Canada's North received an emotional apology from the head of the Roman Catholic Church in the Northwest Territories. Bishop Murray Chatlain of the Roman Catholic Diocese of Mackenzie-Fort Smith addressed Dene leaders and others at our recent Dene Leadership in Inuvik. As some in the audience wiped away tears, Bishop Chatlain asked for forgiveness during an 11-minute speech. "Having listened to many people and hearing their deep pain, I want to apologize for our disruption of families and parenting, our involvement in the devaluing of Aboriginal language, culture and spirituality, our association with the Government of Canada in their policy of assimilation, and our failure to protect children from serious physical and sexual abuse."

Bishop Chatlain's apology came nearly one month after Pope Benedict XVI offered an expression of sorrow and regret for the abuse Aboriginal students suffered at Canadian residential schools run by the Catholic Church when an AFN delegation headed by the National Chief visited the Vatican. A representative from the Dene Nation, Joachim Bonnetrouge, was part of the AFN delegation. Bishop Chatlain said some of the people who worked in residential schools did so without knowing the real agenda of the government's policy to assimilate Aboriginal children. Those workers were part of that agenda nonetheless, he said. Following the address, Bishop Chatlain heard from our Dene Chiefs from across the Northwest Territories, some of whom shared their own painful memories of attending residential schools. Many Chiefs said they accepted the church's apology, and hope it will help both the Dene and the church move forward.

The Dene Nation will be coordinating another Residential School meeting later in 2009 to bring former students together to provide information on the Indian Residential Schools Settlement Agreement (IRSSA), to share common experiences and decide on future initiatives. Finally, we have many people in the communities who have relatives that died at the schools. We want to initiate a registry of the deceased and are beginning to document their names, dates of birth, schools attended, school locations and their home communities. We have started to locate their grave sites in order to erect a monument in their honour at each cemetery where children are interred. We will need cooperation from each family and community to accomplish this task. We would like this project to be completed by September 2010 so that commemoration initiatives can take place as soon as possible and families can find some closure and comfort that their relatives are not forgotten.

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

On September 13, 2007, the UN General Assembly passed the UN Declaration on the Rights of Indigenous Peoples after more than 20 years. The Declaration promotes minimum human rights standards necessary to the survival, dignity and well-being of Indigenous peoples of the world. These include the right of self-determination, protections from discrimination and genocide, and recognition of rights to lands, territories and resources that are essential to the identity, health and livelihood of Indigenous peoples. Only four states voted against the adoption of the Declaration including Canada, the United States, Australia and New Zealand. Canada claimed that the Declaration was unconstitutional and would undo centuries of Canadian treaties with Indigenous peoples, despite the fact that the UN Declaration explicitly states that treaties and other agreements with Indigenous peoples are to be respected.

In February, 2008, NWT MLAs Kevin Menicoche of Nahendeh and David Krutko of Mackenzie Delta put forward a motion to support the UN Declaration which passed unanimously. This was the first jurisdiction in Canada to support and endorse the Declaration. The House of Commons endorsed the United Nations Declaration on April 8, 2008 even though the minority Conservative Government opposed its adoption. Its adoption was led by NWT MP Dennis Bevington of the New Democratic Party. Australia has recently changed its position and New Zealand and the United States are also moving in that direction.



Even though there is overwhelming support across Canada, the Conservative government continues to oppose the Declaration. What we propose is that First Nations and Canadian representatives sit down to begin discussing the problems that Canada sees with the Declaration. There needs to be an understanding on how the Declaration can be implemented in Canada. The Declaration contains numerous provisions which explicitly state that it is to be balanced against other human rights protections and interpreted in accordance with principles of democracy, good governance and respect for the rights of all.

ENVIRONMENT

The Dene Nation is celebrating a historic announcement by Environment Minister Jim Prentice and Dehcho First Nations of the final boundaries for the greatly expanded Nahanni National Park Reserve. The world-famous park reserve is now nearly seven times the size of the original one established in 1972. Over 30,000 km of Boreal wilderness – an area the size of Vancouver Island – will be permanently protected.

The announcement of the final boundaries comes nearly two years after Prime Minister Harper and former Environment Minister John Baird promised a massive expansion of the park, crowning years of collective work by the Canadian Parks and Wilderness Society (CPAWS), Dehcho First Nations and many others to convince the federal government to permanently protect this iconic wilderness area. The announcement caps a 35-year effort by CPAWS to expand Nahanni National Park Reserve. When the CPAWS campaign went national six years ago, thousands of Canadians across the country became involved, writing letters and demonstrating their support.



The South Nahanni Water Shed is a spectacular example of intact Boreal wilderness that is also of spiritual importance to First Nations people. The watershed contains Virginia Falls, which is twice the height of Niagara Falls, with deep canyons and unique limestone caves and formations. It is home to woodland caribou, moose, grizzly bears, mountain goats and Dall's sheep. Dehcho First Nations thank its many supporters over the years on this campaign, including the Canadian Boreal Initiative, the Conservation Alliance, Mountain Equipment Co-op, the Wildlife Conservation Society Canada and Nahanni River Adventures, which, along with Blackfeather and Nahanni Wilderness Adventures, created a special fund to support the efforts to protect Nahanni forever. We will continue to work with and support the Sahtu Dene and Métis on permanent protection of Nááts'ihch'oh National Park in the Nahanni Headwaters and Sahtu region.

The Gwich'in vow to fight a proposal to use directional drilling to tap oil and gas believed to be beneath Alaska's Arctic National Wildlife Refuge, the calving grounds of the declining Porcupine caribou herd. A bill to get around the controversial drilling ban that currently exists, with directional drilling, was introduced in the U.S.

Senate on June 19, 2009, by Alaskan Senator Lisa Murkowski. When directional drilling is used, the well heads can be as far as 15 km away from the oil supply and outside of the refuge's boundary. But the Gwich'in Steering Committee stated any attempt by oil and gas companies to use directional drilling in the coastal calving grounds will be strongly opposed. Seismic tests and construction associated with the drilling are bound to have a negative impact on the Porcupine caribou herd, which the Gwich'in depend on for food. There are also concerns that an oil spill offshore or on nearby state lands could harm other wildlife that are vital to Gwich'in survival. The Porcupine caribou herd migrates from the Yukon to the northern Alaskan coast every spring to calve before returning to Canada. Its population has been declining for the past two decades and currently stands at less than 100,000.



A draft land-use plan for the Peel River watershed recommends restricting mining exploration in that area. The Peel Watershed Planning Commission released highlights of its draft plan in June, proposing that half the watershed, about 67,000 square km of pristine wilderness in northeastern Yukon, be put off-limits to mineral staking and that development should not be allowed in environmentally-sensitive areas. The Commission panel presented its plan with First Nation leaders in the Gwich'in region. Elder James Andre from Fort McPherson, Denendeh, said the plan does not go far enough to ensure the Peel River stays clean. He wants the whole area shut down and just left the way it is. A former president of Fort McPherson's renewable resources council, Elder Andre said the Peel River is a major part of the community. The Peel Watershed draft plan does include concessions to grandfather thousands of existing mineral claims in the region. Still, the plan has angered the Yukon's mining industry, which warns the restrictions being proposed could chase industrial development out of the region. But the Commission says it's opting to make protection a priority, which it's tried to balance with the interests of mining companies that have staked out about 12,500 claims in the area. The entire draft plan document is expected to be posted on the Commission's website. It is inviting public comment on the plan.

The main backer of a proposal for a \$16-billion natural gas pipeline down the Mackenzie Valley has reached a tentative deal with the holdout Dehcho First Nations over land access. They have a tentative deal that's being brought to the communities and, if the communities are in agreement, they will move forward with Imperial Oil. It will be about access to land and benefits. The Dehcho First Nations claim traditional lands in the southwest corner of the Northwest Territories that would be part of the right of way for the Imperial Oil pipeline. The claim covers about 40 per cent of the pipeline's projected route. Dehcho First Nations are the only remaining First Nation along the route that haven't expressed support for it. The tentative deal doesn't mean Dehcho First Nations are ready to join the Aboriginal Pipeline Group, a consortium of First Nations that expects to control one-third ownership in the pipeline when and if it is built. Fort Simpson and Fort Liard have both voted to join the ownership group. Negotiators will spend time visiting Dehcho communities to prepare for ratification votes. Those votes will be discussed at a Dehcho leadership meeting. Environment Minister Jim Prentice said the government has offered an undisclosed amount for infrastructure and pre-construction costs, as well as a sharing of risks and returns. Such developments have been rare for the 1,200-km pipeline, which would carry natural gas from the coast of the Beaufort Sea south to the Alberta boundary, where it would connect into TransCanada Corp.'s existing network. The planned Mackenzie pipeline project has been mired in regulatory setbacks for decades and has seen its price tag balloon from \$7.5 billion to \$16.2 billion in about two years. The \$16.2 billion estimate was made by Imperial Oil Ltd. months ago and many observers expect the project could now cost close to \$20 billion.

Site C is one of several options being considered to help meet B.C.'s future electricity needs. The potential Site C dam would be located about 7 km southwest of Fort St. John on the Peace River, downstream of where the Moberly River enters the Peace River. It would provide about 900 megawatts of capacity, and produce approximately 4,600 gigawatt hours of electricity each year - enough to power about 460,000 homes. The reservoir would be 83 km long, on average two to three times the width of the current river, and would flood approximately 5,340 hectares. With respect to large hydro, the BC Energy Plan calls for BC Hydro and the provincial government to enter into initial discussions with First Nations, the Province of Alberta and communities to discuss Site C to ensure that communications regarding the potential project and the processes followed are well known. As First Nations in NWT, we need to inquire and be made fully aware of the potential impacts of this development. This is similar to the development of the Bennett dam which has had long-term and lasting effects on our people.

REGIONAL INITIATIVES

With growing evidence that pollutants are causing fish deformities in the Athabasca River, 33 communities in Denendeh have called for a moratorium on oil sands developments because of fears about water quality. At a conference in Inuvik, the NWT Association of Communities passed a resolution expressing widespread concern that the governments of Canada and Alberta have not managed the oil sands in a way that protects the environment. The resolution calls for a halt to new oil sands development until a trans-boundary agreement is in place that ensures water flowing into the Northwest Territories is clean.



Yellowknife, on the northern shore of Great Slave Lake, is about 600 km from the oil sands development, near Fort McMurray, in northeastern Alberta. Water is used to extract bitumen from the oil sands. In the process, it is contaminated with heavy metals. Tailing ponds at the site now hold 720 billion litres of wastewater. One of the events that raised alarms in the NWT was a study, released by Alberta health officials in February, that confirmed a higher-than-expected rate of biliary cancer among residents of the small community of Fort Chipewyan, Alberta. The village is located on Athabasca Lake, 260 km downstream from the oil sands site. The health study did not find a cause for the high levels and did not link the cancer to the environment or to the oil sands. But George Poitras, head of government consultations for the Mikisew Cree First Nation in Fort Chipewyan, said residents fear there is a connection. Mr. Poitras said people have stopped eating fish from Athabasca River, after catching some that had lesions, and many don't trust the water to drink. But Cara Van Marck, a spokesperson for Alberta Environment, said the government has been carefully monitoring water quality near the oil sands since the 1970s. There have been some pollution discharges, but they have been isolated events and monitoring has not indicated any long-term issues. Alberta hopes to sit down with the Northwest Territories and work out a trans-boundary water agreement this fall. Oil companies stated that they have a zero tolerance for discharging wastewater into the environment, but there are natural seeps in the area that leak oil into the Athabasca River. In May, David Schindler, a professor of ecology at the University of Alberta, told the Parliamentary Standing Committee on the Environment that ongoing studies have raised some pollution concerns that need to be addressed.

SPORTS AND CULTURE

The Dene Nation congratulates and supports Team NWT, which attended the 2009 National Aboriginal Hockey Championships. Aboriginal male and female youth played against some of the best young Aboriginal hockey players in the country.

Also, we congratulate both the Inuvik Northwind (Senior Men's) and Inuvik East Three Rebels (Masters) hockey teams for sweeping the 6th Annual First Nations Cup Hockey Tournament in Yellowknife. This tournament grows and attracts more teams and spectators each year.

CLOSING

We thank our leadership and staff in our communities and regions for their hard work and efforts. We cannot move forward as a strong nation unless we are strong at all levels. Finally, thanks to Dene Nation and AFN staff for their contributions throughout the year – they have shown consistent commitment and hard work.

Thank you all for attending the 2009 AFN AGA. We wish you all the best and a safe return to your communities and families.

Regional Chief Bill Erasmus



REGIONAL CHIEF RICK O'BRIEN YUKON

Welcome Elders, Chiefs and delegates to the 2009 Annual General Assembly.

I would like to extend my appreciation to the City of Calgary and Treaty 7 First Nations for hosting this Assembly.

It is my pleasure to report on activities from the Yukon Territory since the Special Chiefs Assembly in December.

SELF-GOVERNMENT IMPLEMENTATION REVIEW AND FINANCIAL TRANSFER AGREEMENT RENEWAL

Self-Government Implementation Review and Financial Transfer Agreement Renewal is currently the major focus of the Self-Governing First Nations in the Yukon. The Government of Canada, Yukon Government and seven of the 11 Self-Governing First Nations have finalized a review of the implementation of the First Nation Final and Self-Government Agreements. The report has been submitted to all parties.

The Financial Transfer Agreements for the seven Self-Governing First Nations have been extended a third time, until March 2010. The Parties have entered into negotiations and expect to conclude a renewed Financial Transfer Agreement by March 2010.

COUNCIL OF YUKON FIRST NATIONS (CYFN)

The 2007 CYFN Assembly mandated completion of a comprehensive review and assessment of the CYFN with respect to the evolution of the organization. Since then, a task force has been developed with direction to explore options for a new structure.

The CYFN restructuring will continue to be discussed, and hopefully a recommendation will be implemented at the CYFN Annual General Assembly at the end of July.

CONSULTATION AND ACCOMMODATION

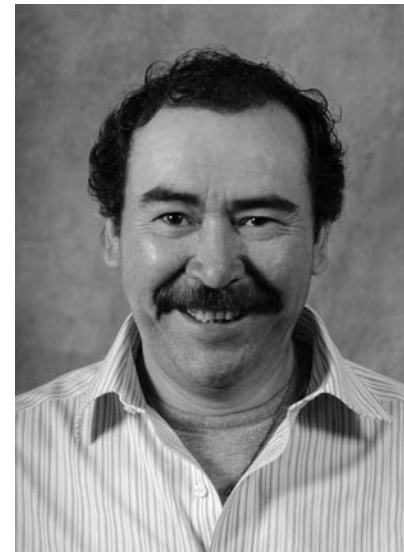
Yukon First Nations continue to exert their right to consultation and accommodation.

In 2007, the Supreme Court of Yukon ruled in favour of Little Salmon/Carmacks, when this First Nation pursued court action against the Yukon Government in respect to a land disposition. The court said the territorial government failed to consult adequately with the Little Salmon/Carmacks First Nation in granting an agricultural lease that had the potential to impact its lands and citizens.

The Government of Yukon appealed the Yukon Supreme Court decision. The CYFN and Kwanlin Dun First Nation intervened in the appeal to support the Little Salmon/Carmacks First Nation while the federal government intervened to support the Yukon Government. The Yukon Court of Appeal affirmed Justice Veale's finding that the common law and constitutional duty to consult and, where appropriate, to accommodate, applied to the interpretation and implementation of a Yukon First Nation Final Agreement. The Court of Appeal also held that the constitutional duties to consult and, where appropriate, to accommodate existed outside of and independently of the Final Agreement and were not precluded from application by the terms of the Final Agreement. The Court of Appeal held that the duty to consult arises whenever the Yukon Government proposes to take action that may have potential adverse effects on a Yukon First Nation's Treaty rights.

For complete text of the ruling, please visit:

www.yukoncourts.ca/judgements/appeals/2007/2008ykca13_little_salmon_v_yukon.pdf



The Yukon Government has now appealed from the Yukon Court of Appeal judgment to the Supreme Court of Canada. It is again arguing that the duty to consult or accommodate does not apply to the Final Agreement and does not apply to the disposition of Crown lands in a First Nation's traditional territory. The hearing is set for November, 2009.

RESIDENTIAL SCHOOLS

The CYFN was formerly housed in the Yukon's last remaining residential school. In February, the CYFN moved to a new location and Indian and Northern Affairs Canada (INAC) began preparation for demolition of the building. An event was organized to allow former students one last chance to walk through the building and to participate in cultural ceremonies. This also served to be an opportunity for some students to experience a reunion of sorts. The building is set to be demolished over the summer and the Kwanlin Dun First Nation will then assume responsibility of the land as per their Land Claim agreement.

In March, I had the pleasure of accompanying National Chief Phil Fontaine and a delegation of First Nations Elders, residential school survivors and Aboriginal leaders to meet with Pope Benedict XVI at the Vatican. The purpose was to discuss the legacy of the Indian residential schools era and the need for reconciliation.

The Pope expressed an understanding, acknowledgement and emotion on behalf of the Catholic Church. For many, this closed the circle on this episode in their lives. I personally invited the Catholic Church to proactively engage in reconciliation by way of support in the AFN's attempts to revitalize and preserve our languages and culture.

SHARON MCIVOR CASE

Our region was elated to hear that the BC Court of Appeal ruled in favour of Sharon McIvor – that certain registration provisions of the *Indian Act* are unconstitutional as they violate the equality provision of the Charter of Rights and Freedoms. Ms. McIvor claimed that section 6 of the *Indian Act* was discriminatory in that it treated the descendants of Indian women who married non-Indian men differently from the descendants of Indian men who married non-Indian women. On June 2, 2009, Indian Affairs Minister Chuck Strahl stated that the Government of Canada will not appeal the BC Court of Appeal's ruling and that it will proceed with amendments to the *Indian Act* as ordered by the Court. For many in the Yukon who experienced the same discrimination, this brings welcome news and I would like to thank Sharon McIvor for her valiant fight to see justice served. It is important that as First Nations people, we stand beside and support those who fight strong causes such as this on our behalf. However, because of the limited scope of the appeal Court ruling, Sharon McIvor has sought leave to appeal to the Supreme Court of Canada. I would also like to thank the Chiefs, the National Chief, and AFN staff who assisted Ms. McIvor with her case.

In closing, I would like to give my sincerest thanks to all whom I am working with both here in the Yukon and nationally. I admire their courage and perseverance. I look forward to continuing work with my colleagues, in the North and across Canada, in addressing regional and national challenges for all First Nations.

Mussi Cho,

Regional Chief Rick O'Brien



AFN ELDERS COUNCIL

Since the inception of the National Indian Brotherhood/Assembly of First Nations (AFN), there has always been a place of honour and distinction for the Elders. Elders provided both spiritual and political guidance in the formation of the organization, its structures and its Charter. The Elders helped to shape AFN policies and the relationship with the federal government and other national and international organizations. During the past 30 years, the AFN's leadership has relied upon the historical and cultural knowledge of its Elders, especially in matters relating to Treaty rights and First Nation governance.

This role continues today. The AFN Elders Council includes representatives from each of AFN's 10 regions, as well as the Resident Elders appointed by the National Chief. The Elders Council continues to play an important role in all facets of the AFN and its daily operations.



KEY ISSUES AND ACTIVITIES

At this time, the AFN Elders Council acknowledges the passing of a dear friend, Elder Raymond Tremblay. He was a respected Elder and Veteran. May the Creator bless him with a blissful continuation in the spirit world, and comfort his loved ones.

As National Chief Phil Fontaine has decided against pursuing another term as leader of the AFN, thanks and acknowledgment are extended to him for his initiatives on eradicating First Nations poverty; the Indian Residential Schools Settlement Agreement; the Government of Canada's public apology to Residential School survivors; and acquiring acknowledgement from Pope Benedict XVI of the role of the Catholic Church in the tragic Residential School experience. We especially thank National Chief Fontaine for implementing the revival of the AFN Elders, Women's and Youth Councils.

The AFN Elders Council continues to meet bi-annually at Annual General Assemblies and Special Chiefs Assemblies to discuss issues and challenges facing the Council. Resident Elders, Elmer Courchene and Billy Two-Rivers, continue to support and provide guidance and knowledge at meetings and gatherings throughout the year.

The Elders Council participated in the Membership Focus Group hosted by the AFN in February. The Elders provided their input on First Nations Status and issues of eligibility. A long-standing issue is the decline of Status individuals due to the discriminatory determination of Status which persists through the 1985, Bill C-31 amendments to the *Indian Act*. In respecting the autonomy of our nations, the Elders support the concept of each community determining their own First Nations Status eligibility. The AFN continues its work to acquire funds to carry out next steps, including the input and participation of the Elders Council.

The Elders will always encourage First Nations leaders and champions to continue to enlighten and inform forums such as the Chiefs Assemblies on their experiences, issues, successes and challenges. It is each one of our responsibilities to ensure prosperity and the safety of the little ones, just as our ancestors did for us.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

The Elders Council will continue to seek additional financial support from the federal government and alternative sources, so as to ensure First Nations cultures and perspectives are reflected in the work conducted regionally and nationally. The AFN Languages Unit will continue to provide administrative support, and champion the issues facing the Elders Council.



AFN WOMEN'S COUNCIL

The Assembly of First Nations Women's Council (AFNWC) works with the AFN Secretariat to ensure that the concerns and perspectives of First Nations women inform the work of the AFN. Council members hold portfolio responsibilities, including participation in a wide range of panels, presentations and forums that are relevant to First Nations women.

- Resolution 12/2006 called for the re-establishment of the AFN Gender Secretariat.
- Resolution 2/2007 endorsed the AFN Women's Council's Gender Balanced Analysis Framework.
- Resolution 26/2008 rejected Bill C-47 (now C-8) and called for proper development and implementation of a meaningful process that respects First Nation jurisdiction and existing First Nation processes addressing Matrimonial Real Property (MRP).

KEY ISSUES AND ACTIVITIES

In March 2009, the AFNWC enhanced their culturally-relevant GBA Framework that allows policy units, departments and stakeholders to assess the differential impacts of specific policies on men and women within a First Nations context. Along

with the enhanced GBA Framework, GBA training manuals and facilitator guides have been developed and will be used in training for the AFNWC in order to further advance and implement GBA throughout the work of the AFN. In addition, proposals have been submitted to government for the development of three research projects on First Nations Women as Agents of Change to support sex-disaggregated data. This work will be done in collaboration with the national First Nations Diabetes Working Group (FNDWG).

The AFNWC has always maintained that MRP legislation must address First Nations women's access to justice, reflect their own cultural values and traditions, and recognize First Nations authority. On February 2, 2009, the federal government introduced Bill C-8: *Family Homes on Reserves and Matrimonial Interests or Rights Act*.

Last July, AFN women delegates attended the 2nd National Aboriginal Women's Summit (NAWS II) in Yellowknife to continue to raise the profile of Aboriginal women and advance the recommendations of NAWS I. The

AFNWC hosted a two-day pre-summit caucus to discuss NAWS II breakout sessions, position strategies and media training, and to visit a local women's shelter. Over 200 Aboriginal women from across Canada met to address current issues facing Aboriginal women and to build on the momentum generated by NAWS I. The Government of Manitoba has committed to hosting NAWS III and the Government of Nova Scotia is expected to host the following summit.

The AFNWC continues to support the case of Sharon McIvor through fundraising and creating public awareness. McIvor's court case was heard by the BC Court of Appeal in October. After 22 years of battling sex discrimination impeded in the *Indian Act*, the BC Court of Appeal ruled in favour of McIvor in April, striking down sub-sections of Section 6 of the *Indian Act* and giving the Crown one year to fix the discrimination within the *Indian Act*. While the Minister of Indian and Northern Affairs Canada (INAC) recently announced that the department would not appeal the ruling, Sharon McIvor has sought leave to appeal to the Supreme Court of Canada.

At the December 2008 meeting of the AFNWC, United Nations representative Tonya Gonnella Frichner invited the AFNWC to attend the 8th session of the United Nations Permanent Forum on Indigenous Peoples (UNPFII) in May 2009 to raise the profile



of the Council, GBA and to discuss collaborative efforts in the “Honouring of Indigenous Women” event for the UNPFII.

Representatives of the Women’s Council also participated in several meetings and initiatives, including:

- a presentation to the House of Commons Standing Committee on the Status of Women on “GBA and Gender Budgeting”;
- a speech by the AFNWC BC member before the Senate Human Rights Committee on Bill C-21, *An Act to Amend the Canada Human Rights Act*;
- a presentation at the 8th World Indigenous Women and Wellness Conference in Calgary;
- a presentation to the AFNQL Elected Women’s regional gathering;
- the Walk 4 Justice and Choose Life Walk event on Parliament Hill;
- the Sisters in Spirit vigil on Parliament Hill for missing and murdered Aboriginal women;
- Vancouver’s annual Downtown Eastside Women’s Memorial March;
- the BC Court of Appeals hearing for the Mclvor case;
- a presentation to the 8th World Indigenous Women and Wellness Conference in Calgary;
- a speech at the National Policy Summit on Serious Complications of Diabetes;
- opening and closing remarks at the 2nd International Diabetes in Indigenous Peoples Forum and a presentation entitled “Gender Balancing Analysis: A First Nations Perspective on Obesity and Diabetes”;
- the Mental Health and Gender Forum in Vancouver;
- the AFN Special Chiefs Assembly;
- the First Nations Identity and Citizenship focus group in Ottawa to identify key elements of identity, citizenship models, and action planning;
- the 1st International Meeting on Indigenous Women’s Health in Albuquerque, New Mexico;
- the North American Indigenous Caucus in Window Rock, Arizona; and
- opening remarks at the 5th National Conference on Diabetes and Aboriginal Peoples.

Press releases were issued in support of Sharon Mclvor’s BC court date in October 2008, the National Day of Remembrance and Action on Violence Against Women on December 6, 2008 and International Women’s Day on March 8, 2009.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- In July, the AFNWC members will be trained on GBA, in the effort to continue to advance and implement GBA within the AFN, regions and communities.
- The AFNWC will continue to make strides in advancing culturally-relevant GBA on several fronts, including securing funding sources to advance research options and exploring capacity to mainstream GBA throughout the AFN Secretariat, regions, First Nations, federal departments and United Nations agencies, including collaborative efforts with Indigenous organizations to advance discussions on a GBA inter-cultural lens.
- The federal government’s legislation on MRP, Bill C-8, is now at second reading in the House of Commons and, if passed, would go before the Standing Committee on Aboriginal Affairs and Northern Development (AANO). If this happens, the AFNWC will have an opportunity to appear before the AANO to express their concerns with the bill.



AFN NATIONAL YOUTH COUNCIL

The Assembly of First Nations National Youth Council (AFNNYC) is a national body based within the structure of the AFN that represents First Nation youth across the country on issues that impact them on a daily basis. The AFNNYC provides insight to the many committees and working groups, as well as the AFN Secretariat, on various youth-related issues. The Council itself is made up of two representatives, one male, one female, from each of the 10 regions represented by the AFN.

KEY ISSUES AND ACTIVITIES

Over the past year, the AFNNYC has been involved in a number of initiatives and activities where they have ensured First Nation youth representation and involvement, as well as advancing the needs of First Nation youth.

RESIDENTIAL SCHOOL APOLOGY

The AFNNYC was represented at this momentous occasion and, like many of those who witnessed this historic event, had a profound and emotional experience. The Council wishes to play a meaningful role in the reconciliation process between Canada and First Nation peoples.



FETAL ALCOHOL SPECTRUM DISORDER (FASD) ACTION PLAN

The AFNNYC continued to work towards the objectives outlined in the action plan that they developed as a means to address this issue from a youth perspective. The Council, along with the Health and Social Secretariat (HSS), commissioned an environmental scan to capture what information, awareness and assistance exists for First Nation youth on this subject. The scan provided a broad scope of the existing resources but, as can be expected, demonstrated that there is still room for improvement in how this problem is addressed in respect to First Nation youth.

C.E.P.S (CULTURAL, ECONOMIC, POLITICAL AND SOCIAL) LEADERSHIP CURRICULUM

C.E.P.S is a curriculum designed by First Nation youth to engage youth in developing positive youth leadership. This curriculum was initially developed six years ago and has been utilized as a promising tool in addressing youth mental health issues.

At present, the AFNNYC, HSS and a group from the Assembly of Manitoba Chiefs are exploring how to increase accessibility and utilization of this tool. One of the methods used has been to develop an implementation guide to assist communities in delivering this curriculum to their youth.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Rolling out the C.E.P.S. Leadership Curriculum in communities nationally.
- Continued work towards achieving anticipated outcomes in the youth developed FASD action plan.
- Continued application of the First Nations Youth Action Plan as mandated by the youth in assembly at the 3rd National First Nation Youth Summit.



CHIEF EXECUTIVE OFFICER'S REPORT

On behalf of the Chief Executive Office and the Assembly of First Nations (AFN) Secretariat, I welcome you to this year's Annual General Assembly (AGA). Our theme for this year's Assembly is "Reconciliation: Honouring our Past and Embracing our Future." This theme reflects many of the important milestones that were passed during the 2008-09 fiscal year, most notably following the historic apology to residential schools survivors delivered by Prime Minister Harper on June 11, 2008.

The AFN's recent "National Day of Reconciliation" on June 11, 2009, marked the one-year anniversary of this apology and continued to emphasize the need for action to follow words. We hope to continue to move this agenda forward as a part of the work that will take place at this year's AGA, and we look forward to working with you to achieve our collective goals. Being an election year, we also look forward to the excitement and dynamism that makes up First Nations politics, and will work with a new National Chief to ensure that the momentum that the AFN has been building upon for decades is maintained for the benefit of all First Nations long into the future.



MANDATE

During the 2008-09 fiscal year, the AFN Secretariat has worked hard to assist the National Chief and Executive in fulfilling their mandates as reflected in four key themes:

- Governing Our Lands, Resources and Communities – Asserting Rights and Jurisdiction;
- Achieving Justice and Our Fair Share – Implementing Treaties;
- Alleviating Poverty – Strengthening First Nation Communities; and
- Securing the Place of First Nations in Canada and Internationally.

These themes have resulted in a range of activities aimed at advocating on behalf of First Nations at the national level. Through the implementation of these and other strategies, Secretariat staff were engaged in priority activities including education and languages, housing and water, treaties and claims, economic development, and a range of other issues. These and other priorities are reported on throughout this Annual Report.

KEY ISSUES AND ACTIVITIES

Having taken on the position of CEO in November 2008, my tenure in this role has been limited. I want to acknowledge the hard work and success of my predecessor, Richard Jock, over the past several years. Approaching our challenges, as a team, in particular the financial challenges, has brought us the successes we have achieved to date and will carry us through in the face of ongoing challenges.

While a federal election campaign in September-October, coupled with the Prime Minister's prorogation of Parliament in December-January, slowed our progress in several key areas, many significant achievements have been reached over this reporting period. The most prominent are highlighted both below and as a part of the many other reports presented in this publication.

FIRST NATIONS GOVERNMENT FRAMEWORK

The policy orientation of the Secretariat is based upon Chiefs' resolutions and the First Nations Government Framework (FNGF - formerly RIFNG) which originates from the Political Accord of May 2005 and covers a broad set of issues that emphasize the exercise of inherent Aboriginal and Treaty rights. Ongoing issues covered under this umbrella are Specific Claims, Comprehensive Claims and Treaty Implementation, as well as Elections and Leadership Selection, Membership and Citizenship, and Consultation



and Accommodation. See the report prepared by the Strategic Policy, Planning and Law unit for more details about these and other projects.

COUNCIL OF THE FEDERATION

As has been the case in the past, the AFN was once again involved in the annual Council of the Federation meeting last July (Quebec City), and anticipates being involved again this year in August (in Regina). The AFN Secretariat provides support to the National Chief in his participation at this meeting with the Premiers. The emphasis last year was placed on First Nations children and youth, and the support received from the Premiers for greater investment in education and training all speak to the importance of these issues as we continue to move forward.

Our efforts at the Council of the Federation were rewarded with broad agreement from the Premiers to re-commit to the objectives outlined in the Kelowna Accord and to request that the Prime Minister host a First Ministers Meeting on Aboriginal issues.

FIRST MINISTERS MEETING

A First Ministers Meeting (FMM) on the economy was hosted by Prime Minister Harper in January 2009. The AFN was able to participate in this meeting, advancing its own economic “stimulus” plan for First Nations, which included calling for an emphasis on: First Nations infrastructure to create jobs for Canadians and safer, healthier communities for First Nations; First Nations education to secure a strong and competitive economy now and in the future; and a repayable loan fund to encourage partnerships between First Nations and the private sector and support economic development for First Nations and First Nations businesses. As well, the AFN called for a process to look beyond the fiscal stimulus to deal with structural changes that would create a more effective and efficient way of addressing our issues. While several critical successes were achieved as a part of this FMM, more work needs to be done to ensure that the issues and interests of First Nations are advanced during this economic downturn.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

In addition to a continuing focus on education and training, the AFN is highlighting resource development and infrastructure in the current period as Canada continues to respond to the effects of the global economic crisis. The fact that the AFN has always operated as a fully transparent and accountable representative political organization continues to give it strength and legitimacy, not only in the eyes of First Nations, but all Canadians.

The fact that the AFN holds an election for the office of National Chief every three years provides this organization with a mandate that is continually updated and relevant to ensure that First Nations are served nationally at the highest standard possible. Significant time and resources are dedicated to the representativeness of the AFN and, to this end, we must all take heart in the successes of our national organization as we set aside our differences and celebrate our achievements going into this 30th Annual General Assembly!

On behalf of the Staff of the Secretariat, I want to express our thanks for the tremendous leadership and vision that National Chief Phil Fontaine has provided. The National Chief has inspired us and energized us – Meegwetch National Chief.

Let me extend my personal thanks to each of you for your dedication and support over the past year. On behalf of myself and the entire AFN Secretariat, I would also like to offer our sincere best wishes for a safe and peaceful summer.

For regular and ongoing updates on all of our activities over the course of this year, please remember to visit the AFN website at www.afn.ca.

Bob Watts
Chief Executive Officer



COMMUNICATIONS UNIT

The Communications Unit of the Assembly of First Nations (AFN) produces, communicates and distributes information designed to advance the goals and priorities of First Nation peoples and governments. The Unit works to ensure that the messages and perspectives of the AFN and First Nations are properly communicated and understood, and that the National Chief, Regional Chiefs and other spokespeople are involved in and given the opportunity to speak publicly through media and other fora to communicate First Nation perspectives. The Communications Unit provides ongoing input and assistance on critical issues as they occur.

KEY ISSUES AND ACTIVITIES

MEDIA AND PUBLIC RELATIONS

The Communications Unit advises, prepares and implements strategic communications policy and planning for the AFN as a whole, as well as strategies for specific initiatives and/or activities. The Unit works to develop materials and provide information to First Nations, the media and general public about the AFN, its activities and positions, as well as the National Chief's agenda and priorities.

The Communications Unit prepares press releases, media advisories and statements which are distributed nationally (in English and French) to Aboriginal and non-Aboriginal media, with regional distribution as applicable. The Unit also prepares speaking notes for the National Chief and AFN spokespeople that are used at a variety of events for a variety of audiences, including professional associations, national and international organizations, and government.

Since the 2008 Annual General Assembly, the Communications Unit has prepared and distributed more than 60 press releases/statements on a wide range of issues. Communications also prepares media lines, backgrounders, letters to the editor and op-eds on current issues.

The Communications Unit continues to strengthen relationships with key media. In the past year, there have been several developments that have resulted in widespread national and international media coverage for the AFN and the National Chief. These developments include the Papal Audience with Pope Benedict XVI, the first anniversary of the government's apology to Residential School survivors and the National Day of Reconciliation.

The Unit also distributes a daily media report to staff.

PUBLIC AWARENESS AND PUBLIC EDUCATION

The Communications Unit works to raise awareness and understanding of First Nation issues and the AFN's role, responsibilities and activities in this regard.

The AFN issues regular updates on the National Chief's activities and work underway at the national office. National Chief's communiqués are distributed by fax to all First Nations, provincial/territorial organizations (PTOs) and tribal councils, and are also posted online.

The Communications Unit offers editing and desktop publishing for various AFN publications. The Unit has also assisted in project coordination and production of various communications materials on elections awareness, the Inter-Nation Trade and Economic Summit, the National Day of Reconciliation and AFN Assemblies.

The Communications Unit updates the AFN website (www.afn.ca) on a daily basis. New developments over the past year include creation of micro-sites for various AFN initiatives, such as the Regional Health Survey and the Global Experts Meeting on TB.





The Unit also coordinates advertising requests from Aboriginal and mainstream media, provides IT support as required, and maintains the AFN's database of First Nations communities.

COMMUNICATIONS STRATEGIES

The Communications Unit develops and implements global AFN communications as well as targeted strategies for specific events, issues and initiatives. The Unit provides advice, recommendations and communications support to the National Chief's Office and other policy areas within the Secretariat.

In the fall, Communications staff worked with the Policy Unit to develop and implement a communications plan on First Nations voter awareness, leading up to the federal election in October 2008.

TRANSLATION

The Communications Unit coordinates all French/English translation requests to ensure the Canadian public and First Nations are able to access and understand all public materials produced by the AFN in both French and English. As per AFN policy, all public documents that are distributed nationally (including those posted on the AFN website) are available in French and English.

The translation requirements of the organization have continued to increase, with translation averaging approximately 90,000 words per month.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Ongoing media and public relations work involving media advisories, press releases, speeches, and interviews.
- Publication of Bulletins/Communiqués, as needed.
- Ongoing French translation of public materials.
- Ongoing updates and maintenance of the AFN website.



ECONOMIC PARTNERSHIPS

MANDATE

AFN Resolution No. 15/2008 called for First Nations input into the new federal economic framework. The resolution mandated the Chiefs Committee on Economic Development (CCED) to ensure that the new strategy respects the role of the CCED along with economic research and recommendations advanced by the CCED, including the First Nation Economic Blue Print. The Chiefs-in-Assembly insist that a new framework must also include First Nations control over economic programs, services and incentives, regionally and locally.

The Chiefs also mandated the CCED to initiate discussions on the process for engagement with federal officials, specifically the Minister's National Aboriginal Economic Development Board, and to ensure that this engagement process includes financial support for political and technical discussions with federal counterparts.

Further, the Chiefs-in-Assembly instructed that a strategy should uphold a First Nations specific approach, build upon the Community Economic Development Program and maintain First Nations access to the economic programs. The Chiefs stated that the economic programs must not be negatively affected through a funding freeze or other policy decisions.

With regard to Connectivity, the Chiefs-in-Assembly mandated the AFN, through Resolution No. 16/2008, to seek financing to support initiatives for the continued development of Information Communication Technology (ICT) services at the community and regional level until a comprehensive framework is in place.

The Economic Partnerships Secretariat is also assisting in addressing several of the national resolutions dealing with taxation issues. The Secretariat is working with the National Chief's Office to carry out instructions articulated in the resolutions, such as bringing together a national working group to discuss critical tax issues and steps forward.

KEY ISSUES AND ACTIVITIES

The AFN CCED met on July 15, 2008 (Quebec City), September 11-12, 2008 (Kamloops), and March 9-11, 2009 (Toronto). In addition, the committee met via teleconference call for updates and specific issue consideration on October 28, 2008.

The CCED has continued to build from the strategic themes identified in the CCED's First Nation Economic Blue Print. The blue print is designed to support the increased participation of First Nations in the economy.

Additionally, as part of the First Nation Economic Blue Print stream, the Secretariat has continued to support initiatives related to the AFN Corporate Relations Strategy which is composed of the AFN Corporate Challenge and the National Chief's Corporate Table. This process is intended to encourage Canada's corporate community to work with First Nations to increase direct partnerships, investments, procurement and employment (PIPE). The first meeting of the National Chief's Corporate Table was launched on March 10, 2009, and was attended by the National Chief, CCED, and senior corporate representatives that have joined the AFN Corporate Challenge.

To date, eight corporations and organizations have signed on to the AFN Corporate Challenge. The Mining Association of Canada is the newest member of the Corporate Challenge. Several other corporations have signaled their interest to join the initiative. Results have included more than 425 First Nation people finding construction-related work in major resource development areas; investments in training; partnership development; procurement uptake by First Nations businesses; increased communications to member companies on improving business relationships with First Nations; and investments into socially responsible ventures by Corporate Canada.



Additionally, the First Nation Economic Blue Print is also supported by an Economic Research Table. This process was launched in December 2008 following a report to the Chiefs-in-Assembly on the intended activity. The research process is led by Dr. Fred Wien, in collaboration with six academic leaders from across Canada. The Economic Research Table, named the Making First Nation Poverty History Committee, has completed a report on the *State of the First Nations Economy and the Struggle to Make Poverty History* which was formally presented at the AFN's Inter-Nation Trade and Economic Summit (INTES) in Toronto on March 9, 2009.

The CCED received an update presentation in July and September 2008 from a senior federal official in regard to the intention of Indian and Northern Affairs Canada (INAC) to build a new federal Aboriginal economic framework. The AFN has also been monitoring the progress of INAC's work toward a new strategy. INAC has held five engagement dialogue events across the country. The events, preceded by a review of current research, were intended to help orient the federal government. Numerous First Nations participants communicated concern over the timing of events and the format. The events and overall schedule were interrupted by the last federal election. Initially, the federal government was proposing to announce results of its engagement events and subsequent framework by the end of 2008. However, following federal approvals and reports on initial dialogue results, the expected timing was revised to June 2009.



Unfortunately, the Secretariat's proposed work plan was impacted by funding reductions and late delivery on limited funding. The Secretariat continued as much work as possible in any event given the importance of proceeding with some elements of the work plan. INAC funding assisted in continuing an AFN role in the new economic framework dialogue events, related framework meetings and position coordination.

As required by Resolution No. 15/2008, the freeze on INAC economic programs has been lifted. The AFN has been informed that new administrative policy requirements were drafted internally by INAC.

Economic Partnerships coordinated the extremely successful and well-received Inter-Nation Trade and Economic Summit (INTES) held March 9-11, 2009. Approximately 825 delegates attended. Discussions included examples of Indigenous success stories from around the world, a proposed international Indigenous economic

trade cooperation agreement, the need to further develop partnerships with government and industry, attention to labour force development, economic education and connectivity. A critical research paper, *State of the First Nation Economy*, was launched at the event. A special INTES edition by *SAY Magazine* was also launched. A full report on INTES is available.

Since last July, the combined message of the critical need for economic development, education and skills training has been delivered in at least 20 keynote speeches by the National Chief, which included a May, 2009 economic development conference in Melbourne, Australia. The National Chief also presented this message to the Prime Minister and Premiers at the January 2009 First Ministers Meeting on the Economy.

The Secretariat coordinated a third successful trade show during the 29th Annual General Assembly, which included 80 tradeshow exhibitors and proved to be a great opportunity for networking among First Nations businesses, various economic sectors and government officials. Meanwhile, the Trade Show at the 30th Annual AGA in Calgary, coordinated by the Secretariat, is also a sold-out venue.



HUMAN RESOURCE DEVELOPMENT

In respect of Human Resources and Labour Force Development, the work initiated and led by First Nation human resources technicians from across the country to identify a successor strategy that respects First Nation Human Resources Development priorities has been ongoing. AFN Resolution No. 11/2007 supported continuing work toward a final action plan by the technicians and establishing a joint technical and a political process with Human Resources and Social Development Canada (HRSDC) to arrive at a post-2009 strategy. This resolution continues to be applicable for the technical work at hand, given that HRSDC had extended its current five-year strategy by one additional year.

As noted previously, the National Chief has delivered at least 20 keynote speeches where references to First Nation participation in the labour force and the need to invest in the young First Nation demographic were communicated as critical to bringing positive change to the socio-economic realities faced by First Nations. The Aboriginal Leaders meeting with First Ministers, held prior to the Council of the Federation meeting in Quebec City in July 2008, also included key messages on youth, skills development and employment.

In fiscal year 2008-09, First Nation technicians met in caucus on May 27-28, 2008. A meeting is to be planned for the current year (2009-2010) in the summer or fall months depending on the recommendations of the technical group. The First Nation Technical Working Group on Human Resources Development met on May 26, 2008, June 25-26, 2008, August 28-29, 2008, November 13-14, 2008, and February 12-13, 2009. The next technical meeting was originally scheduled for April 2009, however, due to AFN funding issues and reporting timelines for many technical participants, the meeting was postponed.

The federal government is participating in a joint working group with First Nation technicians, for which senior officials have attended meetings and have facilitated other departmental participation at the request of AFN and technicians.

The priorities have been to include First Nation technicians from across the country in the consideration of key successor strategy issues and developing appropriate options, which would be presented to the First Nation leadership. As part of their activity, technicians have discussed employment parity as a key component to the national plan. In addition, a sub working group has reviewed employment parity data related to First Nation communities which presents clearly that 'Aboriginal' employment needs are directly linked to First Nation citizens living on reserve. The observations were presented to HRSDC officials from various departmental branches, at which time INAC officials also attended the presentations. The data and information has also been shared with the CCED's economic research table and the Toronto Dominion Bank's research arm, both of which were producing papers that included significant First Nation employment considerations.

Other key technical-level discussions have included national communication efforts, urban citizenry, understanding impacts on existing funding levels, and requirements for enhancements to reduce the employment gap between First Nations people and the Canadian population.

Last spring, First Nation technicians raised strong concern over a Request for Proposals (RFP) process being introduced in a new strategy. The RFP process was to potentially require First Nation Aboriginal Human Resources Development Agreement (AHRDA) holders to engage in a bid-type process in order to secure program funding in a post-2009 strategy. The federal government has been informed by the National Chief and other constituent groups of these concerns over a process that does not recognize the long-standing good relationships, expertise and infrastructure developed in the past 15 years. As of February, it appears that the RFP process was significantly diminished and no longer an active part of a new strategy.

In August 2008, the federal government informed First Nation human resources development program providers that the current five-year strategy would be extended for an additional year.





CONNECTIVITY

Resolution No. 16/2008 discusses the development of a First Nation e-Community strategy. The AFN has communicated the need for greater attention to community connectivity requirements. A conference held by the Council for the Advancement of Native Development Officers highlighted best practices. The Secretariat has also recommended internally that First Nation connectivity be considered for the Aboriginal Policy Research Conference. Several proposal abstracts were submitted by First Nation organizations and research partners, in addition to an abstract by the AFN that permitted a specific panel dedicated to the e-community topics. The Secretariat also proposed a panel at the INTES '09 event in Toronto.

On March 30-31, 2009, the Secretariat coordinated a think tank follow-up meeting with First Nation e-services technicians from across the country. The participants discussed elements to support the national resolution including a draft terms of reference for a national committee, defining broad band requirements, sustainability and communications planning. The results from the meeting will be presented to the CCED for consideration and next steps.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Participate in the Vancouver 2010 Olympics Aboriginal Pavilion and proposed Trading Post in order to highlight First Nations business, art, and culture.
- Continue to work on the First Nation Economic Blue Print, including addition of further participants to the AFN Corporate Challenge and Economic Research Table activity.
- Coordinate a Human Resources Development Caucus meeting in 2009-10, technical meetings and prepare updates on Human Resources Development as required.
- Coordinate meetings with HRSDC to discuss the features and implementation of the next five-year strategy.
- Coordinate technical meetings related to the First Nation connectivity portfolio.
- Present a possible outline for a national conference (INTES 10) to technicians and leadership.



EDUCATION

MANDATE

- To consult, inform and coordinate with First Nations in all regions on education issues through proactive collaboration with the Chiefs Committee on Education (CCOE) and our National Indian Education Council (NIEC);
- To assist First Nations by advocating governments on their behalf based on policy development and analysis;
- To advance the development of quality and comprehensive First Nations education systems through projects and initiatives inclusive of the following: Head Start, early years, elementary/secondary education, special education, post-secondary education (PSE), vocational training, comparable and equitable funding, accountability, languages and cultures; and,
- To increase educational attainment and opportunities for First Nations learners.

RESOLUTIONS

Resolution No. 07/2008 regarding Education Funding Renewal called upon the Assembly of First Nations (AFN) to continue to advocate that the Government of Canada:

- lift the 2% cap on funding and adequately resource First Nations education systems on the basis of First Nations approved studies, and that funding be indexed to community growth, inflation, and cost of living; and
- address the capital infrastructure issues plaguing First Nations schools that include those which make educational facilities unsafe and unhealthy for First Nations students, staff and community members and adequately address the growth needs of First Nations.

Resolution No. 47/2008 regarding Data Management and Data Collection called on the AFN to develop a national education First Nations data management experts group to oversee the development of a National Education Data Management and Information Framework for First Nations Citizens on and off-reserve, respecting the principles of the nation-to-nation relationship; Ownership, Control, Access and Possession (OCAP) principles; and working cooperatively with the Regional Longitudinal Health Survey (RHS).

Resolution No. 46/2008 regarding Options for Protecting First Nation Education mandated the AFN to initiate legal action, which may include the development of a human rights complaint or a class-action lawsuit against the Government of Canada for discrimination if the Government failed to address the foregoing concerns regarding education in the federal budget of 2009-10.

KEY ISSUES AND ANTICIPATED ACTIVITIES

The following are the key issues and activities undertaken by the AFN Education Secretariat for the 2008-2009 year. A budget and work plan for 2008-2009 was negotiated and agreed upon in June 2008, however, in January 2009, Indian and Northern Affairs Canada (INAC) cut the budget, reduced the areas of work supported and the funding was not received by the Secretariat until February 2009.

1. PERFORMANCE MEASUREMENT

Developed a report identifying critical education indicators to assess educational progress, define potential indicators and assess existing data sources for First Nation schools.

In conjunction with the Canadian Council on Learning and INAC, arranged and held a national discussion group on Performance Measurements. Developed and disseminated the resulting report to the CCOE, with a further recommendation to develop a national First Nations Achievement test.



Anticipated Activities

- Develop joint AFN/INAC committees for performance measurement work in the areas of PSE and Special Education. Each group will have five members, plus AFN and INAC representatives.
- Various regional and community level meetings will be conducted with First Nations to gather input and make recommendations on First Nations lifelong learning indicators, expanding the work completed in 2008-09.
- Prepare a list of recommendations on First Nations lifelong learning indicators and potential sources of data to support them.
- Draft report from joint AFN/INAC meeting of experts on national-level PSE and Special Education performance measures.
- Draft framework document on performance measures to support broad-based regional discussions for Elementary/Secondary Education and PSE programs planned for fall 2009.
- Combine Expert Groups to advise on all aspects of performance measurement and data management systems (e.g., design, implementation, training, other support), including INAC's national database. The group will have up to five members, plus AFN staff.
- Participate in regional meetings of First Nation Educators to review and make recommendations on draft national performance measures.
- Work with INAC on drafting a report from the national joint AFN/INAC meeting of experts on national-level performance measures that reviews results of regional discussions with First Nations and makes final recommendations.
- Feasibility/planning document for the development of a First Nation national student assessment instrument.
- A paper identifying "best practices" in the area of Performance Measurement, Standards and Indicators, with particular reference to schools and regional organizations.

2. DATA MANAGEMENT

Developed a national data management and collection framework and action plan in consultation with the Data Management Experts Group. The framework and action plan identified systems options, data to be collected and the availability of data sources.

Anticipated Activities

- A report on the findings of the environmental scan of all First Nation schools who have received First Nation Student Success Program (FNSSP) funds to establish First Nations Data Management Systems.
- Establish a Governance Committee to provide recommendations and guidance to the development of the data management system(s).
- A draft document setting out national, regional, school and community roles, responsibilities and requirements for data management systems.
- Combine Expert Groups to advise on all aspects of performance measurement and data management systems (e.g., design, implementation, training, other support), including INAC's national database. The group will have up to five members plus AFN staff.
- Continue to work with the Economic Development Secretariat to discuss and advocate for the future development of First Nations connectivity and technology.

3. SCHOOL SUCCESS PLANS AND SCHOOL EVALUATIONS

A school success plan and school evaluation guide was developed for Directors of Education, Principals and Teachers to prepare and implement a school success plan. The guide includes steps required, advice, and illustrative examples.

Anticipated Activities

- Conduct seven regional "Train the Trainers" workshops on how to use community dialogues to develop School Success Plans.



4. DIRECTORS OF EDUCATION NETWORK

A Network of Directors of Education of First Nations Schools has been developed. The Directors of Education are linked up with the AFN Education Secretariat's internal website. As well, the Secretariat has undertaken the preparation and planning for a National Directors of Education Conference for 2010.

5. PUBLIC EDUCATION AND COMMUNICATIONS

Developed an engagement and communication strategy proposing related products for use in First Nation communities and with students' families to promote the importance of education, provide factual information on education programming including post-secondary education, and share information on best practices.

Anticipated Activities

- Tool kit to explain and promote the importance of second and third level aggregation data management, performance measurement and school success plans.
- Primary and Secondary School Retention and Completion Campaign.
- Post-Secondary Education Role Models campaign (posters and video messaging).

6. SPECIAL EDUCATION PROGRAM (SEP)

Researched the inter-provincial, high cost special education categories in provincial systems as a resource for First Nations schools and INAC. An Experts Group on Special Education has been established and they are currently working on Performance Indicators for Special Education. Two legal reviews of the proposed INAC Nominal/SEP Forms were analyzed and distributed to the Special Education Working Group, while a PowerPoint presentation on this review was prepared and presented to the First Nations Education Council.

Anticipated Activities

- The Experts Group will develop a practical user guide for reporting, once INAC shares the reporting guidelines.
- Performance indicators of Special Education students in Canada will be developed.
- Develop a position paper that identifies solutions to the disparity in programs and services between First Nations schools and provincial schools.
- Review of the research which looks at the disparity of outcomes of boys vs. girls in elementary and secondary schools.

7. POST-SECONDARY EDUCATION

It must be noted that although INAC did not fund the AFN to conduct work on the PSE program, this program is vitally important to the success of First Nations and their communities. INAC unilaterally conducted an internal Audit, Evaluation and the development of an Action Plan. This unilateral action is disconcerting as the department has conducted a literature review and continues to move forward conducting research on First Nations without consultation or collaboration with First Nations. The AFN did develop an options paper outlining options for the delivery of the Post-Secondary Student Support Program (PSSSP).

Mr. Bert Waslander was hired to develop a Business Case for the PSSSP and Mr. Harvey McCue was hired to develop a governance model. The Secretariat staff has also developed a governance paper for the PSE program and all papers are in their final review and will be published soon.

Anticipated Activities

It must be noted that the Secretariat still pushes for consultation and collaboration; however, at the time this report was produced, no commitments have been made by INAC.



- Development of a joint implementation plan to maximize the delivery of the PSSSP and the University and College Entrance Program (UCEP) to First Nations students.
- Development of a joint implementation plan to maximize the delivery of the Post-Secondary Indian Student Support Program (ISSP) to First Nations students.
- A joint experts group convened to provide recommendations to INAC on Performance Measurements of the INAC PSE program; as well, this group should collaborate with INAC on the implementation of the INAC Audit Action Plan.
- Joint Experts Group will collaborate on regional consultations regarding Performance Measurement.
- Joint Experts Group to provide recommendations to INAC on the PSE program review.
- Joint Experts Group will collaborate on regional consultations regarding the comprehensive PSE program review.
- Joint Experts Group will co-develop with INAC new INAC PSE Program Policies and Guidelines.

8. SPECIAL CHIEFS ASSEMBLY ON EDUCATION

In December 2008, the Education Secretariat coordinated a First Nations Education Caucus and took the lead in coordinating the Special Chiefs Assembly (SCA) with emphasis on “Our Children, Our Future – First Nations Education”. The SCA included a presentation by the CCOE on the need to renew the Indian Control of Indian Education (1972) document to reflect today’s educational needs. This draft will be presented at the 2009 Annual General Assembly.

9. PARTNERSHIPS

The AFN Education Secretariat has enjoyed the support of many First Nations education organizations, as well as non-First Nations organizations, which has assisted in implementing our mandate. These include, but are not limited to, the following groups:

a) Council of Ministers of Education, Canada (CMEC):

- Coordinated AFN’s participation at the CMEC Aboriginal Education Summit in February, 2009.
- Developed and tabled a National Education Framework (working document).

b) Canadian Council of Learning (CCL):

- Continued partnership work with CCL on Aboriginal Holistic Lifelong Learning Models and Performance Indicators.

c) Canadian Federation of Students (CFS):

- Maintain dialogue with Executive Director and Government Relations Officer of the CFS to coordinate messaging with respect to lobbying efforts for increased funding to PSE and the continuation of the PSSSP.
- CFS members offered support for the National Day of Reconciliation.

d) Parliamentary Budget Office (PBO):

- Provided research and information regarding the Band Operated Funding Formula (BOFF) and the impacts of the 2% cap for the PBO review of “The Funding Requirement for First Nations Schools in Canada.” However, the report did not go as far as it might have, focusing predominantly on school capital funding.

10. INTERNATIONAL FORUMS

United Nations Educational, Scientific and Cultural Organization (UNESCO):

- Participated with the Canadian delegation in Budapest, Hungary at the international regional conference for Europe, North America and Israel in Preparation of the 6th International Conference on Adult Education (CONFINTEA VI). The regional conference was convened to produce a policy document that will contribute to a regional report on Adult Learning and Education and will generate critical input to the global CONFINTEA VI Conference in 2009.



- Participated in the 49th Annual General Meeting of the Canadian Commission for UNESCO in Ottawa. There were interactive and participatory discussions that contributed to the development of Canadian positions on UNESCO's priorities for the next two years.
- Provided support and updated interventions to representatives from the National Chief's Office for possible delivery in the Review at the United Nations Permanent Forum on Indigenous Issues (UNPFII), 8th Session, in New York.

In addition to working with INAC, the AFN Education Secretariat provides expert analyses on all education matters, internally in the form of speaking notes, PowerPoint presentations, fact sheets and networking with other AFN Secretariats. Externally, we provide the same level of expertise to non-government agencies, researchers, students, and more importantly, directly to many First Nations communities, their leadership, educators, parents and their children.

The Education Secretariat has worked diligently to protect the Treaty and Inherent Right to Education and the Treaty and Inherent Right for First Nations to deliver a First Nations Education, including First Nations language, culture, and history in First Nations owned and operated schools and institutions.

In the advancement of these rights, the Secretariat has focused in on three main areas: 1) Jurisdiction and Governance; 2) Responsibility – not only for the right of First Nations to take and assume responsibility of their children, but also holding the federal and provincial governments accountable for their responsibility in educating our children; and, 3) Funding.

While First Nations schools and post-secondary institutions remain chronically underfunded, the Secretariat has collaborated to accumulate the most accurate facts and figures outlining the issues surrounding the outdated Band Operating Funding Formula and the double standard that currently exists in the tuition amounts received by First Nations schools as compared to the Provincial Tuition Agreements. As well, the Secretariat has also worked with our colleagues in the AFN Housing Secretariat to amass the most current information on the outstanding Capital and Infrastructure issues in First Nations schools and communities.



ENVIRONMENTAL STEWARDSHIP

The Environmental Stewardship Unit (ESU) works on a broad spectrum of international, national, regional and local environmental issues. The ESU has a mandate to conduct research, develop policy and advocate on behalf of First Nations. The ESU is highly aware of the complex relationships among many environmental issues. For example, climate change, water quality and chemical contaminants each have an impact on traditional food security, which then impacts First Nations' health and lifestyle. Through its work, the ESU considers each of the factors which may have an impact on any given issue, and looks at how their interplay must be considered in order to affect real and positive change.

The ESU continues to focus its work on a group of key policy areas: environmental health and contaminants, traditional foods safety, *Canadian Environmental Protection Act*, climate change and the *Clean Air Act*, forestry, mining and oil extraction, nuclear waste, water issues and source water protection, fisheries, species at risk, biodiversity and ecosystems, and Aboriginal Traditional Knowledge and genetic resources.

KEY ISSUES AND ACTIVITIES

CHEMICALS AND THE CANADIAN ENVIRONMENTAL PROTECTION ACT

The *Canadian Environmental Protection Act* (CEPA 1999) requires the Government of Canada to categorize all of the chemicals on the Domestic Substances List (DSL) to see whether they possess certain characteristics that may indicate they pose a risk to the environment or human health.

Those characteristics are:

- Human Exposure – those substances that have the greatest potential for exposure to Canadians.
- Persistence – the time it takes for a substance to break down in the environment.
- Bioaccumulation – the tendency for a substance to accumulate in the tissues of living organisms and be passed up through the food chain.
- Inherent Toxicity – whether a substance is harmful by its very nature to human health or other organisms.

The Assembly of First Nations (AFN) sits on the Chemicals Management Plan Stakeholder Advisory Council, which is a multi-stakeholder committee that contributes to the implementation of the Chemicals Management Plan (CMP). The purpose of the Council is to provide stakeholders an opportunity to offer advice and input to Government on the implementation of the CMP, and to promote dialogue on issues pertaining to the CMP between stakeholders and government, and among different stakeholder groups. There may be up to three meetings per year over a three-year period.

CLIMATE CHANGE

During 2008-09, the ESU conducted research on climate change impacts and adaptation strategies for First Nations communities. This work built on the Unit's previous research on unique climate change impacts for First Nations in general and climate change considerations for First Nations with respect to energy.

The ESU has been advocating for First Nation specific climate change adaptation programs that reflect the needs for responding to climate change impacts to First Nations' health and well-being. The ESU assisted the First Nations and Inuit Health Branch (FNIHB) in designing their program, Climate Change and Health Adaptation in Northern First Nation and Inuit Communities, which funds research in northern First Nation and Inuit communities on expected climate change impacts to human health and possible adaptation strategies. The AFN hosted a workshop in the Northwest Territories to provide support to First Nations who are interested in applying for funding from the program. This support was provided by sharing informational resources on issues related to climate change and human health in the North and by going through the Health Canada funding proposal requirements and preparing mock proposals with workshop participants.



The ESU continues to participate in international discussions on climate change through the United Nations Framework Convention on Climate Change and the Kyoto Accord. The historical ecological debt of industrialized countries in polluting the atmospheric space has to be paid and this payment should come in the form of deeper emission cuts at the domestic level and adequate and sustained support to vulnerable countries and Indigenous peoples. The ESU is putting pressure on developed countries to reach concrete agreements on monitoring, reporting and verification on CO₂ emissions on the second round of the Kyoto Protocol.

ENVIRONMENTAL HEALTH AND CONTAMINANTS

The ESU is actively engaged in environmental health issues. With its environmental health program, the ESU is conducting research which promotes health and quality of life by reducing the risk of diseases or deaths that result from interactions between people and their environment. The ESU is also working with government and First Nations communities on primary prevention of illnesses through a combination of surveillance, education, enforcement and assessment programs which identify, prevent and abate the environmental conditions that adversely impact human health.

The ESU continues its involvement with the National First Nations Environmental Contaminants Program through participation on the steering committee, as well as through promotion of the program and providing input as First Nations advocates. The program provides funding for First Nations community-initiated research projects on environmental contaminants.

The ESU is involved in a research study on traditional food safety and First Nations health. The AFN has partnered with FNIHB, the University of British Columbia, University of Montreal and the Public Health Agency of Canada to begin this research project, which is expected to take place over several years. This research will allow us to document traditional and market food consumption, estimate exposure to contaminants and intake of nutrients of concern across communities, document self-reported health status and lifestyle habits across communities, and document food-related needs and concerns. Using an ecozone sampling framework, the First Nations Food, Nutrition and Environment Study (FNFNES), a 10-year study, will gather information from 100 randomly selected First Nation communities south of the 60th parallel across Canada. Data will be collected on:

- Current traditional and store bought food use;
- Food security;
- The body burden of mercury, by testing hair samples from community members;
- The nutrient value and content of environmental chemicals in traditional foods;
- The trace metals content of drinking water; and,
- The presence of pharmaceuticals in surface waters.

The ESU launched the First Nations Biomonitoring Initiative (FNBI). The FNBI is a biomonitoring study specific to First Nations people that will allow for the assessment of First Nation health measures. Biomonitoring is designed to detect both synthetic and naturally occurring chemicals in human tissues. Biomonitoring is conducted by collecting samples of human fluids and/or tissues such as blood, urine, breast milk, hair, nails, expelled air, etc.

Currently, there is no baseline data for First Nations (human) contamination – the FNBI will fill this existing gap in biomonitoring research. The ESU conducted a First Nations and Biomonitoring Interest Assessment this past year to assess the interest of First Nations communities in participating in a First Nation specific biomonitoring program. The ESU also developed a communications strategy, newsletter and fact sheets. The fact sheets are titled, “What is biomonitoring?” and “How is Biomonitoring performed?” The FNBI is in its initial stages and, in the coming year, the ESU will be conducting a biomonitoring education campaign. Such an initiative would only take place with the input, approval, consent and consideration of the needs and desires of First Nations communities.



SPECIES AT RISK

The National Aboriginal Council on Species at Risk (NACOSAR) was officially established on September 21, 2005. The AFN's representative, Regional Chief Bill Erasmus, was elected as the Council chairperson. This year marked the first meeting with NACOSAR and the Aboriginal Traditional Knowledge Subcommittee of the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) in November 2008. In February, the Council hosted the National Species at Risk Workshop in Halifax to hear recommendations from Aboriginal peoples across Canada on the *Species at Risk Act* (SARA) and prepare for the legislated five-year review of the Act.

An AFN staff member serves on the Policy and Planning Subcommittee on the NACOSAR and provides technical support and advice to the AFN representative. The Policy and Planning Subcommittee has met several times since June 2008, at the direction of the NACOSAR, to provide technical support and assist in the preparation for the National Species at Risk Workshop and the upcoming five-year review of SARA.

The AFN SARA toolkit has been updated and should be distributed to all First Nations in the fall. It will also be available on the AFN website. The ESU continues to provide information to First Nations on the possible implications of this Act on their rights and economic interests.

The ESU has responded to a number of potential listing requests from Canadian Wildlife Services and Fisheries and Oceans Canada. Occasionally, the ESU is asked to comment on a certain aspects of the Act. At the moment, the AFN is most involved in the SARA five-year review, but we anticipate upcoming participation on the policy suite in the form of comments and recommendations for the Act and a series of workshops on the recovery strategy for the Boreal Woodland Caribou and the incorporation of Aboriginal Traditional Knowledge.

BIOLOGICAL DIVERSITY

The ESU has been advocating for changes in Canada's biodiversity file by providing a First Nations' perspective on the value and status of plant and animal species in First Nation territories, as well as identifying threats to its biodiversity. It is the AFN's position that Canada cannot develop policy and programs related to biodiversity unless it has an accurate picture of what is actually on the land, and the relative health and stability of the various species that inhabit that land.

The ESU held a National Environment Directors Meeting on Access and Benefit Sharing (ABS). The participants discussed ABS regimes and genetic resources in the context of various legal frameworks and institutions such as self-government/land claims, reserves, Crown lands, co-management/wildlife boards, and cooperative management in parks.

At the 1992 Earth Summit in Rio de Janeiro, world leaders agreed to a strategy for sustainable development. The Convention on Biological Diversity was adopted and entered into force on December 29, 1993. There are 188 parties to the Convention, including Canada. Parties to the Convention committed to reducing the rate of biodiversity loss and promote species and ecosystem conservation, sustainable use of its components, recognition of traditional knowledge and its holders, and fair and equitable sharing of benefits arising from the use of genetic resources.

The AFN strongly believes that First Nations must be included in decision-making that has an impact on the health of the environment in which they live. The AFN has encouraged the strengthening of the Convention to provide more protections to First Nation communities. The AFN maintains that Canada cannot develop sound policy and programs related to biodiversity unless it has an accurate picture of what is actually on the land and the relative health and stability of the various species. All First Nations must be involved and actively engaged in any future process regarding the Convention of Biological Diversity. The ESU will continue to monitor work completed on the Convention and work towards meaningful engagement for all First Nations.



NUCLEAR WASTE FUEL DIALOGUE

The Nuclear Waste Management Organization (NWMO) is inviting public discussion on “Designing the Process for Selecting a Site” for a deep geological repository for the long-term containment and isolation of Canada’s used nuclear fuel. The NWMO is planning to undertake a broad public dialogue and engagement program (Spring - Fall 2009) in the four nuclear fuel cycle provinces of Ontario, Quebec, New Brunswick and Saskatchewan.

The AFN recommended to the NWMO the need for separate dialogue sessions with First Nations governments and communities. The AFN will play a supportive role in upcoming dialogue sessions by assisting in the development of a First Nations dialogue process which will ensure First Nations participation.

The AFN is committed to working with First Nations communities and the NWMO to ensure the security of First Nations lands through increased engagement and participation in the decision-making process for the long-term management of Canada’s used nuclear fuel. To inform the AFN’s processes, a seven generations forum was held to gather insights into long-term environmental programs.

WATER

The 2009 Federal Budget contained significant amendments to the *Navigable Waters Protection Act* that threaten the ability of this Act to provide adequate protection to waterways to ensure protection of their navigability. The amendments to the Act were pursued with no consultation with First Nations. Despite this lack of consultation and a lack of information from the federal government on the content of the proposed changes, the AFN provided comments on the proposed amendments prior to their adoption and to the Senate committee that reviewed the amendments after they were passed due to the significant opposition to those amendments and the manner in which they were pursued. The AFN remains concerned that the amended Act will enable infringements of First Nations rights and is continuing to seek avenues of recourse in this regard.

In 2002, the government amended the Metal Mining Effluent Regulations (MMER) under the *Fisheries Act* to allow lakes and other freshwater bodies to be re-classified as “tailings impoundment areas”. This means that mining companies can use pristine lakes as tailings ponds. There is no consultation process in place prior to the re-classification of a lake as a tailings pond. A coalition of conservation, Aboriginal and social justice organizations is asking the federal government to require mining companies to use existing technologies to properly manage their mining wastes instead of using lakes as tailings dumps.

Resolution No. 76/07 called for the Dene Nation to host a national Environment and Water Summit in conjunction with the AFN in Yellowknife. This three-day Summit was held in November 2008 and brought together experts from across the country to discuss a range of topics, including current threats to fresh water, source water protection and water rights. The Summit concluded with the drafting of a new resolution calling for the establishment of an Indigenous Commission on Water. This resolution was adopted by attendees at the Water Summit and by the Chiefs-in-Assembly at the December 2008 Special Chiefs Assembly in Ottawa.

In December 2008, Resolution No. 50 called for the establishment of an Indigenous Commission on Water. This Commission is conceptualized as “a process and/or institution created by and for Indigenous Peoples to gather information, provide analysis, educate the public and support Indigenous advocacy on issues related to water and wastewater in Canada”. The AFN has commenced work on developing a framework for this Commission and will hold the first meeting of a Steering Committee on July 15, 2009, to discuss a realistic path forward in establishing such a Commission. This meeting will also include a discussion of key responsibilities that would ideally fall upon a First Nations Water Commission.

The Indigenous Water Knowledge Expert Exchange was held August 7-8, 2008, in Gulkula, Australia. The United Nations University provided support for AFN representation at this gathering. The International *Indigenous Water Declaration* (also known as the



Garma Declaration) was drafted in follow-up to this meeting. The AFN provided extensive comment on this Declaration so that it would reflect First Nations' water concerns in Canada, alongside water-related concerns of Indigenous peoples living in other parts of the world.

The 5th World Water Forum was held in Istanbul, Turkey in March, 2009. The UN University provided support for an AFN representative to attend this meeting in order to share the water-related concerns of First Nations in Canada. The *International Indigenous Water Declaration* was presented during an event at the World Water Forum. There is a history of exclusion of Indigenous representation at World Water Forum gatherings, thus it was an important step for an Indigenous delegation to be recognized at the Forum and for the delegation to present the working *Declaration*.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- The ESU will be participating in Health Canada's multi-stakeholder working group as it begins implementation of its new Climate Change and Health Adaptation in Northern First Nations and Inuit Communities Program.
- As part of its role in the multi-stakeholder working group, the ESU will communicate key information on programs to First Nation communities and assist in the community selection process.
- The ESU will continue to participate in INAC's Water Advisory working group.
- The ESU will continue to participate in the Chemicals Management Plan Stakeholder Advisory Council.
- The ESU will continue to attend meetings and contribute AFN input to the Commission for Environmental Cooperation Pollutant Release and Transfer Register Consultative Group.
- The ESU will begin the Traditional Food Nutrition Study commencing in the British Columbia Region.
- The AFN will continue to participate in climate change discussions.



FISHERIES

The Assembly of First Nations Environmental Stewardship Secretariat - Fisheries Unit continues to work towards the implementation of the AFN National Fisheries Strategy (AFN-NFS) 2005-2010. Aquatic and ocean resources continue to represent an integral part of the diet, socio-economic well-being and cultural survival of First Nation communities.

The AFN-NFS is designed to assist and restore First Nations' rightful role in managing the fisheries, aquatic and oceans resources. The NFS is a long-term plan that embodies the recognition, protection and implementation of First Nations' Aboriginal and Treaty rights. The Strategy addresses a broad range of key policy and program sectors within the Department of Fisheries and Oceans (DFO) that impacts and requires input from First Nations. In addition, the Strategy also supports and promotes sustainable First Nation fisheries, aquatic and ocean resources.

Two resolutions were passed this year related to fisheries:

- Resolution No. 83 – Strengthened and Renewed Mandate for the National Fisheries Strategy to Fully Share in Economic Opportunities; and,
- Resolution No. 76 – Support for First Nations Fisheries Management.

These resolutions have strengthened and renewed the National Fisheries Strategy to undertake a series of new initiatives that will help First Nations fully share in economic opportunities through fisheries, aquatic and ocean resources. They specifically direct the AFN to call on DFO to support the development of new technical and socio-economic development strategies by First Nations for First Nations.

NATIONAL FISHERIES COMMITTEE

At a National Fisheries Committee (NFC) meeting held in March in Tofino, BC, First Nations emphasized the need to engage in discussions and activities related to “taking back our fisheries”.

The NFC is now focused on the importance of building a balanced strategy that will promote economic and environmental initiatives that can create sustainable communities through the fisheries. This has included preliminary discussions on the creation of a First Nations National Fisheries Marketing Cooperative, increase of marketing opportunities, and ways that First Nations can develop their own eco-labeling products. It also speaks to the need for decision-making related to habitat management and protecting Aboriginal title and rights to the resource.

In order to be effectively involved, First Nations need to be at the decision-making tables and to increase representation and participation on advisory boards that will strengthen First Nation perspectives in co-management regimes, and engage in discussions on licensing, quota and allocations. First Nations have also emphasized the need for increased training, employment, mentorship, intertribal trade and partnerships. The NFC has also recommended that the AFN host a National Policy Forum on Fisheries and a Special Assembly on Fisheries in the coming year to elevate national prominence related to fisheries, aquatic and ocean resource issues.

KEY ISSUES AND ACTIVITIES

POLICY, PROGRAM AND LEGISLATIVE REVIEWS

AFN ESU Fisheries staff have been providing First Nations with regular updates on DFO programs, policy initiatives, legislative initiatives and forecasts of emerging activities within the various DFO sectors. This has included providing fact sheets, briefing notes, analysis, summaries and presentations on issues such as: *Fisheries Act* (Bill C-32), the *Species at Risk Act* (SARA), Oceans Act Implementation, Science Renewal, Resource Sustainable Management Development Framework, Climate Change, Pacific Integrated Commercial Fisheries Initiative (PICFI), Atlantic Integrated Commercial Fisheries Initiative (AICFI), Habitat Policy, Aquaculture, Aboriginal Aquatic Resource Oceans Management (AAROM), Aboriginal Fisheries Strategy (AFS) and Aboriginal Inland Habitat Program (AIHP) reviews.



During the 2008-2009 year, the AFN has obtained input from First Nations on a series of legislative and policy initiatives, including Aquaculture, Habitat, Oceans, Science, *Fisheries Act* and SARA. As a result, the AFN has developed policy papers that reflect First Nation perspectives on related issues, identified the policy gaps and offered recommendations on how to improve First Nations participation and decision-making associated with fishery activities and habitat management issues.

First Nations have also provided input and recommendations on the Treasury Board review of the DFO Aboriginal Programs that includes the AAROM, AIHP and the Aboriginal Fisheries Strategy (AFS). On March 12, 2009, Treasury Board completed their review and accepted the set terms and conditions of all three Aboriginal capacity building programs, as well as the Allocation Transfer Program and the PICFI and the AICFI, which have been extended permanently. This will provide First Nations with multi-year capacity and more flexibility in funding arrangements that will allow more time to complete work.

The AFN ESU Fisheries staff have focused on community outreach by providing communication materials, fact sheets and resource booklets at various national workshops and events. Staff have also established the AFN Fisheries Portal and various working groups on SARA, Habitat, National Aquatic Animal Health Program, and Aboriginal Traditional Knowledge to provide input and recommendations on legislative policy, programs and resource information. Resource materials are available on the AFN website at www.afn.ca.

SPECIES AT RISK ACT

A legislative review of SARA is scheduled to commence later in 2009. It will be important for First Nations engagement in the five-year review to ensure any proposed amendments to the existing legislation do not adversely infringe upon Aboriginal and Treaty Rights.

In advance of the review, it will be important to develop a framework that provides for the ability to assess significant socio-economic benefit/cost outcomes associated with the listing, potential loss of use or recovery of benefit and use of a species to First Nations. First Nations may also want to consider Intellectual Property Rights and how traditional knowledge will be used and protected. First Nations have expressed concerns with lack of justification of potential infringement of rights resulting from listings. This failure to do so may result in First Nation citizens being charged with SARA-related offences for practicing their inherent rights of use and benefit. Consultation and accommodation must be undertaken during all stages of SARA implementation, especially in advance to enforcement of SARA prohibitions. There are still a number of issues impacting First Nations that are not clearly outlined in the Act. ESU Fisheries will provide technical support as required.

NATIONAL AQUATIC ANIMAL HEALTH PROGRAMS

The Canadian Aquatic Animal Health Division (AAHD) met with First Nations to discuss the proposed amendments to the regulations under the *Health of Animals Regulations Act*, which are required to support the delivery of the National Aquatic Animal Health Programs (NAAHP). The NAAHP includes import and domestic movement controls (permits) for live fish, mollusks and crustaceans and some products in order to prevent the introduction or spread of infectious diseases, and to ensure safe competitive market access for Canadian seafood and aquatic resources. Activities proposed for regulation under NAAHP include aquaculture, stock/enhancement, scientific research and processing.

In order to assess if the regulatory amendments do not infringe on Aboriginal rights or title, the ESU facilitated an information session that provided an overview of the proposed regulatory amendments and encouraged dialogue and input with First Nations who may be affected by the regulations. It was also important to note First Nation perspectives on Aboriginal Traditional Knowledge and how it can be applied, or whether it should be applied, to these regulations and impacts on commercial and food fisheries activities. First Nation community engagement and consultations will be conducted with future engagement sessions with the NAAHP. The NAAHP will also be looking to expand their membership to include two First Nation representatives on the National Steering Committee.



FISHERIES ACT RENEWAL

Fisheries Act Bill C-32 died on the order paper, however, if the *Fisheries Act* or similar Fisheries Act Renewal initiatives re-emerge, First Nations should be encouraged to be fully engaged in discussions and present submissions to House of Commons Standing Committee on Fisheries. First Nations will have particular interest in governance issues such as enforcement, access, licensing and allocation, co-management and stewardship, consultation protocols and self-government implications.

NATIONAL HABITAT WORKING GROUP

During the November workshop in Winnipeg, the AFN and DFO provided participants with an overview of key issues that are arising within various policy sectors at the Department. At a workshop series held last spring, it was recommended that the AFN establish a National Habitat Working group that would provide a forum where First Nations can begin to address policy, program and legislative reviews. Habitat Policy Operating Statements are up for review in 2009 and it will be important to assess how First Nations will be engaged.

MAJOR PROJECTS MANAGEMENT OFFICE

On March 3, 2008, Natural Resources Canada (NRCAN) launched the Major Projects Management Office (MPMO). The overall mandate of the office is to serve as the single point of entry into the federal regulatory process which includes tracking and monitoring Aboriginal consultations. The office also provides guidance to project proponents, coordinates project agreements and timelines between federal agencies, and monitors the progression of major resource projects. The overall goal of the office is to fast track the average regulatory review period from four years into two years. Canada has recognized that in order to achieve this goal, First Nations must be integrated into the Regulatory Life Cycle.

Major Resource Projects are defined as large resource projects, subject to comprehensive studies, panel reviews, or large or complex multi-jurisdictional screening, as defined under the *Canadian Environmental Assessment Act* (CEAA). These projects typically involve oil and gas, mining and hydro-electric dams, which are associated with extracting, processing, refining, producing, distributing, re-processing, disposing of or reclaiming natural resources.

Major Resource Project activities can potentially infringe upon First Nations rights in regards to food, social or ceremonial activities. Therefore, Aboriginal consultation related to major resource projects should, to the greatest extent possible, be integrated into the overall regulatory process. This integration is essential to facilitating effective, coordinated, and concurrent obligations and to identify areas where the efficiency and effectiveness of the federal regulatory system can be improved, and to develop and implement system improvements.

The AFN-ESU has undertaken a review of the Cabinet Directives, the Consultation Action Plan and interim Crown Consultation guidelines to develop a technical analysis and recommend a strategic approach to achieve meaningful First Nation engagement in these federal initiatives, including the provision of technical and policy support to the AFN and First Nations.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Host and coordinate a National Aquatic Animal Health information session on the review of the proposed regulations and input into the development of the NAAH program.
- Host and coordinate two National Fisheries Committee meetings, two National Policy Analysis Group meetings and a National Habitat Working Group meeting.
- Host and coordinate a Working Group session on Science Renewal and Aboriginal Traditional Knowledge.
- Prepare for the engagement with DFO in the SARA Five-Year Review.
- Develop recommendations on the *Fisheries Act* and SARA legislative implementation.
- Continue populating the AFN Fisheries Portal, resource materials, surveys and database.
- Prepare mail-outs for First Nations, Tribal Councils and Provincial Territorial Organizations.
- Provide an analysis and First Nation recommendations on the Aboriginal Guardian Program.



- Finalize research on First Nation Representation on Regional, National and International Fishery Bodies and develop and implement a strategy for greater access of First Nations to these bodies.
- Reports on workshops and NPAG and NFC meetings.
- Develop resource tools to assist First Nations on Aquaculture, Science, Oceans, First Nations Environmental Habitat Monitoring program framework, and Conservation and Protection.



HEALTH AND SOCIAL DEVELOPMENT

The Health and Social Development report is broken into sections: Strategic Policy, Community Programs and Social Development. Health strategy and decisions are developed in partnership with the National First Nations Health Technicians Network (NFNHTN) and the Chiefs Committee on Health (CCOH).

STRATEGIC POLICY

AFN - HEALTH CANADA TASK FORCE WORK PLAN

The Task Force is the highest level of work on health and has the potential for immense influence and change on program and funding sustainability, program coherence, and innovation such as the multi-jurisdictional partnerships approach. Phase One is complete and an agreement was signed on January 13, 2009, between the National Chief and the Minister of Health initiating work under Phase Two.

The Task Force will formalize a Phase Two work plan to further the accomplishments to date with approval by the Assistant Deputy Minister (ADM) and Chief Executive Officer in July. Issues such as governance, non-insured health benefits, north of 60, health human resources, public health integration and social determinants are expected to be addressed within this plan, leading to achievable targets for January 2010.

ABORIGINAL HEALTH HUMAN RESOURCES

FIRST NATIONS HEALTH MANAGERS (FNHM)

The movement to create a competency framework for FNHM was funded by Aboriginal Health Human Resource Initiative (AHHRI) and led by the FNHM Advisory Committee (FNHMAC). This initiative also included two annual FNHM forums (2008 and 2009) and has led to the pursuit of a national association for FNHM.

The FNHMAC is currently researching options to support the development of a professional national association to improve First Nations communities' ability to retain, recruit and develop qualified First Nations health managers and to offer them a supportive working environment. The FNHMAC is now looking at the possibility of holding regional meetings which would serve two main purposes: 1) to discuss the FNHM Competency Framework and how such a framework can be utilized regionally; and 2) to discuss options on how to proceed with the establishment of a regional body connected to a national association.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- A competency framework for First Nation Health Managers.
- Regional discussions regarding a national association for FNHM.
- The first annual membership meeting of the FNHM national association.

ABORIGINAL HEALTH TRANSITION FUND (AHTF)

Funding under the AHTF has been allocated through three envelopes: the Adaptation Envelope, the Integration Envelope and the Pan-Canadian Envelope in the amount of \$200 million over five years (2005-2010). As part of the upstream initiatives, this program was set to conclude in March 2010, however, it has now been extended to March 2011. This is not a renewal but rather is the result of unspent funds in the amount of \$11.9 million which has been reprofiled from previous years. According to communication received from the AHTF Secretariat, these funds have been designated to allow current projects to complete their work on evaluation, communications and knowledge transfer. It is expected that a process to do this will be communicated by the end of summer. The AHTF secretariat also indicated that there will be no funding for new projects, however, funds for the extension year are for completing activities which were delayed due to slow starts. Lastly, AHTF has committed by the end of this summer to convey details regarding the kinds of communications, evaluation and knowledge transfer activities which will be considered for funding and how plans will be amended to accommodate the extension year.



UPSTREAM RENEWAL

In 2004, \$700 million was committed by the federal government at a First Ministers' Meeting (FMM) for upstream initiatives for a five-year period (2005-2010). We are now entering the last year of these initiatives and are working towards the potential for renewal.

The six upstream initiatives are as follows: 1) Aboriginal Health Transition Funding (AHTF); 2) Aboriginal Health Human Resource Initiative (AHHRI); 3) Aboriginal Diabetes Initiative (ADI); 4) National Aboriginal Youth Suicide Prevention Strategy (NAYSPS); 5) Maternal and Child Health (MCH); and 6) Early Child Development / Aboriginal Head Start (ECD/AHS).

While these initiatives were announced in 2004 and officially started in 2005, most programs did not have funding out to communities until 2007-08, which means that many outcomes were not as strong as they should have been.

Each of these initiatives is under a separate branch with separate staff, processes for renewal and consultants to assist, support and lead. This has led to varying levels of requests for First Nation involvement and often through limited First Nation staff. In addition, there is a concern that substantive input is not being sought and decisions and plans are underway without First Nation involvement. The AFN continues to advocate for substantive input and partnership in a coordinated renewal process.

COMMUNITY PROGRAMS

INFORMATION MANAGEMENT / E-HEALTH

KEY ISSUES AND ACTIVITIES

Canada Health Infoway Inc. (Infoway) works with provinces and territories whereby investing in electronic health projects, which support safer, more efficient health care delivery. Fully respecting patient confidentiality, these private and secure systems provide health care professionals with immediate access to complete and accurate patient information, enabling better decisions about diagnosis and treatment. The intended result is a sustainable health care system offering improved quality, accessibility, productivity and cost savings.

The AFN is a member of the Health Infostructure Strategic Oversight Group (HISO), an interim governance body responsible for strategic oversight and direction of the planning and ongoing promotion and implementation of the Health Infostructure Strategic Action Plan, integrity of the plan/framework, and assessment of the initial projects and activities of the Strategic Action Plan.

The scope of the HISO is also to identify and ensure that other Branch information management (IM) / information technology (IT) / e-health projects are consistent with the Health Infostructure Strategic Action Plan, linked to Branch strategic outcomes and are strategically aligned. This includes national and regional initiatives.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Secure funding from a Treasury Board submission being submitted by Health Canada jointly with the Federal Health Partnership for a comprehensive infostructure strategy.
- Pursue more projects with Canada Health Infoway, First Nations and provincial ministries in telehealth and public health surveillance.
- Raise awareness of this work among First Health Technicians, Health Directors, CCOH and the First Nations Information Governance Committee (FNIGC).
- Advocate for the full participation and partnership of First Nations involvement in First Nations and Inuit Health Branch (FNIHB) initiatives.



NON-INSURED HEALTH BENEFITS (NIHB)

The First Nations Caucus on NIHB completed the Leadership Action Plan in March 2009. The expenditure review and analysis highlight how insufficient funding has led to administrative policies that are widening the health disparities and creating greater access issues. The Leadership Action Plan will support the need for increased program funding, and allow for leadership to advocate for sustainable funding and better access to benefits.

The AFN also completed a Comparative Analysis of Benefits in Federal Health Programs in March, 2009. The comparative review identifies where the NIHB Program is lacking and further identifies any gaps and inequities in services and health benefits as indicated in the Leadership Action Plan. The review simply points out the inequity and the lower scales of benefits provided under NIHB.

The NIHB Client Handbook “Your Health Benefits” which was first printed in March 2006 – and reprinted twice – continues to be the most requested document from the AFN and is used by many First Nations at the community level. It has been very successful in building awareness and has increased access to NIHB while increasing the utilization rates, which was our goal at the outset.

FNIHB – NIHB acknowledged that the AFN handbook is well written and has been well received by First Nations across the country because of the clear manner in which it outlines benefits. Last fall, NIHB proposed that the AFN work with them to develop a similar AFN/NIHB joint handbook. The AFN and the First Nations Caucus on NIHB are currently working on a joint handbook that would maintain the same branding and product, while maintaining the clear and up-to-date information that the AFN booklet strives to maintain. The new joint handbook should be available to all First Nations communities in the late fall and will replace the current AFN booklet.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Reduced policy restrictions and greater access to benefits, and increased program funding.
- Develop a complete strategy to complement the Leadership Action Plan, including public education material that will dispel the perception that First Nations have the best health benefits plan.
- Maintain the complaints registry to monitor and continue reporting on problem areas by region.
- Continue advocating for First Nation NIHB Navigators in each region/territory.
- Continue to advocate for increased funding for medical transportation private mileage rates, as well as for those First Nations who have contribution agreements (CAs) and are managing and coordinating the medical transportation program with insufficient funding.

PUBLIC HEALTH

KEY ISSUES AND ACTIVITIES

Protecting the health of First Nations and preventing disease is a priority area for both the AFN and FNIHB who have been collaborating to develop a First Nations Public Health Framework, as well as a longer-term public health vision. Both of these initiatives recognize the need for increased capacity at the regional level, a more inclusive governance structure in the management of public health services, enhanced disease surveillance, integrated public health programming with the provinces, and an agreed upon legislative base on which to protect the health of individuals and their communities.

Over the last two years, much has been accomplished to realize this vision and its goals and challenges have been identified. The pilot projects in Saskatchewan, Manitoba and Ontario have provided an opportunity to explore many of the



recommendations in the AFN Public Health Framework and their outcomes will be better appreciated in the coming years. The tripartite arrangements in British Columbia have received a great deal of attention as a potential vehicle for improving a number of health services.

The AFN Public Health team is establishing relationships with federal government departments and national organizations such as the Correctional Service of Canada, Public Health Agency of Canada (PHAC), Canadian Lung Association, Canada Healthy Heart Strategy and the Canadian Stroke Network, amongst others.

The AFN also attended the United Nations Permanent Forum on Indigenous Issues (UNPFII) to table a recommendation that would address the burden of Tuberculosis (TB) in First Nations communities as well as Indigenous communities globally.

Activities and accomplishments in public health are varied, and include:

- The Public Health Framework and the three communities have finished the second year of the five-year pilots. Work is underway to negotiate the development of a client registry with Canada Health Infoway, and in the areas of public health jurisdiction, health human resources, funding capacity and disease surveillance.
- A joint working agenda with FNIHB, PHAC and the AFN will continue with a three-year work plan to increase the inclusion of First Nations leadership in the areas of Canadian Pandemic Plans. Annex B to the Canadian Pandemic Influenza Plan is one example of the outcome of the work this group has produced.
- The Human Papilloma Virus (HPV) facilitation guide was developed to determine understanding and opinions of First Nations regarding the new HPV vaccine against cervical cancer. Focus groups were held in the Atlantic, Northwest Territories, Manitoba, British Columbia and Quebec regions. A video was produced with members of the AFN Youth Council to raise awareness about HPV and its prevention.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Secure funding for Phase One of the Client Registry project.
- Complete year two evaluation of the public health pilot projects.
- Work with relevant stakeholders to increase awareness by health care providers, parents and youth around HPV and how to prevent infection.
- Support the implementation of the recommendations to address the growing burden of asthma and TB in First Nations communities.
- Assist FNIHB with their consultative dialogues in each region for feedback on their public health vision for the Branch.
- Assist PHAC with their dialogue with First Nation regions in developing a PHAC policy framework on PHAC's role in First Nation public health.

INJURY PREVENTION

Injuries are a major cause of morbidity and mortality in First Nations communities; this is especially the case among youth and young adults.

Injury prevention is concerned with modifying behavioral or contextual factors that place First Nations at greater risk for unintentional injury and morbidity and mortality from (unintentional) injuries when they occur.

KEY ISSUES AND ACTIVITIES

The work at the national level is focused on: 1) raising awareness of injuries and their impact; 2) building capacity for



communities to carry out injury prevention work; and, 3) relationship development with the goal of addressing programming gaps with the adaptation of existing injury prevention programming. Much of this work is guided by the First Nations Regional Injury Prevention (FNRIP) Advisory Group.

Raising awareness – A communications plan for injury prevention has been developed and two injury-related articles were published in the spring edition of the AFN Health Bulletin. Injury prevention was also a major component in the launch of the First Nations' Public Health website.

Community capacity in injury prevention – Health Canada presented their Journey to the Teachings injury prevention resource at the 2009 First Nations Health Managers conference in January. Several members of the FNRIP have also been involved in piloting this resource within their respective regions. As well, some regions are working with their Health Canada counterpart to further refine the resource to be more relevant to communities in their region.

Stakeholder engagement – The major activities completed over the past year include an evaluation of the SMARTRISK No Regrets youth injury prevention program, planning for the Canadian national injury conference and developing a needs assessment survey with the Canadian Red Cross. The AFN also provides input into the injury prevention activities conducted within FNIHB.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Distribution of and reporting on the AFN-Canadian Red Cross Community Injury Prevention Needs Assessment Survey.
- Ongoing work with key stakeholders, including: SMARTRISK, the World Society for the Protection of Animals, British Columbia Injury Research and Prevention Unit and Canadian Red Cross.

CANCER

While historically cancer incidence has been lower among First Nations populations in Canada, this trend is rapidly changing across the country. Cancer is the third leading cause of death among First Nations as a whole and is the leading cause of death in some regions and in some age groups. If this trend continues, cancer will surpass diabetes as the number one killer of First Nations people.

KEY ISSUES AND ACTIVITIES

The AFN continues to raise the awareness of cancer among First Nations and to strengthen the relationship with the Canadian Partnership Against Cancer (CPAC). The AFN currently sits on the CPAC Advisory Council and the Canadian Cancer Action Network (CCAN) in order to remain fully informed of national level activities in the area of cancer control. The AFN also participated in the planning of the CPAC First Nations/Inuit/Métis Forum held in Winnipeg, Manitoba on March 19-20, 2009.

The AFN developed a national literature review as well as regional and community perspectives in the area of cancer screening to try to determine the current situation for First Nations. The report will be distributed once it is approved and finalized by the Chiefs Committee on Health (CCOH).

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Continue to raise the profile of cancer as an emerging crisis for First Nations, particularly in the area of screening, diagnosis and treatment, with political leadership, CCOH, FNHTN and First Nation communities.
- Continue to approach cancer by way of the cancer continuum: Risk Factors/Prevention, Screening, Diagnosis, Treatment, Recovery, and End of Life/Palliative Care.
- Build on the work already undertaken in Phase One: Where are we now? First Nations and Cancer Screening and other work from 2006-2009, including the screening literature review, regional screening reports and regional reports to CPAC.



- Continue to identify key issues, explore options for policy change and other measures in cancer control.
- Continue to inform First Nations and leadership on cancer issues as they arise.

HIV/AIDS

First Nations are acquiring HIV at a disproportionately higher rate than the general Canadian population; in particular, the rate among First Nations women and young adults (under 30 years of age) is much higher than those observed in Canada. As well, two-thirds of new infections are acquired through injection drug use; this proportion is two times higher than that seen in Canada overall.

KEY ISSUES AND ACTIVITIES

The work in HIV/AIDS involves raising awareness among First Nations leadership, including research and policy analysis on national level HIV/AIDS initiatives.

Raising awareness – A communications plan targeted at First Nations youth was developed this past year. This was informed, in part, by a youth dinner co-hosted with the Canadian Aboriginal AIDS Network (CAAN). The AFN also arranged for the Health Portfolio holder, Regional Chief Angus Toulouse, to speak on HIV/AIDS and stigma at the 2008 Canadian Aboriginal Festival in Toronto.

Research and policy analysis – The AFN provided input into several national initiatives, such as the Aboriginal Strategy on HIV/AIDS in Canada (ASHAC), the newly developed discharge planning guidelines for offenders in federal prisons.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Implementation of an HIV/AIDS communications plan, with a focus on youth-oriented mediums such as social networking websites and youth organizations.
- Continued work on national level research and policy analysis.

PANDEMIC PLANNING

The AFN provides a First Nations perspective to the ongoing pandemic preparedness work of the Health Portfolio of the Government of Canada. The AFN is working to develop First Nations public health capacity, including response to emergencies such as a pandemic.

KEY ISSUES AND ACTIVITIES

The AFN has participated on a three-year Trilateral First Nations Pandemic Working Group with PHAC and FNIHB since 2006. The Working Group is mandated to develop and monitor the implementation of a three-year trilateral work plan on pandemic influenza preparedness and response for on-reserve First Nations communities. The work plan includes such activities as developing an Aboriginal Pandemic Planning Module to test Community Pandemic Plans.

The AFN provided input into Annex B - Influenza Pandemic Planning Considerations in On-Reserve First Nations Communities - of the Canadian Pandemic Influenza Plan (CPIP). Annex B outlines some of the key activities needed to have sufficient pandemic influenza planning for on-reserve First Nations communities and proposes the respective roles and responsibilities of various jurisdictions. Annex B is the result of extensive consultation with key stakeholders, including the AFN.

The AFN has developed an Influenza Surveillance Guide for First Nations to assist communities in better understanding and



preparing for seasonal influenza and, subsequently, an influenza pandemic. The guide is targeted at teachers and schools and explains how to recognize the signs and symptoms of influenza-like illness and describes the value of and need for influenza surveillance in communities. The guide will be ready for distribution in the fall.

The AFN developed and distributed a Pandemic Planning/Emergency Prep Questionnaire at the 2009 First Nations Health Managers Conference to determine the level of awareness and preparedness of First Nations across Canada to respond to a pandemic outbreak or emergency situation. The data gathered from this questionnaire will assist the AFN in assessing the level of preparedness and awareness among First Nations across Canada to respond to a pandemic outbreak or emergency situation. The results will help to inform on the evolving needs of community pandemic planning and emergency preparedness.

The AFN supported the development of Seasonal Influenza Awareness posters for First Nations with PHAC. The posters provide useful information on symptoms and prevention measures.

The AFN has been involved in discussions with the Canadian Institutes of Health Research (CIHR) on pandemic preparedness, knowledge translation and funding opportunities with respect to pandemic and First Nations. One such study would focus on whether or not First Nations people respond to the flu vaccine in the same way as non-First Nations people, helping to determine immunological differences between First Nations and non-First Nations.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Increase knowledge of influenza and pandemic issues in First Nations.
- Increase capacity and enhance pandemic planning and preparedness in First Nations communities.
- Distribute the Influenza Surveillance Guide for First Nations to all communities.
- Examine funding opportunities into research on the nature of influenza on First Nations people.

EMERGENCY PREPAREDNESS

The AFN is working collaboratively with FNIHB on emergency preparedness activities to ensure that First Nations community needs and priorities are adequately addressed. The main objectives are to increase the capacity of First Nation communities to respond to emergency health issues; create, maintain and sustain partnerships between the AFN, Indian and Northern Affairs Canada (INAC) and FNIHB in Emergency Preparedness; and to build cross-linkages between pandemic preparedness activities and health aspects of all hazards emergency preparedness activities.

KEY ISSUES AND ACTIVITIES

The AFN has been participating on the Emergency Preparedness (PSAT) Expert Sub-Group known as the First Nations and Inuit Health Emergency Management Mutual Aid Working Group to properly engage First Nations and regional leadership in future discussions in the development of a national action plan.

Some of the key activities include: input into the development of an all hazards Emergency Preparedness and Response vision document in collaboration with INAC, FNIHB and AFN regional representatives; input in the development of a capacity building strategy to create and implement the agreed upon Trilateral Work Plan; and to assist in the development of a strategy to build on the Trilateral Work Plan between PHAC, FNIHB and AFN, and work on strengthening linkages between all hazards health and pandemic planning.

The AFN has also been providing input into the National Process Model for mutual assistance arrangements with the aim of including First Nation communities in Existing Emergency Management.



ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Increase community awareness on emergency preparedness activities and planning.
- Revise and finalize the Terms of Reference of the First Nations and Inuit Health Emergency Management Mutual Aid Working Group.
- Develop the all hazards Emergency Preparedness and Response vision document.
- Establish a National First Nations Emergency Preparedness Working Group.

ENVIRONMENTAL PUBLIC HEALTH

The AFN is committed to working collaboratively with the FNIHB Environmental Public Health Division and regions to assist with the reduction of environmental public health related issues. The AFN recognizes the importance of preventing disease through environmental public health stewardship as it relates to preventing disease and monitoring programs.

KEY ISSUES AND ACTIVITIES

One of the key activities includes assisting FNIHB in the development of national program frameworks and policies that positively impact environmental public health services for First Nations. The AFN provided feedback on national program frameworks on Environmental Public Health Communicable Disease Control; Environmental Public Health Emergency Preparedness and Response; Solid Waste Disposal; Housing; Food Safety; Facilities Inspection; and Wastewater.

The AFN completed a review of environmental public health issues as they relate to public health legislation, awareness and other environmental regulations to increase the health protection of First Nations communities. In addition, the AFN reviewed environmental public health issues as they relate to infrastructure and developed a recommendations paper that describes potential roles and responsibilities of all partners on addressing environmental public health issues.

The AFN provided input on the FNIHB Environmental Health Program Booklets and educational resources for environmental health as a profession and is also supporting the development a communications strategy aimed a First Nations leadership that complements the work.

The AFN has participated on the Strategic Water Management on Reserve Committee (SWMRC) and other meetings to share information, coordinate actions and provide leadership in addressing strategic issues on water supplies and wastewater management in First Nation communities.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Reduce environmental public health risks in First Nations communities.
- Raise awareness of environmental health issues among First Nations leaders and community members.
- Reduce the burden of environmental public health diseases.
- Increase capacity in First Nations communities to address environmental health issues, including recruitment and retention strategies for Environmental Health Officers (EHO) and Community-Based Water Monitors (CBWM).

FOOD SECURITY AND NUTRITION

The AFN works on ensuring and increasing First Nations participation in the development of food security related policy and initiatives in collaboration with FNIHB, PHAC, INAC, AFN regions, and other stakeholders.



KEY ISSUES AND ACTIVITIES

The AFN participated in the evaluation of the INAC Food Mail Program which focused on the effectiveness and impacts of the program on Northern Aboriginal communities who are receiving the services. The AFN raised issues on the negative impacts of food security on nutrition, physical, psychosocial, culture, well-being, health and the need for more information about food security issues and First Nations communities in the North (e.g., buying patterns, skills and access to hunting, harvesting and fishing).

The AFN also participates on the Food Security Reference Group (FSRG) to ensure collaboration towards improved food security for First Nations and Inuit. Key activities include building on the promising practices document, developing tools for community planning, exploring opportunities for influencing agendas to include food security, and continuing to build the evidence base.

The AFN supported a proposal by FNIHB on Community Food Security Planning and Implementation for community-level planning on food security, including pilots in 2-3 northern isolated Aboriginal communities. These community pilots build on the work of community mobilization and capacity development of Healthy Foods North.

The AFN participated in site visits with ONEXONE to three remote Ontario sites: Poplar Hill, Keewayin and Deer Lake. The AFN School Health Environmental Scan DVD was reprinted and mailed to every First Nation community. The purpose of the Environmental Scan was to find out more about the current status of school nutrition programs and policies in First Nations communities.

The AFN worked collaboratively with PHAC on Chronic Disease & Food Security. The overall aim of the initiative is to facilitate the development and exchange of knowledge that can lead to effective, scalable responses to food access challenges that put vulnerable individuals and communities, such as First Nations, at higher risk of chronic disease.

The AFN has provided advice on the FNIHB's nutrition intervention project. Recipe cards promoting healthy food have been developed, as well as strategies on working with food retailers in communities.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Participate in opportunities to increase information about food security at the community, regional and national levels.
- Increase knowledge around the policies that impact First Nations and food security.
- Increase knowledge about school health in First Nations communities as related to nutrition.

CHILD AND YOUTH

The Child and Youth "Cluster" includes Aboriginal Head Start On Reserve (AHSOR); Canada Prenatal Nutrition Program (CPNP); Fetal Alcohol Spectrum Disorder (FASD); and the Maternal Child Health (MCH) Program. It also includes issues and advocacy for all child health, such as child obesity.

KEY ISSUES AND ACTIVITIES

The programs in the Cluster (noted above) are in the middle of the normal renewal process to continue funding past 2010. In the coming year, the AFN will continue to be involved in the evaluations/special studies which will feed into renewal of the Upstream Investments, Child & Youth Programming Scan, Child and Youth Training Review, First Nations and Inuit Health Status Report, Cost-benefit Analysis, the MCH Program Evaluation, FASD Community Coordinator Pilot Project, AHSOR National Study on Capital, and AHSOR School Readiness Study.



An issue that continues to confront the territories is the low level of funding for Aboriginal Head Start in the north, and lack of coordination between the Northern Head Start program with the Head Start on-reserve program. Workforce development for program workers in the communities is also an issue, with some work undertaken by FNIHB to quantify the existing training that occurs in regions.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Secure funding for Upstream investments beyond 2010.

DIABETES

KEY ISSUES AND ACTIVITIES

The Aboriginal Diabetes Initiative (ADI) is mandated until 2010 and is currently exploring initiatives and evaluations aimed at ADI renewal and its processes. The AFN's national First Nations Diabetes Working Group (FNDWG) is committed to the continuation of a singular focused program for diabetes in order to halt the diabetes epidemic in First Nations communities and is actively working to aid in the process by feeding into their evaluation working group and reports. On November 16, 2008, the FNDWG participated in the ADI Forum which identified and described models and related characteristics that contributed to the success of ADI programs in Aboriginal communities. The members of the FNDWG will participate in ADI regional renewal discussions to address and identify successes and gaps in the current ADI program and address and identify future activities for improvement and continuation of the ADI program. They are also developing an innovative action plan placing 'First Nations Women as Agents of Change in Halting the Diabetes Epidemic' which will feed into the ADI renewal process.

The FNDWG attended the 2nd International Diabetes in Indigenous Peoples Forum: International Best Practices (IDIPF) on November 15-17, 2008, and presented a 90-minute workshop, entitled "A Lifegiving Medicine Wheel Walk". The AFN recommended that an Indigenous diabetes statement be prepared for the United Nations Permanent Forum on Indigenous Issues (UNPFII) and to begin feeding into the International Diabetes Federation (IDF)'s Indigenous Task Force on Diabetes. During the 5th National Conference on Diabetes and Aboriginal Peoples: Restoring Balance on March 16-18, 2009, in follow-up to the recommendations, the AFN collaborated with the National Aboriginal Diabetes Association (NADA) on the preparation and presentation of an Indigenous diabetes statement at the UNPFII in May. The statement included recommendations to re-instate the IDF's Indigenous Task Force on Diabetes in preparation for the IDF Conference taking place in October.

In May, the AFN, along with other diabetes-affiliated organizations, greeted the Peacekeepers Pedaling for Aboriginal People with Diabetes (Operation PPAD) on Parliament Hill. PPAD cyclists biked from Thunder Bay, Ontario to Ottawa. Operation PPAD is a joint collaboration between the Saskatoon Police Services and Federation of Saskatchewan Indian Nations (FSIN) to promote Aboriginal diabetes awareness and to build positive partnerships.

In 2009, the AFN launched its first annual Challenge to First Nations fitness contest, targeting First Nations leadership to perform daily physical activity to reduce the risk of diabetes. The national Challenge was pre-launched at the AFN Annual General Assembly (AGA) in Quebec City with a tradeshow booth hosted by key athletic figures and supported by the Chiefs-in-Assembly in Resolution 29/2008. Over 40 teams from across Canada entered the three-month Challenge (August 15 - November 14) and winners were announced at the Special Chiefs Assembly in December 2008.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Continue mainstreaming the completed Gender Balanced Analysis (GBA) framework into AFN Health to ensure a GBA lens on diabetes and implementing 'Women as Agents of Change in Halting the Diabetes Epidemic' action plan.
- Complete the second annual AFN Challenge to First Nations, targeting First Nations children and making the positive link between healthy active lifestyles and reducing the risk of diabetes.



- The FNDWG will present the Lifegiving Medicine Wheel Walk Presentation at the World Diabetes Congress, hosted by the International Diabetes Federation, taking place in Montreal on October 18-23, 2009.
- Upon availability of funding, it is expected that the FNDWG will undergo the two-day GBA training workshop in order to begin applying a GBA lens to their regional diabetes policies, programs and services.

MENTAL WELLNESS AND ADDICTIONS

Work in the areas of mental wellness and addictions includes advocacy in existing federally-funded programs and other national mental wellness initiatives. Federally-funded programs include the National Aboriginal Youth Suicide Prevention Strategy (NAYSPS), National Native Alcohol and Drug Abuse Program (NNADAP), Brighter Futures, Building Healthy Communities, and the Indian Residential Schools (IRS) Health Supports Program. Resolutions from the 2008 AFN AGA and December 2008 Special Chiefs Assembly prioritized AFN HSS efforts to focus on: NAYSPS and NNADAP enhancement and renewal; advocating for adequate mental health supports for IRS students, their families and communities through the Truth and Reconciliation Commission (TRC) and IRS Health Supports Program; and, advocating for regional/community input and changes to the First Nations & Inuit Mental Wellness Advisory Committee (MWAC) Draft Strategic Action Plan.

KEY ISSUES AND ACTIVITIES

As part of the AFN Suicide Prevention Action Plan, the AFN has been advocating for increasing the number of projects funded through NAYSPS. Recently, it was reported that the projects funded through NAYSPS recently rose to 200 from the formerly reported figure of 160. The AFN HSS developed an information resource profiling the success of NAYSPS-funded, Tribal Council operated, suicide prevention projects. The information resource was designed to increase knowledge of suicide prevention projects through a national distribution of the information resource and to increase public and political awareness of, and support for, a renewed and enhanced NAYSPS program.

The AFN has been a key partner in the NNADAP Program Review process; including appointing members to the First Nations Addictions Advisory Panel (FNAAP), which is guiding the review process. Regional needs assessments and select research projects have been conducted over the past year to build a culturally founded evidence-base that will inform the development of a renewed NNADAP Program Framework. The FNAAP is currently working on developing communications tools (including a national NNADAP website) which will be used to increase input in the review process.

Focus over the past year in IRS Mental Health Supports has been on working with FNIHB in increasing training opportunities and capacity of Regional Health Support Workers through the IRS Health Supports Program, and establishing a process for advising the TRC on mental health impacts. The AFN has been supporting and contributing to the development of an Advisory Committee that will provide expertise to the TRC on the provision of mental health supports in all activities of the TRC.

Regional focus groups were held throughout 2008 to gain regional/community input on the MWAC draft Strategic Action Plan. A national roll-up report summarizing key input and recommendations has been completed and will be presented with proposed changes to the MWAC draft Strategic Action Plan in the near future.

The establishment of the Mental Health Commission of Canada (MHCC) has drastically increased public awareness of mental health issues. Amongst other activities, the MHCC will be developing a National Strategy on Mental Wellness. The AFN has been building a working relationship with the MHCC and has been sharing updates on MHCC consultations activities with regions.



ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Advocate and support the renewal of an enhanced NAVSPS Program that better meets community needs.
- Continued involvement in FNAAP and supporting the NNADAP Program Review process, including contributing to the development of a new NNADAP Program Framework to be presented for ratification to the 2010 AFN AGA.
- Continued advocacy for mental health supports for IRS survivors, their families and communities in federal initiatives and programs, including the IRS Health Supports Program and TRC.
- Continued advocacy of First Nations interests in the activities of national and/or federal initiatives/programs concerning mental health, including the Mental Health Commission of Canada and National Treatment Strategy roll-out.
- Advocating for federal support to develop regionally-based implementation plans founded on the MWAC draft Strategic Action Plan.

HOME AND COMMUNITY CARE

KEY ISSUES AND ACTIVITIES

The Health Canada First Nations and Inuit Home and Continuing Care Program (FNIHCC) is currently available in most communities. Essential services include client assessment, case management, home care nursing, home support & personal care services, and in-home respite care. The program includes authority for additional support services which can be provided if there is sufficient funding but rarely occurs; (i.e., palliative care and rehabilitation services).

A Quality Improvement (QI) Working Group continues to assist in the development of a process to enhance the Home and Community Program at all levels. The QI Working Group is currently developing a Quality & Risk Management Improvement Guide which will be used to strengthen and support quality improvement and risk management practices and activities within the program. One objective refers to capacity building (i.e., through development of tools and resources) and workforce development to facilitate First Nations and communities to assume greater control of their home and community care.

There has been no increase in HCC funding since 1999, and the overall funding does not meet the needs in communities, much less serve all communities. The AFN has advocated for an increase in funding, but this is complicated politically by the proposal to coordinate or integrate HCC with INAC's continuing care, and this work is not happening as quickly as originally thought.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Continue to participate in the National Evaluation Study, Quality Improvement Working Group, Abuse of Older First Nation Seniors Task Group and the @ Your Side Evaluation Advisory Group.
- FNIHCC: Advocate for First Nations in the Quality Improvement file, with activities to increase awareness and support in communities. This will also involve pilot implementation of Quality Improvement sites in selected First Nation communities.
- FNIHCC: The AFN participated in the review of the Study Three Final Evaluation Study, and the draft publication report will be released by the fall of 2009. Study Three is a summative or "wrap up" study which will include Home & Community Care Studies One and Two and other home care research.

CONTINUING CARE

KEY ISSUES AND ACTIVITIES

The Joint Working Group on Continuing Care finalized a Policy Options Analysis Paper in August 2008 which provides a comparative analysis of three options identified to address the need for improvements in funds and continuing care services such as increased home care services, palliative care, supportive housing options and accessible long-term care facilities either on reserve or within close proximity.



As part of the improvements to home care services, the report recommends that the in-home care services funded by INAC be transferred to Health Canada for integration with the Home & Community Care Program. A Costing Study has been completed which provides the estimated costs for all proposed improvements to continuing care which include enhancements to home and community care, supportive housing, facility-based care and palliative care. The final Costing report was presented to the Joint Working Group at their last meeting.

The final Options Analysis Paper was presented to the CCOH for review and approval in October 2008. A decision was not made because some regions requested additional time to review the report with their regional technicians before indicating their support. This item will be on the agenda for a decision at the next CCOH meeting in June 2009. It will also be used by Health Canada and INAC to generate discussions at various levels of government to determine how to address the need for improvements to continuing care services.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Obtain information from INAC regarding anticipated improvements and/or changes to the Assisted Living program and determine impact on the proposed Continuing Care Policy Framework.
- Obtain CCOH approval of the final draft Continuing Care Policy Framework and Program Design documents.
- Obtain CCOH approval and finalize the Options Analysis Paper at the CCOH meeting in June, 2009.
- Continuing Care Options and Analysis: Both Health Canada and INAC will continue to seek federal government support for improvements to continuing care services and to work on a process to address sustainability issues for the existing Assisted Living and FNIHCC programs.
- Some preliminary discussions may begin on the proposed integration of the “in-home care” component of Assisted Living and the FNIHCC Program; however, both departments have committed to First Nations input and consultations prior to initiating an integration process.

FIRST NATIONS REGIONAL LONGITUDINAL HEALTH SURVEY (RHS)

The main objectives of the First Nations Regional Longitudinal Health Survey (RHS) are to provide scientifically and culturally validated information, while enhancing First Nations capacity and control over research. The RHS captures information for on-reserve First Nations and can produce valid statistics at the national and regional levels. The survey is holistic, addressing both health conditions and the many determinants of health including diabetes, obesity, migration, language and housing.

The RHS is the survey of choice for First Nations. Resolutions have been passed both nationally and regionally in support of RHS and the OCAP (Ownership, Control, Access and Possession) principles (addressing information governance). The RHS is governed by the First Nations Information Governance Committee, composed of representatives from regional First Nation organizations.

The RHS is currently conducting Phase 2 across the regions, with data collection activity overseen by the RHS regional coordinators. Local community members are trained on interviewing methods, informed consent and sampling. Hundreds of laptops have been purchased to run the surveys, using computer-assisted personal interviews (CAPI).

For more information, visit www.rhs-ers.ca.



SOCIAL DEVELOPMENT

MANDATE

The AFN Social Development Secretariat follows that mandate provided by the Social Development Policy Framework, which proposes the long-term vision of, “An inclusive, holistic and culturally-based social development system under First Nation control that builds healthy, safe and sustainable communities.”

KEY ISSUES AND ACTIVITIES

Comparable to the circumstances of the previous fiscal year, the scope of work of the Social Development Secretariat in 2008-2009 was significantly impacted by the delays in annual funding from INAC. The Social Development team received its funding for the previous fiscal year in February 2008, leaving less than two months remaining in the fiscal year once funding was confirmed. Similarly, the same set of circumstances have fallen upon the team this year, since funding for the 2008-2009 fiscal year was received on March 25, 2009. Unfortunately, as a result of this year’s funding delays, in addition to a significant budget cut of 80% less than what had been requested, many of the deliverables for the Social Development team had to be modified and the team itself has gone from a staff of seven to a team of two. However, though we have faced challenges in holding working group meetings or undertaking new research projects, we have continued to work on significant issues with our regional counterparts and with INAC.

FIRST NATIONS – INAC POLICY ADVISORY GROUP

The First Nations – Indian and Northern Affairs Policy Advisory Group (FNIPAG) was instrumental in the development of the Social Development Policy Framework which was finalized in 2006. This work was undertaken by the AFN with the intention that the social development programs would eventually provide sufficient authority and increased funding to ensure that the needs and unique diverse circumstances of First Nations communities are met and provided with an equivalent range, scope, level and standard of service as those services provided to other Canadians. Since the completion of the framework, FNIPAG has served the role of the overarching advisory body for the AFN Social Development Secretariat and serves as a coordinated platform for the formulation and implementation of initiatives in the area of First Nations social development. The FNIPAG met once during the 2008-2009 fiscal year to discuss the future of the group, ongoing funding issues experienced by First Nations Social Development organizations/departments, and priorities in social development for 2009-2010. The group decided that given the current economic climate, as well a number of growing challenges in the area of social development, that FNIPAG would organize a First Nations Social Development Conference. The conference, planned for spring 2010, would focus on “Social Sustainability and Innovation” and would involve six key theme areas, highlighting ongoing initiatives and best practices in the areas of community-based programs, community sustainability and building capacity in First Nations communities.

FIRST NATIONS CHILD AND FAMILY SERVICES

- **Regional Funding Negotiations:** INAC is still in discussions with the regions regarding the Alberta Response Model approach, regarding their modifications to the funding agreements for First Nations Child and Family Services (FNCFS) and Agencies. The regions that are now included are Alberta, Saskatchewan and Nova Scotia. The next regions to be included are Quebec, British Columbia and Manitoba. It is expected that Ontario, New Brunswick and Prince Edward Island will be involved in the funding formula discussions before 2012. Information received from the Alberta Regional Office indicates that delegated First Nations Child and Family Services agencies have received their family enhancement funding; however, they are also experiencing “claw backs” in their funding in other areas and claim that they are no further ahead. The fact that the selected regions are no further ahead is also a concern from Nova Scotia and they anticipate that their funding will also decrease in the latter years of their agreement. This concern could also be speculated for the Saskatchewan agreement.
- **Parliamentary Public Accounts Committee:** Recent reports from the Parliamentary Public Accounts Committee (PAC) raised concerns regarding INAC’s response to the Auditor General’s Report in 2008 and made a number of recommendations



which would have significant impact on FNCFS and agencies. One of the recommendations is that INAC should develop measures and collect information based on the best interests of children for the results and outcomes of its FNCFS program. The AFN Social Development Secretariat has been in discussions with INAC as to how best to address this recommendation and develop performance indicators in collaboration with the National Advisory Committee for First Nations Child and Family Services (NAC), FNCFS agencies, and other First Nations stakeholders.

The AFN is also continuing its work with the First Nations Child and Family Caring Society (FNCFCS) on the following issues:

- **Jordan's Principle:** Closely linked to special needs and Child and Family Services (CFS), Jordan's Principle stems from the case of a young First Nation boy who was refused services on reserve because of jurisdictional issues and passed away in hospital before the jurisdictional arguments were resolved. This child first principle was presented in Parliament via a private member's bill and passed unanimously on December 12, 2007.



This motion indicates that a child's needs are to be put first and that governments resolve their jurisdictions roles and responsibilities afterwards. On May 27, 2008, the British Columbia government passed a resolution to support the implementation of Jordan's Principle so that First Nations children of this region will no longer be compromised by jurisdictional disputes.

A Jordan's Principle Implementation Team was established in June 2008 with the Aboriginal Child and Family Development of the Ministry of Children and Family Development. This is a trilateral process between the federal government (Health Canada and INAC), Provincial government and the British Columbia First Nations Leadership Council. At present, the members of this tripartite working group are still engaged in discussions, and are yet without clear answers as to its implementation.

On December 6, 2008, the Province of Manitoba and the federal government signed an agreement to begin work on the implementation of Jordan's Principle. The method proposes the use of individual case reviews to resolve most issues and has redefined the scope of Jordan's Principle from children with special needs to children with multiple disabilities requiring multiple service providers.

In addition to British Columbia and Manitoba, the Government of Ontario made a formal announcement on April 22, 2009, pledging to work with First Nations on implementing Jordan's Principle. The federal government has developed a Regional Steering Committee comprised of one representative from INAC and one representative from FNIHB from each region, as well as representatives from INAC and Health Canada headquarters. The committee has identified "focal points" or key contacts within each region for issues relating to Jordan's Principle.

The involvement of First Nations in discussions surrounding the governments' implementation processes of Jordan's Principle has been minimal, despite numerous requests from the AFN and other First Nations organizations for an opportunity to participate. Recent discussions have taken place with representatives from INAC and FNIHB about the engagement of First Nations in Jordan's Principle discussions.

- **Human Rights Complaint:** The AFN and FNCFCS filed a Human Rights complaint in February 23, 2007, with the Canadian Human Rights Commission (CHRC) on the funding disparities for CFS services on and off reserve. A legal expert assisted



the AFN in this process as INAC's position was under study by the Auditor General. Since the complaint was filed, the CHRC has twice recommended mediation. Both times the AFN and FNCFCSC agreed to mediation and, both times, INAC refused. On October 14, 2008, the CHRC forwarded its rendered decision that the human rights complaint did warrant a tribunal hearing. On November 17, 2008, a Judicial Review of the CHRC decision (warranting a tribunal hearing) was filed on behalf of INAC.

The Judicial Review was filed on the basis of two arguments: the CHRC lacks jurisdiction over the comparing of federal and provincial provision of funds, and that funding is not a "service" for Canadian Human Rights Act (CHRA) purposes. As a result of this motion, the CHRC is expected to be tied up in legal proceedings related to the review process for a minimum of one year. This entire process will surely increase the legal costs for this case; therefore, it will be necessary to continue to proceed with co-fundraising initiatives to cover costs for legal services and other related efforts.

SPECIAL NEEDS

The Special Needs Research Project was launched in February 2008 through a meeting that included the consulting team, AFN Education, members of the First Nations Special Needs Working Group, Human Resources and Skills Development Canada (HRSDC), FNHIB and AFN Social team. The purpose of the project was to collect data pertaining to the existing services available to children with special needs, provide information on the gaps between the needs of these children and the services offered, as well as illustrate the lack of information available and the issues surrounding the labeling of children. A number of challenges were encountered in the data collection of the project which resulted in a number of modifications to the project methodology.

The two final products of the project included a report based on information collected from the communities and the obstacles encountered in the data collection and a collection of 10 narrative stories from families and individuals who shared their personal struggles and successes in living with a special need and/or disability. To supplement the findings from the Special Needs Research Project, a workshop on "Mapping Service Delivery for Children with Special Needs" was held in January at the First Nations Health Managers Forum. This workshop gathered information on the definitions and terminology being used in communities to describe special needs, as well as highlighted the strengths and weaknesses in service delivery for special needs services in individual First Nations communities and regions.

It is with this information that a draft Special Needs Action Plan was developed which, in cooperation with the work of AFN Education and AFN Health, will continue to push for the implementation of Jordan's Principle to establish accessible and equitable services for children with special needs.

INCOME ASSISTANCE

The INAC Income Assistance Program "serves a broad client base including seniors, single-parent families, the unemployed, those with physical and mental disabilities, youth at risk and the working poor." While the program has the authority to provide pre-employment assistance programs and other Active Measures, current funding limitations restrict the scope of the program to providing basic social assistance.

Active measures can be defined as the activities, services and supports required by individuals wishing to complete their education and training, and/or attain employment or self-employment. Active measures include basic skills such as literacy and numeracy, supports and linkages to others services such as health programs, as well as child care and accessing education upgrading and training programs. The income assistance program authorities currently include active measures but funding



increases have never been secured for their implementation.

INAC has proceeded with a regional approach to negotiating funding increases for the income assistance program, and active measures, which is similar to its approach to FNCFS. British Columbia and Quebec have been engaged in discussions with INAC and INAC has stated that they intend to follow up with other regions that are ready to enter into such discussions.

The First Nations Income Assistance Working Group (FNIAWG), though promised a meeting from INAC in the spring of 2008, has not met since March 2008. Despite the fact that the ADM of INAC had identified active measures as one of its key priorities for the 2008-2009 fiscal year, numerous efforts at arranging a meeting of the working group to provide regional input on this and other key issues, has been postponed or cancelled as a result of their lack of follow through.



FAMILY VIOLENCE PREVENTION PROGRAM (FVPP)

Family violence and violence against women continue to be key issues for First Nations women and their families. In cooperation with the Women's Council, the AFN's HSS team is working together to improve the quality of life of First Nations families affected by family violence and to increase the services and supports available to these families. The HSS team will be working closely with the Women's Council in developing a Family Violence Working Group that will assist in guiding the work on national activities. It is a goal for the current fiscal year that this working group be established and supported by INAC so that joint work and family violence issues faced by First Nations families can be addressed. The AFN continues to push for involvement in INAC's work with respect to redesigning the program's funding formula, as well as the design of the selection process for new shelter sites. The AFN also continues to participate in the Sisters in Spirit Campaign.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

In light of the funding issues during 2008-2009, it is unlikely that INAC will provide adequate or timely funding for 2009-2010. However, while achievements and deliverables are highly reliant upon funding from INAC, it can be expected that the following achievements and deliverables will be completed by March 2010:

- **First Nations – INAC Policy Advisory Group:** The FNIPAG will continue its work as the overarching coordinating group for social development to ensure a coordinated approach to First Nations Social Development issues. It is expected that the group will have at least three meetings this year so that they may continue their work in organizing a First Nations Social Development Conference for 2010.
- **First Nations Child and Family Services:** It is expected that at least three meetings of the First Nations National Advisory Committee (NAC) will take place in this current fiscal year to address the recommendations made by the Public Accounts Committee to address outstanding issues with INAC's FNCFS program and the regional approach to INAC's negotiations for increases in funding. It is also expected that a joint NAC meeting will take place to discuss the developments of INAC's implementation plan of the New Enhanced Prevention Approach model on FNCFS. Further legal work will also take place on the Human Rights complaint. The AFN will also continue its work advocating for First Nations involvement in the discussions regarding the implementation of Jordan's Principle.
- **Income Assistance:** The First Nations Income Assistance Working Group will continue its work on the Active Measures



initiative, the finalizing and implementation of the Youth Action Plan on Income Assistance, the improvements to the Income Assistance program and the region by region negotiations for funding for active measures. The AFN will also continue its work with HRSDC and other stakeholders to improve the living conditions of First Nations Elders and the elderly through the Old Age Security/Guaranteed Income Supplement Program.

- Family Violence Prevention Program: The AFN's HSS team will continue to work with the AFN Women's Council to improve the quality of life of First Nations families affected by family violence and increase the services and supports available to these families. The AFN will be working to create a Family Violence Prevention working group to provide input on key research, policy initiatives and discussions relating to family violence issues.

HEALTH AND SOCIAL COMMUNICATIONS

The Health and Social Communications unit produces and distributes information designed to advance the goals and priorities of First Nation peoples and governments regarding health, social, youth and women's issues under the direction of the Health and Social Secretariat, the CCOH, AFN Women's Council and National Youth Council. The unit ensures the messages and perspectives of the AFN and First Nations are properly communicated and understood, and that the National Chief, Regional Chiefs holding the health and social portfolios, AFNWC and AFNNYC have the opportunity to communicate First Nation perspectives publicly through media and other fora. The unit also produces communiqués on urgent health issues as required. The unit provides strategic communications advice to the Health and Social Secretariat, AFN Communications Director, AFNWC, AFNNYC, Regional Chiefs and the National Chief as needed.

KEY ISSUES AND ACTIVITIES

Since the last Annual General Assembly, Health and Social Communications has prepared and distributed approximately 20 press releases/statements on a wide range of health, social, gender and youth issues. Communications also prepares media lines, backgrounders, letters to the editor, op-eds, speaking notes and speeches.

The unit produces a quarterly Health Bulletin which is distributed to all First Nations and Members of Parliament by mail and made available to the general public online. This year the unit also produced a number of multi-media products including: television and radio advertisements for the RHS; the recruitment of youth into the medical field (Medicine is our Tradition video); media footage, photo images and a public service announcement regarding tuberculosis, over-crowded housing and mould; and, a YouTube video regarding the Human Papilloma Virus (HPV).

Key developments that have resulted in widespread national and international media coverage for the AFN regarding health include: The Global STOP Indigenous TB Initiative, Matrimonial Real Property (MRP), the Second Annual First Nations Health Managers Forum and Jordan's Principle.

Key developments which have resulted in significant communications to First Nations include: child welfare, diabetes, the H1N1 Virus, MRP and the Sharon McIvor court case.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Ongoing media and public relations work involving media advisories, press releases, speeches and interviews.
- Publication of a quarterly Health Bulletin.
- Distribution of communiqués as needed.
- Anticipated priority files include child welfare, Jordan's Principle, diabetes, Non-Insured Health Benefits (NIHB) and tuberculosis.



HOUSING

MANDATE

Resolution No. 81/2008 called for a direct and inclusive role for First Nations in the evaluation of the 1996 On-Reserve Housing Policy. The evaluation process includes a critical look at the manner in which the policies, programs and activities of Indian and Northern Affairs Canada (INAC) and the Canada Mortgage and Housing Corporation (CMHC) were devised; the degree of First Nations consultation and influence in the developmental process; regional variations of interpretation of policy intent and decision making; and that the evaluation process be seen as the starting point of meaningful participation in all future activities in the renovation of the 1996 Policy in preparation for the next Treasury Board Submission and its accompanying Memorandum to Cabinet.

Resolution No. 14/2007 called for the recognition of First Nation Governments to manage and control housing and infrastructure programs from a local, tribal council, treaty organization, or provincial/territorial organization structure. It also called for the transition of management and control of all housing matters from the federal government to First Nations, with an appropriate First Nation network of support, including national and/or regional First Nation 'Centres of Excellence' that are local, territorial and regional in scope and be made available to ensure an adequate First Nation capacity development framework.

KEY ISSUES AND ACTIVITIES

EVALUATION OF THE 1996 ON-RESERVE HOUSING POLICY

INAC and CMHC, with the engagement of the AFN Chiefs Committee on Housing and Infrastructure (CCoHI) and the Technical Working Group (TWG), have been looking at the *Evaluation of the 1996 On-Reserve Housing Policy* and assessing the need for change.

AFN Resolution No. 81/2008 was put forward at the Special Chiefs Assembly in December in an effort to ensure that the policy evaluation process, inclusive of planning, contracting, data collection and reporting, respect the authority and jurisdiction of First Nations and work with First Nations and their duly-authorized representatives and organizations to accomplish this effort through regional, territorial and local First Nation initiatives. It also resolved that there be direct involvement of First Nations in the management and delivery of the evaluation process in First Nations communities and that any external consultants engaged in these activities be First Nations in origin and agreed to by First Nations and their duly-authorized representatives and organizations in the process.

A senior Strategic Evaluation Committee (SEC) and an Advisory Committee (AC) have been formed to review and direct the evaluation process. The SEC provides guidance on evaluation issues, scope and methodologies, evaluation work and its findings and conclusions. The AC presents the interests and concerns of participating audiences in the development and implementation of the evaluation. Both committees have agreed to incorporate regional variations into the evaluation plan and process, to engage First Nation communities and respect the First Nation organizational structures in place, and use First Nation expertise to the extent possible.

Data collection methodologies for the evaluation will include household occupant surveys, key informant interviews, housing condition assessments and case studies. Use of First Nation expertise for household occupant surveys and the housing condition assessments is currently being determined. A number of options for sampling sizes and ranges are being considered with budget amounts identified as a limiting factor. An evaluation of the Ministerial Loan Guarantees and Shelter Allowances for housing is being conducted by KPMG through a standing offer with INAC.

The evaluation work at the First Nation level is expected to begin in August and continue through to the fall of 2010.



BUDGET 2009 – CANADA’S ECONOMIC ACTION PLAN

The 2009 Budget included \$400 million for First Nations housing. INAC will be responsible for the delivery of \$150 million and CMHC will be responsible for the delivery of \$250 million. CMHC will provide \$125 million for new social housing using the existing Section 95 program and will call for enhanced energy efficiency requirements. There will also be \$125 million for renovation and retrofit of existing CMHC Section 95 housing units.

For the new housing units under CMHC, there will be \$62.5 million earmarked for both 2009-10 and 2010-11. All projects committed to will have three months to be underway or risk losing the commitment – lost funds will be reallocated within and across regions when necessary. For the renovation of existing CMHC Section 95 units, there will also be \$62.5 million earmarked for both 2009-10 and 2010-11. Commitments for each fiscal year must be completed during the year of commitment and work must begin within three months of the commitment. There will be no opportunity for re-profiling funds across the two fiscal years.

CMHC will allocate resources to regions based on the current percentages used by the Section 95 program. Allocations are considered ‘Notional’ and can be cancelled and reallocated if work has not commenced in the three-month window of opportunity.

INAC will utilize the \$150 million provided in four priority areas:

- \$25 million will go to lot servicing for new CMHC Section 95 housing units and INAC-funded housing projects that feature market-based housing, rental units, multi-unit developments and energy-efficient developments;
- \$40 million will be earmarked for new construction that targets First Nations not accessing CMHC funding that are ready to build high density, multi-unit, energy efficient and accessible housing;
- \$55 million will go to renovations that address overcrowding, energy efficiency retrofits and mold-affected units; and,
- \$30 million will target the conversion of band-owned units to market-based housing for private home ownership.

INAC’s allocation and delivery of funds will be proposal and project-based and selected based on a pre-defined set of criteria that will be determined in collaboration with CMHC and the National Housing Liaison Committee. The review of proposals will take place at the regional level with the involvement of respective Regional Housing Liaison Committees. Allocations may be adjusted based on demand, supply and uptake. Allocated funds may be reallocated between project components and/or between regions. The first call for proposals has closed and successful projects are expected to be announced soon.

NATIONAL STRATEGY TO ADDRESS MOLD AND INDOOR AIR QUALITY

The AFN Housing and Infrastructure Secretariat has been active on an Interdepartmental Committee with INAC, CMHC and Health Canada to determine a strategic direction that evolves out of the original 1999 efforts to deal with this concern. The AFN has undertaken a role to communicate the findings of this committee to First Nations and their respective organizations.

The strategy is to develop sufficient awareness and capacity among First Nation home occupants, communities and institutions so that they can prevent mold problems or, if such problems occur, remediate them effectively within the constraints of existing funding or own source revenues. This effort is community-based, capacity building oriented, implementation ready and action-oriented, while also being accountable, sustainable and transparent.

It should be clearly stated that no new monies have been earmarked for the remediation of existing problems outside of those previously identified. It also appears that there was no attempt to find new monies.

STRATEGIC FRAMEWORK AGREEMENT

The AFN has initiated a Strategic Framework Agreement that seeks to coordinate work with the AFN, CCoHI and TWG, and a variety of First Nation and Aboriginal associations that operate on the national level. These parties recognize the authority of



the AFN to represent First Nation peoples politically and socially, whether they live on or off reserve. The parties are committed to working collaboratively with the AFN to improve the operational capacity within the housing sector while improving housing service delivery regardless of location. This is ongoing in relation to various files, including the evaluation of the 1996 On-Reserve Housing Policy.

FIRST NATIONS MODEL HOUSING POLICY GUIDELINES

In response to Resolution No. 14/2007, the Housing and Infrastructure Secretariat has been actively researching two key areas of housing that reflect practices illustrating good governance. These include a First Nation Regulatory Environment and the Operational Control of Housing within the regulatory environment. A regulatory environment will identify the manner in which each First Nation, region or territory structures their own means of service delivery and capacity building. The work will help to define the replacement of Government of Canada control and interventions by creating First Nations solutions that develop new options and opportunities.

The AFN also undertook a contract with CMHC to produce “First Nation Model Housing Policy Guidelines” to assist First Nations in developing their own community-specific policies. This guide outlines an approach to enhancing First Nations’ understanding of the developmental process. It will assist in creating the environment to properly control the various aspects of the First Nation housing portfolio. The project has drawn from successful housing initiatives implemented by First Nations across Canada and helps to define necessary elements, provide templates and act as a guide for the development and implementation of local First Nation Housing Policies that foster internal First Nation controls and create greater self-reliance.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Evaluation of the 1996 On-Reserve Housing Policy will have gone through all planning, review and approval stages. Regional Liaison Committees will have been identified and have ratified implementation processes and protocols for each respective region. The procurement process for the selection and contracting of parties to carry out the work will be completed and a detailed implementation plan will be launched.
- The First Nations Model Housing Policy Guidelines will have been completed and vetted for approval through the National Housing Liaison Committee. Translation will be done and the guidelines will be posted on the AFN website for downloading and use by First Nations. A workbook will be under development to assist facilitators and First Nations in the process of developing individual First Nation Housing Policies. A Train-the-Trainer session is anticipated to ensure that there are available facilitators to assist First Nations in each region.
- Budget 2009 housing allocation work will be well underway. Those First Nations with successful proposals must have ‘shovels in the ground’ by this time. Those that were unable to implement construction activity within three months of allocation commitment will lose that commitment and the monies will be reprofiled to other First Nation housing projects, with the possibility of those allocations going to other regions.



INTERNATIONAL ISSUES AND RELATIONS

MANDATE

Assembly of First Nations (AFN) Resolution No. 37/2007 (*Support and Endorsement of the United Nations Declaration on the Rights of Indigenous Peoples*), calls on the Government of Canada to commit to the implementation of the UN Declaration without further delay. The Chiefs-in-Assembly affirmed their intention to implement the Declaration and international human rights instruments and processes throughout First Nations lands and traditional territories in Canada.

KEY ISSUES AND ACTIVITIES

The AFN submitted its report in September 2008 to the Human Rights Council (HRC) for Canada's periodic review process. Canada's human rights record was reviewed by the UN Human Rights Council in February 2009. Canada did not undertake consultations to meet with Indigenous peoples and human rights organizations prior to drafting and submitting their report to the HRC. The AFN has participated in two information sessions regarding Canada's report to the HRC and made its views known to the Government of Canada regarding the lack of consultation and participation in the Universal Periodic Review process. The AFN also submitted a statement to the HRC in June regarding Canada's response to the recommendations of the Council.

While this is not an exhaustive list, the AFN also participated in numerous international meetings, for example, climate change and the environment, tuberculosis and international health, Indigenous Traditional Knowledge protection, and Intellectual Property standard setting. The AFN participated in the North American regional preparatory meeting for the eighth session of the UN Permanent Forum on Indigenous Issues, the first session of the UN Expert Mechanism on the Rights of Indigenous Peoples. The AFN has participated in special UN sessions such as the 60th Anniversary of the Universal Declaration on Human Rights, Human Rights Council forums on minorities (to study education), the Human Rights Council ad hoc committee on standards, and UN expert group meetings such as the implementation of article 42 of the UN Declaration on the Rights of Indigenous Peoples. The AFN has participated in preparatory meetings of the Global Indigenous Caucus to discuss and strategize on the following items: the Universal Periodic Review; the submission of the UN Treaty Expert Seminar follow up; and, to inform the caucus of the AFN's human rights complaint to the Canadian Human Rights Commission. The AFN was invited to comment on Indigenous children on the draft of the Convention of the Rights of the Child (CRC) General Comment.

The AFN has participated in preparatory work on the Draft American Declaration on the Rights of Indigenous Peoples at the Organization of American States (OAS), and participated in meetings of the Indigenous Caucus of the Americas that was held in October 2008 on the OAS process.

Indigenous leaders from across the Americas met April 14-15, 2009, in Panama City, to take part in the 3rd Indigenous Leaders Summit of the Americas (3rd ILSA). The meeting provided an opportunity for Indigenous leaders to conduct discussions on issues related to the work of the OAS and, particularly, the work to be conducted during the 5th Summit of the Americas to take place in Trinidad and Tobago, April 17-19, 2009. The AFN and the Native Women's Association of Canada (NWAC) co-hosted the event with the assistance of the OAS and various Indigenous organizations throughout the Americas.

In May 2009, the AFN participated in the eighth session of the UN Permanent Forum on Indigenous Issues (UNPFII8) at the UN headquarters in New York City. The AFN also participated in preparatory global and regional caucus meetings prior to and during the UNPFII8.

In our ongoing advocacy and monitoring efforts, the AFN employs international strategies, networks and alliances to build traction and awareness regarding our domestic political and policy work. We monitor international events and write statements of support or concern regarding events taking place globally which affect Indigenous peoples outside of Canada as part of our broader human rights work to advance the rights and freedoms of Indigenous peoples in Canada and abroad.



ANTICIPATED OUTCOMES BY MARCH 31, 2010

- The AFN continues to highlight the need for the Government of Canada to act in accordance with the will of Parliament as expressed on April 8, 2008, regarding the UN Declaration on the Rights of Indigenous Peoples.
- The AFN will support efforts to address Canada's response to the recommendations made by the Human Rights Council in June 2009 regarding Canada's human rights record.
- The AFN will continue to support the development of standards in every international instrument, including any declaration developed by the OAS, that are at least equal to those identified in the UN Declaration on the Rights of Indigenous Peoples.
- The AFN will continue to participate in international processes and bodies for Indigenous peoples such as the Expert Mechanism on the Rights of Indigenous Peoples.



LANGUAGES

MANDATE

The primary objectives of the AFN Languages Unit are to:

- Raise community awareness of the importance of First Nation languages at the community level;
- Encourage the development of First Nation languages;
- Advocate for legislation to recognize, protect and promote First Nation languages; and,
- Carry out research on the state of First Nation languages and develop strategies to preserve and strengthen them.

KEY ISSUES AND ACTIVITIES

CANADIAN HERITAGE WITHHOLDING FUNDING

ABORIGINAL LANGUAGES INITIATIVE (ALI) AND CRITICALLY ENDANGERED LANGUAGES (CEL)

The AFN Languages Unit has not received ALI funding for 2008-09, although they have been in complete compliance with the two-year Agreement with Canadian Heritage. The AFN Languages Unit responded to a written request from Canadian Heritage in the winter of 2008, requesting clarification on the work plan activities and budgets for ALI and CEL for fiscal years 2007-08 and 2008-09.

The AFN complied and subsequent feedback from Canadian Heritage was positive. A new ALI Budget and Activities Plan was submitted and approved by the Director of the Aboriginal Peoples' Program Directorate (APPD) in February, 2009. The AFN Languages Unit rushed to complete their deliverables by March 31, 2009, as outlined in the approved 2008-09 ALI activities.

However, during the completion of the 2008-09 deliverables, the AFN was informed that Canadian Heritage was now demanding reports and audits from 2004-05, 2005-06 and 2006-07. And, until all reporting and audits from these years were submitted to the satisfaction of the Department, no ALI funds for 2008-09 would be transferred to the AFN.

The Director of the APPD stated that Canadian Heritage cannot reconcile their finances because it owes monies to the AFN and regions:

2004-05 Budget: \$2.3M Paid Out: \$1.5M Difference: \$800K

2005-06 Budget: \$2.2M Paid Out: \$1.7M Difference: \$500K

AFN-specific:

2006-07 Budget: \$0.663K

In other words, Canadian Heritage may have misled the AFN leading to a significant deficit in the Languages Unit. To assist the AFN in responding to the latest demands for audits and reports, the AFN spoke with the Canadian Heritage Director and Manager to have a copy of their analysis of the files. This analysis was promised to the AFN on April 7, 2009. As a follow-up, the AFN made additional requests by e-mail on May 15, May 27 and June 1, 2009. There has been no response.

The AFN was informed that it could apply for one more year of ALI funding and a proposal was submitted to Canadian Heritage. There has been no response.

Regarding CEL funding, the AFN was informed on several occasions that no one was funded, including those organizations that had three-year agreements. No explanation was provided by the Canadian Heritage Director.

On March 3, 2009, the AFN was informed that Canadian Heritage was conducting an internal review of the APPD that included



the ALI and CEL programs. Historically, 75% of CEL funding was specifically designated for AFN.

However, the AFN was informed that it is no longer a “third-party” program manager and that in the future, the ALI and CEL funding would be from one source and would be community based. Canadian Heritage is preparing new guidelines and application forms. CEL would be renamed “Innovative Fund,” using existing technology to preserve and promote Indigenous languages.

As a result of Canadian Heritage withholding funding for the ALI 2008-2009 fiscal year, the AFN Education, Jurisdiction & Governance Secretariat has been asked to administer the Languages Unit.

FIRST NATIONS LANGUAGES STRATEGY AND IMPLEMENTATION PLAN

Canadian Heritage has been presented with the First Nations Language Strategy and Implementation Plan but has failed to acknowledge or respond to this submission. The Chiefs-in-Assembly adopted the Strategy at the 2007 Annual General Assembly (AGA) and reconfirmed with minor changes at the 2008 AGA (Resolutions 12/2007 and 01/2008).

PROPOSED LANGUAGE LEGISLATION

Senator Serge Joyal has introduced a bill in the Senate entitled, *An Act for the advancement of the Aboriginal languages of Canada and to recognize and respect Aboriginal languages rights*.

OTHER KEY ACTIVITIES

A briefing note and draft letter have been sent forward within the AFN to advance the issues of Languages by providing information to prepare the National Chief for a meeting with the Minister of Canadian Heritage, Hon. James Moore. The letter requesting a meeting with Minister Moore was signed by the National Chief and mailed on May 1, 2009.

The briefing note, draft letter and thorough policy review of Senator Joyal's bill on languages legislation has also been sent forward within the AFN to provide additional information on the proposed legislation and identify areas for discussion and a suggestion for a meeting. The letter requesting a meeting with Senator Joyal was signed by the National Chief and mailed on May 11, 2009.

ALI activities for 2008-09 produced the following documents to advance the promotion, preservation and protection of Indigenous languages:

- *Attaining Fluency and Language Action Planning for First Nation Communities*
- *Linguistic Decline and the Educational Gap: A Single Solution is Possible in the Education of Indigenous Peoples*
- *Aboriginal Languages Protection Bill, A Policy Review of Senator Joyal's Bill* – compares and contrasts the draft bill with other AFN resolutions, policy documents and draft First Nations Languages Acts
- *National First Nation Language Teacher Survey (NFNLTs) Report*
 - NFNLTs Literature Review and Bibliography
 - Newsletter

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Moving forward with Senator Joyal's Senate Bill on languages legislation:
 - Result: Language Legislation in Canada in 2010-2011.
- AFN meeting with the Minister of Canadian Heritage to resolve outstanding issues:
 - Result: Implementation of the First Nations Languages Strategy in 2010-2011.
 - Increase in sustainable funding for Immersion Programs, Language Nests and Language Teacher Training Programs.
 - Microsoft Partnership – A three-year Language Revitalization Proposal is successfully finishing Year One during this period.



- Canadian Heritage to provide the AFN with the files/analysis so they can prepare and submit a response to the Department's claim for outstanding reports and audits and funds can flow to cover expenses associated with the ALI 2008-09 funding year and the AFN can begin work on the deliverables as described in the ALI 2009-10 proposal. It was also stressed by Canadian Heritage that this would be the last year that the AFN could submit a proposal for ALI funding.



RESIDENTIAL SCHOOLS

KEY ISSUES AND ACTIVITIES

The Assembly of First Nations (AFN) played a central role in concluding the Indian Residential Schools Settlement Agreement (IRSSA) on behalf of 80,000 survivors of Indian Residential Schools. Under the settlement, the Canadian government provided a \$1.9 billion compensation fund for the “common experience” of those who attended Indian Residential Schools. A further \$5 billion will go towards compensation for individual abuses through an individual assessment process. There is also \$125 million directed towards the Aboriginal Healing Foundation and the establishment of a five-year Truth and Reconciliation Commission (TRC) to bring to light the full story of the residential schools.



The TRC will be the first of its kind conducted in any First World country. It will help to educate Canadians about their history and foster greater understanding between First Nations and Canadians. The TRC will shed light on one of the darkest chapters in Canada's history, a history that all Canadians should be aware of, but which has been largely hidden or misunderstood until now. By gathering the stories of survivors, addressing the issue of missing children and unmarked burials at residential schools, and developing a Residential Schools Research/Archive Centre, the TRC will help to educate and inform school curricula and provide a lasting historical legacy for future generations.

On November 5, 2008, Justice Frank Iacobucci agreed to act as facilitator to assist the parties in moving forward following the resignation of Justice Harry LaForme as Chair of the TRC on October 19, 2008. On June 10, 2009, the TRC announced the appointment of The Honourable Justice Murray Sinclair as Chairperson and Marie Wilson and Chief Wilton Littlechild as Commissioners. The AFN was involved in the selection process for the Chair and Commissioners. First Nations citizens and survivors across the country are eager to see the Commission begin its work as soon as possible.

Prime Minister Stephen Harper apologized for the wrongs of the government on June 11, 2008. The government acknowledged the wrongs of the past in the House of Commons with survivors and their families present, before church leaders, and with the Prime Minister and all House leaders addressing Parliament, the nation and the world. The apology acknowledged that it was wrong to assimilate First Nations people and their culture, faith, identity and autonomy.

First Nations have entered a new dawn in our relationship with Canada. The apology not only acknowledged the past, but noted that by addressing this tragic chapter of Canadian history, Canada can begin to turn a page of its history. The Prime Minister and House leaders spoke of a future in which Canada has promised to respect First Nations rights and would never again try to denigrate or destroy the identity of First Nations as distinct peoples, or compromise First Nations culture and families. The apology will hopefully begin a healing process for survivors, their families and loved ones as Canada's past history of residential schools is acknowledged.

COMMON EXPERIENCE PAYMENT UPDATE

The AFN continues to monitor the number of claimants who have received settlements for less than the full amount eligible based on their years in residential school. The AFN is also monitoring which schools have been deemed ineligible for the official list of recognized residential schools, as well as the set timeframes for appealing a negative reconsideration letter. The AFN is currently in negotiations with members of the National Administration Commission (NAC) to examine these issues. The NAC is the multi-party Committee overseeing the administration of the IRSSA. The Committee is made up of one representative from the



Government of Canada, church organizations, the AFN, the National Consortium, Merchant Law Group, Inuit representatives and Independent Counsel.

Former students who are dissatisfied with the outcome of their CEP can apply for the Reconsideration Process. This is a second review by the government to ensure that the original decision regarding the CEP for each applicant is accurate and appropriate. However, applicants have only six months from the date on their decision letter to make an application for reconsideration and 12 months to appeal the reconsideration. The terms for reconsideration were developed after signing of the Settlement Agreement. The AFN is awaiting a response from the NAC in regards to how the timelines were developed and whether they are appropriate for survivors.

The AFN has requested that the test for determining whether an “institution/residence” is recognized be applied properly by National Research and Analysis. We asked that all of the sub-sections of the agreement, pertaining to test be given full consideration. We have asked the NAC to inform National Research and Analysis of this practice and to take steps to ensure that the full test is applied in accordance to all the sections and sub-sections relevant to the test.

It is important to review the updated statistics in order to see progress on the CEP/Reconsideration and Appeals. It may not be enough, but the AFN will continue its advocacy to encourage that the process be moved more expediently.

STATISTICS – AS OF APRIL, 2009

Initial Applications

Total applications received	97,921
Total in progress	3,851
Total complete	93,520

Reconsiderations

Total of requests received	22,920
Total in progress	12,255
Total complete	10,409

Appeals

Total Requests for Appeals received	1,673
Total researched and prepared for National Administration Commission	234
Total NAC decisions	149
Appeals granted in whole or in part	47/103

Payments Made

Total applicants who have received payments (Initial Application, Reconsideration or Appeal)	73,005
Total paid to date (including advance payment of \$82.6M)	\$1.49B
Average amount paid	\$20,511.00



INDEPENDENT ASSESSMENT PROCESS (IAP)

The new IAP process is designed to help former students settle their claims for abuse suffered at Indian Residential School. The IAP replaces the former Alternative Dispute Resolution (ADR) program. The IAP compensates former students for sexual abuse, serious physical abuse and certain other wrongful acts which caused serious psychological consequences for the individual. This compensation is available in addition to the CEP.

IAP awards range from \$5,000 to \$275,000, depending on the severity of the claim and the legal issues involved. More may be awarded if a former student can also prove loss of income.

If a claimant does not agree with the amount granted, they can request a review process allowed for by the IAP. In this instance, a former student may ask the Chief Adjudicator to determine whether the decision of the adjudicator or reviewing adjudicator was properly applied. The Chief Adjudicator or his/her designate is asked to correct improper decisions.

While survivors may proceed through the IAP without legal representation, claimants are urged to obtain legal counsel for the process.

INDIAN RESIDENTIAL SCHOOLS ADJUDICATED SERVICES STATISTICS FROM SEPTEMBER 19, 2007 TO JUNE 19, 2009

Total number of claims received	11,363
Continuing ADR	2,266
ADR Transfers	1,210
New IAP	7,488
Re-Openers	399
Total number of claims in progress	8,116
IAP Hearings held	1,720
ADR Hearings held	1,246
Total number of claims withdrawn and/or ineligible	866
Total number of ADR/IAP claims settled and decisions rendered	2,381
Total compensation	\$159,533,140

Work with First Nations communities is ongoing – AFN staff are available on request for outreach and communication presentations.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Expedient process for dealing with backlog of CEP/Reconsideration and Appeals.
- Update statistics on a regular basis.
- Continue work under the joint work plan between AFN and government.
- Continue partnership approach with AFN and Community Impacts Working Group.
- Complete a full report on the meeting with Pope Benedict XVI on April 29, 2009.
- Complete a full report on the first-anniversary of the Apology.
- Continue to work in collaboration with the TRC on national and community events.
- Continue community outreach and communication presentations.



STRATEGIC POLICY, PLANNING AND LAW

MANDATE

The Strategic Policy, Planning and Law (SPPL) unit is the coordinating point between the National Chief's Office, the AFN Executive Committee and the AFN Secretariat with respect to strategic planning and the horizontal integration of policy development. The SPPL unit's function is to advance the interests of First Nations through effective planning, analysis and coordination with respect to the AFN's engagement in the national policy context.

KEY ISSUES AND ACTIVITIES

GOVERNMENT RELATIONS

This has been a particularly unusual year for Parliament. The 40th Parliament was called to session on November 18, 2008, following the October 14, 2008, general election. In November the federal government provided a fiscal update which failed to draw support from the Opposition, nearly toppling the Conservative minority government. A couple of weeks later, the Prime Minister prorogued Parliament until January 26, 2009, which marked the start of the 2nd Session of the 40th Parliament. During the time that Parliament was suspended, the AFN was actively engaged in preparing for the January 15, 2009, First Ministers' Meeting on the economy where we advanced our economic stimulus package for consideration in the January 27, 2009, federal budget.

Due to these factors, parliamentary activity only started at the end of January. The main legislative initiative launched by the Government of Canada in which the AFN was actively engaged was Bill C-8 (formerly Bill C-47) concerning matrimonial real property (MRP). Please see the MRP section below for more information in regard to this bill.

In March, Bill C-10, the *Budget Implementation Act* received Royal Assent. However, this bill also included non-budgetary items. For example, it amended the *Navigable Waters Protection Act* which will adversely affect First Nation Treaty and Aboriginal rights. Around this same time, the federal government unilaterally issued regulations under the *Canadian Environmental Assessment Act* that would exempt approximately 2000 federally funded projects from environmental review. As First Nations were not consulted or accommodated with respect to these legislative and regulatory changes, the AFN used opportunities to voice concerns and present its views to the Standing Committee on Energy, the Environment and Natural Resources in May 2009. This issue has been brought to the Federal Court by the Sierra Club of Canada for further review.

The AFN also appeared as a witness at the following parliamentary committee hearings: The Senate Committee on Social Affairs, Science and Technology to discuss Aboriginal health (March 2009); the Senate Human Rights Committee regarding the United Nations Human Rights Council - Universal Periodic Review (May 2009); the Senate Aboriginal Affairs Committee regarding elections held under the *Indian Act* (May 2009); and the House Standing Committee on Bill C-5, the *Oil and Gas Act* (March 2009). On June 11, 2009, the National Chief also appeared in the Senate to provide an update on First Nations issues and reconciliation since last year's federal apology to residential school survivors in the House of Commons.

CITIZENSHIP AND MEMBERSHIP

In February 2009, the AFN convened a focus group and commissioned research to build on the existing body of information regarding First Nations identity, citizenship and membership. The focus group built upon initial discussions that had taken place in 2008, and set out to clarify the relationship between concepts related to identity (i.e., membership, Status, citizenship) and to examine First Nation individuals' experiences with these concepts. The focus group also considered possible frameworks for First Nations to determine citizenship, as well as elements of an action plan for continuing momentum and pursuing options for legislative and policy reform. The group shared a sense of urgency and the opinion that it has taken too long to sort out this issue. They strongly recommended that work be accelerated and tools be put into place to assist First Nations in developing their own models to these ends.



ELECTIONS AND LEADERSHIP SELECTION

The AFN was able to convene a small focus group of Chiefs and technicians to discuss issues relating to First Nation elections and possible avenues to assist First Nation governments to gain greater control over how their leaders are selected. This group also discussed Indian and Northern Affairs Canada's (INAC) "Conversion to a Community Elections Process" policy. Further research in this area was carried out with recommendations to streamline this policy and to explore concrete ways to support communities in researching and implementing their own methods of leadership selection, moving away from the *Indian Act*.

On April 1, 2009, the Senate Standing Committee on Aboriginal Affairs began an examination of issues relating to First Nation elections held under the *Indian Act*. SPPL has coordinated the AFN's involvement in the Senate Committee's study and has provided information to First Nations about this work.

REPEAL OF S. 67 OF THE CANADIAN HUMAN RIGHTS ACT

With the repeal of section 67 of the *Canadian Human Rights Act* (CHRA), Canada was placed under an obligation to "undertake a study to identify the extent of the preparation, capacity, and fiscal and human resources that will be required in order for First Nations communities and organizations to comply with the CHRA" within a three-year period. More than a year later - while discussions with federal officials are ongoing - Canada has yet to fulfill its obligations in this respect. The AFN will continue to push Canada to discharge its obligations as outlined in the legislation and ensure that First Nation communities are prepared and adequately resourced in anticipation of this provision coming into effect in June 2011.

CONSULTATION AND ACCOMMODATION

The Government of Canada began the long-awaited engagement on its Action Plan on Consultation and Accommodation in late 2008, with activities scheduled to wrap-up by June 2009. The AFN has informed the government that these timelines are unacceptable and do not take into account the full and reasoned dialogue that is necessary with First Nations on such an important matter.

Since January 2009, SPPL has coordinated the work of the National Chief's Task Force on Consultation & Accommodation. Since that time, there have been two meetings of the Task Force, and two regional discussion sessions to explore these issues in more depth. These meetings have pointed to the need for further work.

Members of the Task Force and delegates to the regional sessions all noted the need for a coordinated First Nations response to governments and industry, including the establishment of principles, standards and expectations with respect to resource development on First Nation lands. They also called for the development of clear processes for legislative and policy initiatives that affect First Nation inherent rights and Treaty rights.

The AFN has approached INAC to undertake further work in this area, but has not yet received a response.

MATRIMONIAL REAL PROPERTY (MRP)

Bill C-8, the *Family Homes on Reserves and Matrimonial Interests or Rights Act*, was introduced into Parliament during the second session. The AFN worked with relevant National Aboriginal Organizations, the AFN Women's Council, First Nations, regional organizations, and Opposition political parties to quash this bill. An attempt was made by the Liberal Party to pass a "hoist" motion which would have removed the bill from this parliamentary session. While this initiative was unsuccessful due to the absence of members of parliament in the House on the day of the vote, the AFN obtained consensus from all Opposition parties that they would vote against the bill if it returns to debate at second reading.

TREATIES

In a Political Agreement signed by the Minister of Indian Affairs and the National Chief on November 27, 2007, Canada committed to address Treaty related issues not addressed by new Specific Claims Tribunal legislation. Following the Joint AFN-



Canada Treaties Implementation Conference, *As Long as the Sun Shines*, held in Saskatoon, Saskatchewan, on March 26-27, 2008, the AFN was able to engage Canada in a Phase 1 proposal to establish the National Council of Treaty Chiefs (NCTC). The inaugural meeting of the NCTC took place March 22-25, 2008, in Fort Qu'Appelle, Saskatchewan. The AFN, in partnership with the Federation of Saskatchewan Indian Nations (FSIN), is now in a position to begin Phase 2 of this initiative involving local / regional outreach and engagement subject to the receipt of funding.

The AFN will continue to work with Canada and the Treaty partners towards the development of a national strategy on Treaty implementation.

SPECIFIC CLAIMS

Following the receipt of Royal Assent for Bill C-30 (the *Specific Claims Tribunal Act*) in June 2008, the AFN has been working on this file under the auspices of the Liaison & Oversight Committee struck as a part of the Political Agreement signed by the Minister and National Chief in November 2007. The focal point of this work was on preparing for the coming into force of the new Act, which took place on October 16, 2008.

A number of issues were examined in the 2008-09 fiscal year including: the development of a Minimum Standard for the submission of a specific claim for review by the Minister; the joint development of rules for the Tribunal that, if adopted, would guide the operation of the Tribunal; and the establishment of a process to identify an adequate means of addressing specific claims valued over \$150 million excluded for consideration by the Tribunal. This included hosting two “think tank” sessions to address issues relating to claims over \$150 million.

Although the AFN's engagement with Canada has not been without its challenges, we remain confident that our engagement will continue to improve the policy and legislative initiatives of the federal government with respect to specific claims. We continue to strive towards the best possible outcomes for First Nations based on the mandates that we have received from the Chiefs-in-Assembly and in our collaboration with our Chiefs Committee on Claims, as well as other groups and communities.

Work in the 2009-10 fiscal year is expected to focus on claims processing and funding; additions to reserve; claims excluded by the monetary cap; the establishment of an Alternative Dispute Resolution (ADR) centre; and the establishment of a framework for Five Year Review. The AFN will continue to work with the Chiefs Committee on Claims and the Liaison & Oversight Committee in an effort to accelerate progress on the resolution of specific claims and related issues.

INDIAN GOVERNMENT SUPPORT PROGRAM

SPPL has participated on an advisory panel regarding INAC's redesign of Indian Government Support Programs (IGSP), which includes Band Support Funding (BSF), Band Employee Benefits, Band Advisory Services, Professional & Institutional Development and Tribal Council Funding. Throughout this process, the AFN has advocated that INAC gather the necessary evidence to support this redesign, including conducting a joint costing study to understand the true costs of First Nation government. Also, the AFN has been urging INAC to ensure First Nation leaders are able to review and reflect upon recommendations before they go to Cabinet for approval, rather than being presented a new program architecture after-the-fact.

ELECTIONS CANADA

SPPL worked with Elections Canada to support the participation of First Nations citizens in the last federal election. The focus of this work was on providing non-partisan information about electoral issues and participation, including new ID requirements which may have made it more difficult for some First Nations citizens to vote. The AFN contacted more than 300 First Nations by phone in an effort to provide information and facilitate awareness about voter participation.



OTHER SPPL ACTIVITIES

As part of its broader coordinating role, SPPL has acted as liaison for the AFN with organizers of the 3rd triennial Aboriginal Policy Research Conference (APRC), which took place in Ottawa, March 9-12, 2009. AFN staff were able to present a record number of papers, and participated in a range of sessions to help support and showcase First Nations' perspectives and research.

In addition, SPPL continues to facilitate a range of other regular AFN activities including:

- Providing planning and support at Executive meetings and National Chief's briefings;
- Hosting regular Team Leaders' meetings;
- Coordinating bi-weekly national conference calls with Provincial and Territorial Organizations (PTOs) to update them on AFN activities and to elicit feedback;
- Coordinating monthly AFN Planning and Priorities Meetings to share information and review priorities;
- Supporting planning and follow-up with respect to AFN Chiefs Assemblies, in particular, with respect to resolutions;
- Coordinating the development of a regular comprehensive Standing Executive Briefing Book for the National Chief and Executive;
- Supporting AFN All-Staff Meetings; and
- Hosting AFN Policy Coordination Meetings (as needed).

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- If an MRP bill is reintroduced in this session of Parliament, SPPL will coordinate a strategy to ensure that First Nations' voices are heard with respect to this issue.
- The establishment of a process to address claims over \$150 million.
- Input on the establishment of a new alternative dispute resolution centre to replace some aspects of the Indian Claims Commission.
- SPPL will ensure that information, analysis and tools are provided to First Nations regarding key governance matters, such as Citizenship and Elections and Leadership Selection, so that they can effectively engage in broader processes on legislative and policy development.
- The AFN will examine legislative and policy options to return control of citizenship to First Nations, as well as continue to advocate on behalf of First Nations' interests.
- The AFN will continue to support Sharon McIvor in her court action to end the discriminatory determination of Status which persists through the 1985, Bill C-31 amendments to the *Indian Act*.
- SPPL will lead the development of a coordinated and unified First Nation position to the Government of Canada regarding the Crown's duty to Consult and Accommodate First Nations regarding any matters that may have impacts on their rights and title.
- SPPL will gather and facilitate sharing of information among First Nations regarding the development and implementation of First Nation protocols and practices regarding Consultation & Accommodation and Free, Prior and Informed Consent.



VETERANS

KEY ISSUES AND ACTIVITIES

The Canadian Forces have maintained their efforts to reach out and support the participation of First Nations Veterans in the review of their recruitment drive and monitoring of Aboriginal programs such as Bold Eagle, Raven, the Aboriginal Leadership Opportunity Year (ALOY) and other initiatives.

As a result, ALOY youth cadets were invited to participate in the AFN's Veterans gathering in Ottawa on November 11, 2008. Eleven military officers were also in attendance to pay their respects to the Veterans, alongside 11 pre-recruits from Canadian Forces Base Borden.

ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Prepare Veteran Clarence Chabot to recite the *Act of Remembrance* in the Algonquin language at the national Remembrance Day ceremonies in November 2009.
- Continue to maintain a positive working relationship with the Canadian Forces.
- Continue to provide support and assistance to the First Nations Veterans of Canada (FNVC) and call for an annual general meeting to deal with organizational issues.



WATER

MANDATE

Resolution Nos. 23/2008 and 24/2008 directed the Assembly of First Nations (AFN) to advocate for meaningful consultation on matters affecting First Nations rights with respect to water and wastewater. Resolutions Nos. 49/2008, 51/2008 and 52/2008 also provide similar direction on water rights and the duty to consult.

Resolution No. 50/2008 directs the AFN to start the process for the development of the framework for a Commission on Water.

KEY ISSUES AND ACTIVITIES

DEVELOPMENT OF A REGULATORY REGIME FOR DRINKING WATER AND WASTEWATER IN FIRST NATION COMMUNITIES

In winter 2009, Indian and Northern Affairs Canada (INAC) undertook an engagement process that will lead to the development of a legislative framework for drinking water and wastewater in First Nation communities. This consisted of engagement sessions held with First Nations, regional First Nation organizations and provincial/territorial officials. The engagement sessions ran from February to the end of March, 2009.

INAC also funded the regions to carry out Impact Analyses of the Legislation on First Nations. The Impact Analyses were done concurrently with the engagement sessions. Reports were submitted to the Institute on Governance, who then prepared a roll-up report for INAC. Regional First Nation water technicians were invited to a meeting to review the draft roll-up report. The technicians were successful in ensuring that First Nations concerns were duly expressed in the report. Specifically, concerns related to the Impact Assessment reports link to a more significant message running through a large majority of the reports – that the Crown has not satisfied its duty to consult and accommodate First Nations.

The Housing and Infrastructure Directorate was active in informing the leadership of the direction the government is taking and recommended that First Nations use Impact Analysis and Engagement sessions to present their options.

Resolution No. 23/2008 was passed at the 2008 Annual General Assembly (AGA). It called on the Government of Canada to begin meaningful consultations with First Nations prior to developing any legislation or regulations regarding First Nations' water resources. This concern was subsequently communicated in a letter from the National Chief to INAC Minister Chuck Strahl. Similar letters of concern from the Chiefs of Ontario and the Alberta Chiefs have been delivered to Minister Strahl.

FIRST NATIONS/INDIGENOUS WATER COMMISSION (FNWC)

Resolution No. 50/2008 directed the AFN to start the process for the development of the framework for a Commission on Water and to report on the status at the 2009 AGA. To date, the Housing and Infrastructure Directorate has secured grant funding from the Canadian Water Network to convene an experts meeting to discuss how this FNWC might function. A project coordinator has been assigned to work with the Directorate.

ENVIRONMENT CANADA CONSULTATION ON THE DRAFT CANADA-WIDE STRATEGY FOR THE MANAGEMENT OF MUNICIPAL WASTEWATER EFFLUENT AND ENVIRONMENT CANADA'S PROPOSED REGULATORY FRAMEWORK FOR WASTEWATER EFFLUENT

The *Canada-wide Strategy for the Management of Municipal Wastewater Effluent* was endorsed by the Council of Ministers on February 17, 2009. It is expected that the draft legislation regarding changes to the *Fisheries Act* will be posted on Gazette 1 in December, 2009.



NATIONAL ASSESSMENT OF WATER AND WASTEWATER INFRASTRUCTURE ON FIRST NATIONS COMMUNITIES

This is a project to conduct an assessment of private and public water and wastewater systems, and associated operation and maintenance practices, in First Nation communities, including an evaluation of risk to health and overall serviceability analysis (i.e., communal systems as well as private individual systems such as wells, septic systems, cisterns, etc.) for each community.

The results are expected to coincide with INAC's preparation of a Treasury Board submission requesting funding for another five-year First Nation Water Management Strategy renewal from 2010-11 to 2014-15. The two-year extension of the First Nations Water Management Strategy was to have provided time for the assessment to be completed.

On May 25, 2009, INAC awarded the contract to Neegan-Burnside, an Aboriginal engineering consultant based in Ontario. It is expected that the project will take 18 months, with an expected completion date of December, 2010.

INAC WATER, WASTEWATER AND DE-CENTRALIZED SYSTEMS PROTOCOLS

INAC continues to amend the Protocol for Safe Drinking Water for First Nation Communities, which has been in force since 2006. INAC is developing two new draft protocols, one for Wastewater Treatment and Disposal and the other for Decentralized Water and Wastewater Systems. The Wastewater protocol will have similar application to First Nations and will be part of the First Nations' contribution agreements. First Nations will be responsible for meeting its requirements.

The Decentralized Systems protocol deals with individual wells and septic systems. INAC is revising its policy on funding individual wells and septic systems and will consider funding these systems. The policy is limited to five households or greater and will not be retroactive prior to its date of application. Again, this will be part of the First Nation's funding agreement. These protocols are still in the draft stage.

The Housing and Infrastructure Secretariat and the AFN Technical Water Advisory Group have provided input in these draft protocols. The purpose is to assess private and public water and wastewater systems and associated operations. A draft revision of the Capital Facilities and Maintenance (CFM) policy for Potable Water and Wastewater and its corresponding Levels of Service Standard (LOSS) was released by INAC. This draft policy now includes funding for centrally managed on-site systems (wells, trucked water, water storage tanks, trucked sewage, septic tanks and tile fields).

WORLD WATER FORUM 2009

The Housing and Infrastructure Secretariat and AFN Environmental Stewardship Unit were involved in the drafting of an International Indigenous Water Declaration, which was presented at the 5th World Water Forum in Istanbul, Turkey in March, 2009.



ANTICIPATED OUTCOMES BY MARCH 31, 2010

- Continue to work with INAC on the water and wastewater legislation by:
 - Seeking opportunity to review and provide input on the report recommendations to the Minister;
 - Seek opportunity to work with the Government of Canada on a proper consultation process on water and wastewater legislation options; and
 - Continue to inform the Government of Canada that the infrastructure resource gap needs to be addressed prior to implementing a water and wastewater regulatory regime.
- Work with INAC on the National Engineering Assessment to ensure the consultant delivers a good project that will be supportive and provide a true picture of First Nations water and wastewater facility needs;
- Work with INAC to develop recommendations from the Operator Turnover Study;
- Work with Health Canada on water-related issues;
- Work with Environment Canada to develop options on how First Nations can be engaged in providing knowledgeable input into the Proposed Regulatory Framework for Wastewater Effluent;
- Continue to provide comments on the water, wastewater and de-centralized systems protocols;
- Complete a conceptual framework on how a First Nations/Indigenous Water Commission might function;
- Continue to provide comments on the World Water Forum water declaration.
- Investigate the need for another Housing and Water Policy Forum.



Consolidated Financial Statements of

NATIONAL INDIAN BROTHERHOOD

March 31, 2009

Auditors' Report

To the Executive Council of
National Indian Brotherhood

We have audited the consolidated balance sheet of National Indian Brotherhood as at March 31, 2009 and the consolidated statements of revenue and expenses, changes in net assets and cash flows for the year then ended. These financial statements are the responsibility of the Corporation's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these consolidated financial statements present fairly, in all material respects, the financial position of the Corporation as at March 31, 2009 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles. As required by the Canada Corporations Act, we report that, in our opinion, these principles have been applied on a basis consistent with that of the preceding year.

Deloitte & Touche LLP

Chartered Accountants
Licensed Public Accountants

May 29, 2009

NATIONAL INDIAN BROTHERHOOD

Consolidated Financial Statements

March 31, 2009

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NATIONAL INDIAN BROTHERHOOD
Consolidated Statement of Revenue and Expenses
year ended March 31, 2009

	<u>2009</u>	<u>2008</u>
Revenue		
Indian and Northern Affairs Canada (INAC) (Schedule 1)	\$ 11,772,026	\$ 14,512,787
Health Canada (Schedule 2)	10,509,219	9,575,269
Canadian Heritage (Schedule 2)	374,721	998,565
Indian Residential Schools Resolution Canada (IRSRC) (Schedule 2)	799,811	506,715
Human Resources and Skills Development Canada (HRSDC) (Schedule 2)	316,039	268,357
Fisheries and Oceans Canada (Schedule 2)	757,268	717,494
Hilsoft Inc.	-	1,363,385
Natural Resources Canada (Schedule 2)	-	100,000
Nuclear Waste Management (Schedule 2)	174,020	-
Environment Canada (Schedule 2)	187,028	-
All other departments (Schedule 2)	783,220	430,683
Trust Fund (Schedule 3)	73,748	70,327
	25,747,100	28,543,582
Expenses		
Advertising, promotion and publications	405,480	119,610
Audit	53,252	53,831
Amortization of capital assets	306,050	256,451
Insurance	26,159	25,813
Miscellaneous	102,629	194,880
Bad debt	689,129	-
Office expenses	1,488,088	1,214,285
Professional fees	3,872,121	4,222,755
Regional service delivery	2,947,519	4,803,491
Rent	1,539,193	1,486,535
Salaries and benefits	9,087,924	9,076,660
Travel and meetings	6,858,958	7,156,762
	27,376,502	28,611,073
DEFICIENCY OF REVENUE OVER EXPENSES	\$ (1,629,402)	\$ (67,491)

NATIONAL INDIAN BROTHERHOOD

Consolidated Balance Sheet

as at March 31, 2009

	<u>2009</u>	<u>2008</u>
CURRENT ASSETS		
Cash	\$ 1,723,135	\$ 741,912
In trust asset	19,637	18,037
Investments	-	400,000
Grants and contributions receivable (Note 3)	4,842,792	8,779,979
Other accounts receivable	1,608,961	1,193,274
GST recoverable	242,627	312,040
Prepaid expenses	201,029	214,606
	8,638,181	11,659,848
CAPITAL ASSETS (Note 4)	1,386,152	1,578,942
	\$ 10,024,333	\$ 13,238,790
CURRENT LIABILITIES		
Accounts payable and accrued liabilities	\$ 7,169,068	\$ 7,735,272
In trust liability	19,637	18,037
Deferred contributions (Note 6)	427,522	1,631,845
Excess contributions (Note 7)	1,750,114	1,259,686
Current portion of long-term debt (Note 8)	212,136	212,136
	9,578,477	10,856,976
DEFERRED CONTRIBUTIONS RELATED TO CAPITAL ASSETS (Note 9)	194,333	288,753
LONG-TERM DEBT (Note 8)	478,361	690,497
	10,251,171	11,836,226
CONTINGENCY (Note 10)		
NET ASSETS		
Invested in capital assets	501,322	387,556
Restricted funds (Note 11)	227,943	234,708
Unrestricted - general operations	(956,103)	780,300
	(226,838)	1,402,564
	\$ 10,024,333	\$ 13,238,790

ON BEHALF OF THE EXECUTIVE COUNCIL

_____ Phil Fontaine, National Chief

_____ Willy Erasmus, Regional Chief, Chairman Finance Committee

NATIONAL INDIAN BROTHERHOOD
Consolidated Statement of Changes in Net Assets
year ended March 31, 2009

	Invested in Capital Assets	Restricted Funds	Unrestricted - General Operations	Total	
				2009	2008
BALANCE, BEGINNING OF YEAR	\$ 387,556	\$ 234,708	\$ 780,300	\$ 1,402,564	\$ 1,470,055
Deficiency of revenue over expenses	-	-	(1,629,402)	(1,629,402)	(67,491)
Purchase of capital assets	113,260	-	(113,260)	-	-
Repayments on related debt	212,136	-	(212,136)	-	-
Amortization of capital assets	(306,050)	-	306,050	-	-
Amortization of deferred contributions related to capital assets	94,420	-	(94,420)	-	-
National Indian Brotherhood Trust Fund	-	(6,765)	6,765	-	-
BALANCE, END OF YEAR	\$ 501,322	\$ 227,943	\$ (956,103)	\$ (226,838)	\$ 1,402,564

NATIONAL INDIAN BROTHERHOOD

Consolidated Statement of Cash Flows

year ended March 31, 2009

	<u>2009</u>	<u>2008</u>
NET INFLOW (OUTFLOW) OF CASH RELATED TO THE FOLLOWING ACTIVITIES:		
OPERATING		
Deficiency of revenue over expenses	\$ (1,629,402)	\$ (67,491)
Items not affecting cash		
Amortization of deferred contributions related to capital assets	(94,420)	(1,485)
Amortization of capital assets	306,050	256,451
	(1,417,772)	187,475
Changes in non-cash operating working capital items (Note 12)	2,324,391	654,991
	906,619	842,466
INVESTING		
Purchase of capital assets	(113,260)	(333,076)
Sale of investments	400,000	-
	286,740	(333,076)
FINANCING		
Deferred contributions related to capital assets	-	290,238
Repayments on long-term debt	(212,136)	(212,136)
	(212,136)	78,102
NET CASH INFLOW	981,223	587,492
CASH, BEGINNING OF YEAR	741,912	154,420
CASH, END OF YEAR	\$ 1,723,135	\$ 741,912

NATIONAL INDIAN BROTHERHOOD

Notes to the Consolidated Financial Statements

year ended March 31, 2009

1. DESCRIPTION OF BUSINESS

The National Indian Brotherhood (the "Corporation") was incorporated under Part II of the Canada Corporations Act on September 29, 1970 with the following objectives:

- to assist and to work towards solutions for problems facing the First Nations people;
- to operate as a national body to both represent the First Nations people and to disseminate information to them;
- to study, in conjunction with First Nations representatives across Canada, the problems confronting First Nations and to make representations to the government and other organizations on their behalf;
- to assist in retaining the First Nations culture and values; and
- to act as the national spokesperson for First Nations throughout Canada.

The Corporation acts as the secretariat to the Assembly of First Nations ("AFN").

The Corporation is a not-for-profit organization and, as such, is not subject to income taxes.

2. SIGNIFICANT ACCOUNTING POLICIES

The consolidated financial statements have been prepared in accordance with Canadian generally accepted accounting principles (GAAP) for not-for-profit organizations and include the following significant accounting policies:

Financial instruments

All financial assets are classified as either held-for-trading, held-to-maturity investments, loans and receivables or available-for-sale. All financial liabilities are classified as held-for-trading or other liabilities.

The classification depends on the purpose for which the financial instruments were acquired or issued, their characteristics and the Corporation's designation of said instruments at the time of initial recognition. Settlement date accounting is used and transaction costs related to investments are expensed as incurred.

NATIONAL INDIAN BROTHERHOOD
Notes to the Consolidated Financial Statements
year ended March 31, 2009

2. SIGNIFICANT ACCOUNTING POLICIES (Continued)

Financial instruments (Continued)

Classification:

Cash	Held-for-trading
In trust asset	Held-for-trading
Guaranteed Investment Certificate	Held-to-maturity
Grants and contributions receivable	Loans and receivables
Other accounts receivable	Loans and receivables
Accounts payable and accrued liabilities	Other liabilities
In trust liability	Other liabilities
Excess contributions	Other liabilities
Long-term debt	Other liabilities

Held-for-trading

These financial instruments are measured at fair value at the balance sheet date. Fair value fluctuations including interest earned, interest accrued, gains and losses realized on disposal and unrealized gains and losses are included in interest revenue.

Loans and receivables

These financial assets are measured at amortized cost using the effective interest rate method, less any impairment.

Held-to-maturity

These financial assets are measured at amortized cost using the effective interest rate method, less any impairment.

Other liabilities

These financial liabilities are recorded at amortized cost using the effective interest rate method.

Revenue recognition

The Corporation follows the deferral method of accounting for contributions.

Unrestricted contributions are recognized as revenue of the appropriate program when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

NATIONAL INDIAN BROTHERHOOD

Notes to the Consolidated Financial Statements

year ended March 31, 2009

2. SIGNIFICANT ACCOUNTING POLICIES (Continued)

Revenue recognition (Continued)

Restricted contributions are recognized as revenue of the appropriate program in the year in which the related expenses are incurred.

Contributions received towards the acquisition of capital assets are deferred and amortized to income on the same basis as the related depreciable capital assets are amortized.

Basis of consolidation

The financial statements include the accounts of the Corporation and those of the National Indian Brotherhood Trust Fund which is controlled by the Corporation. All significant inter-organization transactions and balances have been eliminated on consolidation.

Capital assets

Capital assets are recorded at cost. Contributed capital assets are recorded at estimated fair value at the date of contribution.

Amortization is provided on the straight-line basis over the estimated useful lives of the assets as follows:

Computer equipment	3 years
Office equipment	3 years
Leasehold improvements	10 years

Impairment of long-lived assets

Long-lived assets are tested for recoverability whenever events or changes in circumstances indicate that their carrying amount may not be recoverable. An impairment loss is recognized when their carrying value exceeds the total undiscounted cash flows expected from their use and eventual disposition. The amount of the impairment loss is determined as the excess of the carrying value of the asset over its fair value.

Excess contributions

The excess of revenue over expenses of some programs may require repayment and is recorded as a liability. When approval to retain the funds has been received, the excess is then recorded as revenue.

NATIONAL INDIAN BROTHERHOOD

Notes to the Consolidated Financial Statements

year ended March 31, 2009

2. SIGNIFICANT ACCOUNTING POLICIES (Continued)

Use of estimates

The preparation of financial statements in conformity with Canadian GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from these estimates.

The estimated useful life of the capital assets and the net realizable value of grants, contributions and other accounts receivable are the most significant items where estimates are used.

Accounting changes - Section 1535, Capital Disclosures

On April 1, 2008, the Corporation adopted a new disclosure standard that was issued by the Canadian Institute of Chartered Accountants (CICA): Handbook Section 1535, *Capital Disclosures*.

Section 1535 specifies the disclosure of (i) an entity's objectives, policies and procedures and process for managing capital; (ii) quantitative data about what the entity regards as capital; (iii) whether the entity has complied with any capital requirements; and (iv) if it has not complied, the consequences of such non-compliance.

The Corporation's objectives when managing capital are to safeguard the Corporation's ability to continue as a not-for-profit organization and meet the objectives of the different funds as described in Note 11 of the consolidated financial statements. The Corporation manages several funding agreements with external restrictions that specify the conditions for using these financial resources. The Corporation has complied with the requirements respecting these restricted contributions.

The Corporation monitors its capital by reviewing various financial metrics, including cash flows and variances to forecasts and budgets.

Accounting changes - Section 3855, Financial Instruments - Recognition and Measurement

On April 23, 2008, the CICA amended Section 3855, *Financial Instruments - Recognition and Measurement* of the CICA Handbook. The amended section allows not-for-profit organizations to elect not to account for certain non-financial contracts as derivatives and also not to account for certain derivative features embedded in non-financial contracts, leases and insurance contracts as embedded derivatives. If the organization did not elect this option it would be required to account for derivative financial instruments and embedded derivative financial instruments in accordance with the guidance in Section 3855.

NATIONAL INDIAN BROTHERHOOD

Notes to the Consolidated Financial Statements

year ended March 31, 2009

2. SIGNIFICANT ACCOUNTING POLICIES (Continued)

Accounting changes - Section 3855, Financial Instruments - Recognition and Measurement (Continued)

The Corporation has elected to adopt these amendments to Section 3855 effective for its fiscal year beginning on April 1, 2008 and has elected not to account for non-financial contracts as derivatives, and not to account for embedded derivatives in non-financial contracts, leases and insurance contracts as embedded derivatives.

Accounting changes - Section 3862 and 3863, Financial Instruments - Disclosures and Presentation

The Corporation did not adopt CICA 3862 and 3863 *Financial Instruments - Disclosures and Presentation* this year as the adoption of these sections became optional in late 2008 for not-for-profit organizations.

Future accounting changes - Section 4400, Financial Statements by Not-For-Profit Organizations

In September 2008, the CICA issued amendments to several of the existing sections in the 4400 series *Financial Statements by Not-For-Profit Organizations*. Changes apply to annual financial statements relating to fiscal years beginning on or after January 1, 2009. Accordingly, the Corporation will have to adopt the amended standards for its fiscal year beginning April 1, 2009. The amendments include: a) additional guidance in the applicability of Section 1100, *Generally Accepted Accounting Principles*; b) removal of the requirement to report separately net assets invested in capital assets; c) requirement to disclose revenues and expenses in accordance with EIC 123, *Reporting Revenue Gross as a Principal Versus Net as an Agent*; d) requirement to include a statement of cash flows in accordance with Section 1540, *Cash Flow Statements*; e) requirement to apply Section 1751, *Interim Financial Statements*, when preparing interim financial statements in accordance with GAAP; f) requirement for non-for-profit organizations that recognize capital assets to depreciate and assess these capital assets for impairment in the same manner as other entities reporting on a GAAP basis; g) requirement to disclose related party transactions in accordance with Section 3840, *Related Party Transactions*; and h) new disclosure requirements regarding the allocation of fundraising and general support costs.

The Corporation is currently evaluating the impact of the adoption of these new standards on its financial statements. The Corporation does not expect that the adoption of these new sections will have a material impact on its consolidated financial statements.

NATIONAL INDIAN BROTHERHOOD
Notes to the Consolidated Financial Statements
year ended March 31, 2009

3. GRANTS AND CONTRIBUTIONS RECEIVABLE

Grants and contributions receivable are as follows:

	<u>2009</u>	<u>2008</u>
Canadian International Development Agency	\$ 85,000	\$ -
Indian and Northern Affairs Canada	1,611,803	2,323,005
Health Canada	427,840	3,810,165
Canadian Heritage	1,513,938	1,500,714
Indian Residential Schools Resolution Canada	85,000	185,883
Human Resources and Skills Development Canada	290,000	30,012
Fisheries and Oceans Canada	1,190,432	721,209
Natural Resources Canada	-	150,000
Environment Canada	202,526	58,991
Nuclear Waste Management	125,382	-
	<u>5,531,921</u>	<u>8,779,979</u>
Allowance for doubtful accounts	(689,129)	-
	<u>\$ 4,842,792</u>	<u>\$ 8,779,979</u>

4. CAPITAL ASSETS

	<u>2009</u>			<u>2008</u>
	<u>Cost</u>	<u>Accumulated Amortization</u>	<u>Net Book Value</u>	<u>Net Book Value</u>
Computer equipment	\$ 1,732,182	\$ 1,531,450	\$ 200,732	\$ 298,347
Office equipment	539,010	400,386	138,624	70,662
Leasehold improvements	1,631,370	584,574	1,046,796	1,209,933
	<u>\$ 3,902,562</u>	<u>\$ 2,516,410</u>	<u>\$ 1,386,152</u>	<u>\$ 1,578,942</u>

5. CREDIT FACILITY

The Corporation has a banking agreement which establishes a demand credit facility for general business purposes up to a maximum of \$2,500,000, bearing interest at prime plus 1%. The loan is secured by a general security agreement representing a first charge over all of the Corporation's assets. The balance outstanding at year-end is \$NIL (2008 - \$NIL).

NATIONAL INDIAN BROTHERHOOD
Notes to the Consolidated Financial Statements
year ended March 31, 2009

6. DEFERRED CONTRIBUTIONS

Changes in the deferred contributions balance are as follows:

	<u>2009</u>	<u>2008</u>
Balance, beginning of year	\$ 1,631,845	\$ 1,115,716
Contributions received during the year	20,178,316	20,290,457
Contributions recognized as revenue during the year	<u>(21,382,639)</u>	<u>(19,774,328)</u>
Balance, end of year	<u>\$ 427,522</u>	<u>\$ 1,631,845</u>

The balance, end of year is detailed as follows:

Indian and Northern Affairs Canada	\$ 194,333	\$ 67,000
Canadian International Development Agency	63,192	-
Health Canada	-	1,258,523
Natural Resources Canada	87,060	-
Election Canada	-	169,950
Other	<u>82,937</u>	<u>136,372</u>
	<u>\$ 427,522</u>	<u>\$ 1,631,845</u>

7. EXCESS CONTRIBUTIONS

Excess contributions are as follows:

	<u>2009</u>	<u>2008</u>
Indian and Northern Affairs Canada	\$ 162,144	\$ 286,858
Health Canada	1,400,219	432,375
Canadian Heritage	178,779	540,276
Environment Canada	8,972	59
Other	<u>-</u>	<u>118</u>
	<u>\$ 1,750,114</u>	<u>\$ 1,259,686</u>

The Corporation recognized revenue of \$NIL from these excess contributions in fiscal 2009 (2008 - \$NIL).

NATIONAL INDIAN BROTHERHOOD
Notes to the Consolidated Financial Statements
year ended March 31, 2009

8. LONG-TERM DEBT

	<u>2009</u>	<u>2008</u>
Leasehold improvements payable, maturing in 2014, unsecured and non-interest-bearing, payable by monthly installments of \$17,678 until 2011 and of \$9,511 thereafter	\$ 690,497	\$ 902,633
Current portion	<u>212,136</u>	<u>212,136</u>
	<u>\$ 478,361</u>	<u>\$ 690,497</u>

Principal payments required in each of the next five years are as follows:

2010	\$ 212,136
2011	212,136
2012	114,137
2013	114,137
2014	37,951

9. DEFERRED CONTRIBUTIONS RELATED TO CAPITAL ASSETS

Changes in the deferred contributions balance are as follows:

	<u>2009</u>	<u>2008</u>
Balance, beginning of year	\$ 288,753	\$ -
Contributions received from INAC during the year	-	290,238
Amortization of deferred contributions related to capital assets	<u>(94,420)</u>	<u>(1,485)</u>
Balance, end of year	<u>\$ 194,333</u>	<u>\$ 288,753</u>

NATIONAL INDIAN BROTHERHOOD

Notes to the Consolidated Financial Statements

year ended March 31, 2009

10. CONTINGENCY

The Corporation receives funding from various government agencies based on specific program needs and budgets and allocates certain expenses to the various programs. In many cases, the funding agent has the right to review the accounting records to ensure compliance with the terms and conditions of their programs. At this time, no estimate of the requirements, if any, to reimburse the agencies can be made. Management of the Corporation feels that their allocations of expenses are fair and appropriate in the circumstances. Adjustments to the financial statements as a result of these reviews, if any, will be recorded in the period in which they become known.

11. THE NATIONAL INDIAN BROTHERHOOD TRUST FUND

The consolidated financial statements include the accounts of the National Indian Brotherhood Trust Fund; which is controlled by the Corporation. A summary description of this controlled entity is provided below.

The Trust Fund was established as a registered charity under paragraph 149 (i)(f) of the Income Tax Act and is comprised of the Language and Literacy Fund, the Youth Healing Fund, the Research Sponsor Fund and the Heroes Award Fund.

Restricted funds are comprised of the following and are to be used for the purposes described below:

- The Language and Literacy Fund was established to promote education of First Nations' citizens by way of scholarship awards and promotion research, seminars, conferences of an academic nature on First Nations rights, histories and cultures among First Nations' peoples as well as the Canadian public.
- The Youth Healing Fund was established to support efforts to improve the self-esteem and profile of First Nations' Youth in Canada by organizing events which may bring together First Nations' Youth with political leaders and elders for spiritual and leadership training and support in the Youth's representation of the Nations at conferences and gatherings in Canada and internationally.
- The Research Sponsor Fund was established in 2001 with the purpose to participate in research into the economic, social and scientific problems of Indian communities with a view to proposing solutions to the problems.

NATIONAL INDIAN BROTHERHOOD
Notes to the Consolidated Financial Statements
year ended March 31, 2009

11. THE NATIONAL INDIAN BROTHERHOOD TRUST FUND (Continued)

- The Heroes Award Fund was established in 2001 with the purpose of giving recognition to those First Nations' citizens who demonstrate a proven record of intellectual and academic ability, integrity of character, interest and respect for fellow human beings, ability to lead, and the initiative to use their talents to the fullest.

The Corporation appoints the Executive Council of the Trust Fund and ensures that the Trust Fund operates in compliance with the Corporation's Charter.

12. CHANGES IN NON-CASH OPERATING WORKING CAPITAL ITEMS

	<u>2009</u>	<u>2008</u>
Grants and contributions receivable	\$ 3,937,187	\$ (1,738,023)
Other accounts receivable	(415,687)	(376,033)
GST recoverable	69,413	(19,269)
Prepaid expenses	13,577	137,397
Accounts payable and accrued liabilities	(566,204)	1,672,239
Deferred contributions	(1,204,323)	516,129
Excess contributions	490,428	462,551
	<u>\$ 2,324,391</u>	<u>\$ 654,991</u>

13. COMMITMENTS

The Corporation is committed to future minimum lease payments totaling \$7,730,638 under operating leases for office space and equipment for which minimum annual payments for each of the next five years are as follows:

2010	\$ 1,581,928
2011	1,566,112
2012	1,542,967
2013	1,535,563
2014	1,504,068

NATIONAL INDIAN BROTHERHOOD

Notes to the Consolidated Financial Statements

year ended March 31, 2009

14. EXECUTIVE SALARIES

By virtue of an Annual General Assembly Resolution (62/98), the National Chief of the Assembly of First Nations (AFN) receives a salary which is adjusted annually in connection with the Consumer Price Index. Similarly, by virtue of a Confederacy of Nations resolution and an Executive Committee resolution, each Regional Chief is allocated a Director's fee. Management and unelected officials are compensated within average industry remuneration levels for their positions.

15. RETIREMENT ASSISTANCE

The Corporation contributes to a defined contribution Pension Plan for its employees and Regional Chiefs. Contributions are up to 6% of an employee's salary. The employer's contributions for the year were \$422,578 (2008 - \$445,097).

16. FINANCIAL INSTRUMENTS

Fair value

The fair value of long-term debt is determined using the present value of future cash flows under current financing agreements, based on the Corporation's current estimated borrowing rate for loans with similar terms and conditions. The fair value of the long-term debt is estimated at \$877,851 at March 31, 2009 (\$967,407 at March 31, 2008).

Credit risk

The risk arises from the potential that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss.

The Corporation's various receivables represents credit provided for the Corporation's programs. The credit is provided mainly to the federal government and accordingly presents minimal credit risk to the Corporation.

The maximum credit exposure of the Corporation is represented by the fair value of the investments and various amounts receivable as presented in the consolidated balance sheet.

Interest rate risk

Interest rate risk refers to the adverse consequences of interest rate changes on the Corporation's cash flows, financial position, investment income and interest expenses. The Corporation's bank indebtedness and investments are exposed to interest rate changes. The impact of adverse changes in rates is not considered material.

NATIONAL INDIAN BROTHERHOOD

Statement of Revenue and Expenses

Indian and Northern Affairs Canada (INAC)

year ended March 31, 2009

	Basic Organizational Capacity	First Nation Policy Process Mandate for Change	Education	First Nation Housing and Infrastructure	Social Development	Youth Summer Student
Revenue						
Contribution/Grant - INAC	\$ 5,000,000	\$ 2,500,000	\$ 766,336	\$ 569,500	\$ 187,624	\$ 9,179
Contribution/Grant - Other	-	-	-	-	-	-
Miscellaneous	143,831	8,892	110,330	22,500	867	-
Registration fees	-	149,359	-	-	-	-
	5,143,831	2,658,251	876,666	592,000	188,491	9,179
Expenses						
Advertising, promotion and publications	29,334	6,929	1,979	1,442	115	-
Allocation of administrative expenses	(536,802)	(94,730)	-	-	-	-
Audit	53,252	-	-	-	-	-
Amortization of capital assets	176,646	1,015	1,787	112	28	-
Insurance	12,556	2,501	1,260	899	721	-
Miscellaneous	6,315	7,355	-	-	75	-
Office expenses	326,631	178,028	66,693	32,626	16,674	-
Professional fees	329,001	273,739	35,920	76,128	(49,785)	-
Regional service delivery	912,615	228,154	-	-	-	-
Rent	322,746	75,005	129,270	79,747	52,419	-
Salaries and benefits	3,280,783	675,524	544,790	395,572	187,817	9,192
Travel and meetings	931,626	1,325,897	95,068	126,216	16,979	-
	5,844,703	2,679,417	876,767	712,742	225,043	9,192
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES	\$ (700,872)	\$ (21,166)	\$ (101)	\$ (120,742)	\$ (36,552)	\$ (13)

NATIONAL INDIAN BROTHERHOOD
Statement of Revenue and Expenses
Indian and Northern Affairs Canada (INAC)
year ended March 31, 2009

	Consultation and Accommodation	NAWS	Economic Development	International Trade & Economic Summit	Treaty Implementation Conference	Specific Claim
Revenue						
Contribution/Grant - INAC	\$ 225,077	\$ 25,000	\$ 194,660	\$ 140,000	\$ 239,496	\$ 376,717
Contribution/Grant - Other	-	-	-	110,000	-	-
Miscellaneous	-	-	4,022	220,856	-	553
Registration fees	-	-	-	115,260	120	-
	225,077	25,000	198,682	586,116	239,616	377,270
Expenses						
Advertising, promotion and publications	206	-	4,382	10,408	170	114
Allocation of administrative expenses	-	-	-	-	-	-
Audit	-	-	-	-	-	-
Amortization of capital assets	70	-	28	28	42	28
Insurance	-	-	180	-	-	-
Miscellaneous	-	-	674	500	-	-
Office expenses	5,423	-	17,895	29,791	4,623	10,127
Professional fees	(25,117)	-	(5,757)	107,426	39,205	132,489
Regional service delivery	-	-	-	-	-	-
Rent	10,434	-	41,154	3,419	5,522	12,308
Salaries and benefits	64,731	-	158,375	21,831	86,880	156,740
Travel and meetings	70,197	26,349	41,968	312,531	103,174	65,464
	125,944	26,349	258,899	485,934	239,616	377,270
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES	\$ 99,133	\$ (1,349)	\$ (60,217)	\$ 100,182	\$ -	\$ -

NATIONAL INDIAN BROTHERHOOD
Statement of Revenue and Expenses
Indian and Northern Affairs Canada (INAC)
 year ended March 31, 2009

	IRS Negotiations	Modernization	Membership and Registration Issues	Elections and Leadership Selection	Total	
					2009	2008
Revenue						
Contribution/Grant - INAC	\$ 202,738	\$ 94,420	\$ 199,385	\$ 155,304	\$ 10,885,436	\$ 14,018,557
Contribution/Grant - Other	-	-	-	-	110,000	-
Miscellaneous	-	-	-	-	511,851	360,305
Registration fees	-	-	-	-	264,739	133,925
	202,738	94,420	199,385	155,304	11,772,026	14,512,787
Expenses						
Advertising, promotion and publications	-	-	226	226	55,531	46,449
Allocation of administrative expenses	-	-	-	-	(631,532)	(1,023,846)
Audit	-	-	-	-	53,252	49,413
Amortization of capital assets	-	94,420	56	56	274,316	224,044
Insurance	-	-	-	180	18,297	20,223
Miscellaneous	-	-	-	-	14,919	66,852
Office expenses	-	-	3,882	3,866	696,259	697,731
Professional fees	207,132	-	52,775	36,966	1,210,122	1,804,634
Regional service delivery	-	-	-	-	1,140,769	1,809,010
Rent	-	-	15,218	11,059	758,301	864,050
Salaries and benefits	-	-	69,706	73,425	5,725,366	6,008,211
Travel and meetings	569	-	57,522	29,526	3,203,086	3,854,220
	207,701	94,420	199,385	155,304	12,518,686	14,420,991
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES	\$ (4,963)	\$ -	\$ -	\$ -	\$ (746,660)	\$ 91,796

NATIONAL INDIAN BROTHERHOOD
Statement of Revenue and Expenses
Other Funding Agencies
year ended March 31, 2009

	Health Canada	Canadian Heritage	IRSRC	HRSDC	Fisheries and Oceans
Revenue					
Contribution/Grant	\$ 10,388,031	\$ 374,721	\$ 535,000	\$ 290,118	\$ 748,471
Sale of publications	-	-	540	-	-
Miscellaneous	83,538	-	264,271	10,346	8,797
Registration fees	37,650	-	-	15,575	-
	10,509,219	374,721	799,811	316,039	757,268
Expenses					
Advertising, promotion and publications	197,144	736	15,119	189	6,654
Allocation of administrative expenses	448,225	18,414	59,153	1,558	59,420
Amortization of capital assets	25,157	84	28	56	168
Insurance	4,587	359	721	359	944
Miscellaneous	7,725	-	1,615	640	-
Bad debt	-	689,129	-	-	-
Office expenses	549,382	25,041	29,762	27,007	62,270
Professional fees	2,101,033	62,868	90,043	8,748	35,597
Regional service delivery	1,806,750	-	-	-	-
Rent	517,557	43,232	46,954	37,194	71,847
Salaries and benefits	2,369,168	146,158	182,045	126,798	311,984
Travel and meetings	2,485,496	77,822	395,926	114,929	208,384
	10,512,224	1,063,843	821,366	317,478	757,268
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES	\$ (3,005)	\$ (689,122)	\$ (21,555)	\$ (1,439)	\$ -

NATIONAL INDIAN BROTHERHOOD
Statement of Revenue and Expenses
Other Funding Agencies
year ended March 31, 2009

	Nuclear Waste Management		Environment Canada		Other		Total	
	2009	2008	2009	2008	2009	2008	2009	2008
Revenue								
Contribution/Grant	\$ 174,020	\$ 187,028	\$ -	\$ -	\$ -	\$ -	\$ 12,697,389	\$ 13,073,304
Sale of publications	-	-	-	-	-	-	540	2,153
Miscellaneous	-	-	783,220	-	-	-	1,150,172	740,429
Registration fees	-	-	-	-	-	-	53,225	144,582
	174,020	187,028	783,220	783,220	-	-	13,901,326	13,960,468
Expenses								
Advertising, promotion and publications	9,368	114	120,625	114	349,949	73,161		
Allocation of administrative expenses	22,698	16,495	5,568	16,495	631,531	1,023,846		
Amortization of capital assets	56	28	6,157	28	31,734	32,407		
Insurance	-	225	667	225	7,862	5,590		
Miscellaneous	-	-	15,539	-	25,519	64,499		
Bad debt	-	-	-	-	689,129	-		
Office expenses	10,206	3,610	84,551	3,610	791,829	516,554		
Professional fees	12,041	16,478	316,869	16,478	2,643,677	2,406,380		
Regional service delivery	-	-	-	-	1,806,750	2,994,481		
Rent	12,389	22,973	28,746	22,973	780,892	622,485		
Salaries and benefits	71,307	71,379	83,719	71,379	3,362,558	3,068,449		
Travel and meetings	35,955	55,726	281,634	55,726	3,655,872	3,302,542		
	174,020	187,028	944,075	187,028	14,777,302	14,110,394		
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES	\$ -	\$ -	\$ (160,855)	\$ -	\$ (875,976)	\$ (149,926)		

NATIONAL INDIAN BROTHERHOOD
Statement of Revenue and Expenses
Trust Fund
year ended March 31, 2009

	<u>2009</u>	<u>2008</u>
Revenue		
Miscellaneous	\$ 73,748	\$ 70,327
Expenses		
Audit	4,346	4,418
Other professional services	13,976	11,741
Miscellaneous	62,191	63,529
	<u>80,513</u>	<u>79,688</u>
DEFICIENCY OF REVENUE OVER EXPENSES	\$ (6,765)	\$ (9,361)

