



Crown-Indigenous Relations  
and Northern Affairs Canada

Relations Couronne-Autochtones  
et Affaires du Nord Canada

# Statutory report pursuant to section 10 of the *Department of Crown-Indigenous Relations and Northern Affairs Act, Statutes of Canada, chapter 29, 2019*



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## Message from the Ministers



We are pleased to table the 2020–21 report on the measures taken to support reconciliation and advance Indigenous self-determination.

This report reflects on what we have jointly accomplished with partners between April 1, 2020, and March 31, 2021, while highlighting areas requiring further effort. As a result of the reporting period, the report excludes the launch of the Missing and Murdered Indigenous Women, Girls and 2SLGBTQQA+ People National Action Plan, which was on June 3, 2021. The plan outlines the concrete steps needed to make the changes that will end this national tragedy. Our way forward in reconciliation is guided by the following:

- the Report of the Royal Commission on Aboriginal Peoples
- the Qikiqtani Truth Commission
- the Truth and Reconciliation Commission of Canada's Calls to Action
- the National Inquiry into Missing and Murdered Indigenous Women and Girls' Calls for Justice
- the implementation of the United Nations Declaration on the Rights of Indigenous Peoples
- the Arctic and Northern Policy Framework.

To address racism and decolonize our institutions, we need to advance efforts on reconciliation and renew our relationships with First Nations, Inuit and Métis based on recognition of rights, respect, cooperation and partnership.

This past year has shown that we must not slow our efforts. From the tragic death of Joyce Echaquan to the locating of unmarked graves at residential schools, more Canadians are aware of the historical and contemporary injustices suffered by Indigenous Peoples. Both Orange Shirt Day and the National Day for Truth and Reconciliation took place on September 30, 2021, providing an opportunity for all Canadians to reflect on the lasting impacts and painful legacy of the residential school system. Longstanding social and economic inequities faced by Indigenous Peoples and Northerners in Canada, such as food security and access to employment, education

and quality health care, have—in many cases—worsened because of the pandemic. We are focusing our efforts to address these issues, as well as the systemic racism and barriers that allow this inequality to persist. We now have an opportunity to address the priorities identified by Indigenous Peoples with the lessons learned from the pandemic—environmentally, economically and socially—and ensure a more inclusive future for all Indigenous Peoples in Canada.

Canada is working alongside First Nations, Inuit and the Métis Nation to implement their visions of self-determination and the priorities they identify for investment, including transportation, telecommunications, energy, social and health infrastructure, and housing. With the ongoing COVID-19 pandemic impacting Indigenous communities, self-determined solutions are—and will continue to be—crucial steps to advancing reconciliation.

To build a stronger and healthier nation, a renewed focus on public communication that is coordinated across government is required, to both share information and engage Canadians in a discussion on the priorities Indigenous partners have identified and how they can get involved in the path forward. We acknowledge that we must work collectively with Indigenous and Northern leaders to develop a path that respects the distinct histories, cultures and circumstances of First Nations, Inuit and the Métis Nation in Canada.

We recognize that our path of reconciliation is long and challenging. However, it is a journey on which we must absolutely proceed together. We know there is still much more work ahead of us as a country. Meaningful reconciliation with Indigenous Peoples is foundational to a better future for everyone.



The Honourable Marc Miller  
Minister of Crown-Indigenous Relations



The Honourable Dan Vandal  
Minister of Northern Affairs

**Second Annual (2021) Statutory Report Pursuant to Section 10 of the *Department of Crown-Indigenous Relations and Northern Affairs Act*, Statutes of Canada, Chapter 29, 2019**

**Table of Contents**

Introduction.....	1
<i>Mandate of the Department of Crown-Indigenous Relations and Northern Affairs.....</i>	<i>1</i>
<i>Structure of Crown-Indigenous Relations and Northern Affairs Canada.....</i>	<i>2</i>
Reconciliation.....	3
Self-Determination.....	3
<b>1: Advancing Reconciliation by Acknowledging and Addressing the Past.....</b>	<b>4</b>
<b>Measures Taken .....</b>	<b>4</b>
<i>National Action Plan in Response to Missing and Murdered Indigenous Women and Girls .....</i>	<i>4</i>
<i>Reconciliation Through Relationships with Indigenous Women’s Organizations.....</i>	<i>5</i>
<i>Implementing the Truth and Reconciliation Commission Calls to Action.....</i>	<i>5</i>
<i>Reparations and Settlements of Past Wrongs.....</i>	<i>7</i>
<i>Settling Specific Claims .....</i>	<i>7</i>
<i>Addition of Lands to Reserve .....</i>	<i>8</i>
<b>2: Creating Conditions for Self-Determination and Renewed Relationships.....</b>	<b>8</b>
<b>Measures Taken .....</b>	<b>8</b>
<i>Ongoing Response to the COVID-19 Pandemic.....</i>	<i>8</i>
<i>Legislation to Implement the United Nations Declaration on the Rights of Indigenous Peoples and the Implementation Plan.....</i>	<i>9</i>
<i>Permanent Bilateral Mechanism Process and Other Forums Update.....</i>	<i>10</i>
<i>Update on Post-Daniels Decision .....</i>	<i>11</i>
<i>Negotiating Treaties and Agreements.....</i>	<i>11</i>
<i>Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia .....</i>	<i>12</i>
<i>Redesigning the Comprehensive Land Claims and Inherent Right Policies.....</i>	<i>12</i>
<i>Ongoing Implementation of Modern Treaties and Agreements.....</i>	<i>13</i>
<i>Continuing Collaborative Self-Government Fiscal Policy Development Process.....</i>	<i>13</i>
<i>Loan reform: forgiveness and reimbursement.....</i>	<i>14</i>
<i>Nation Rebuilding Program.....</i>	<i>14</i>

<b><i>Supporting the New Fiscal Relationship and Supporting First Nation Fiscal Institutions .....</i></b>	<b><i>14</i></b>
<b><i>Guidance, Advisory and Information Services on Consultation and Accommodation with Indigenous Peoples .....</i></b>	<b><i>15</i></b>
<b><i>Métis Nation Housing Strategy update.....</i></b>	<b><i>16</i></b>
<b><i>Northern Self-Determination .....</i></b>	<b><i>17</i></b>
<b><i>Arctic and Northern Policy Framework .....</i></b>	<b><i>17</i></b>
<b><i>Nunavut Devolution .....</i></b>	<b><i>18</i></b>
<b><i>Inuit Nunangat Policy .....</i></b>	<b><i>19</i></b>
<b><i>Inuit Nunangat Housing Strategy.....</i></b>	<b><i>19</i></b>
<b><i>Post-Secondary Education Initiatives .....</i></b>	<b><i>20</i></b>
<b><i>Food Security – Nutrition North.....</i></b>	<b><i>20</i></b>
<b><i>Climate Change.....</i></b>	<b><i>20</i></b>
<b><i>Northern Participant Funding Program .....</i></b>	<b><i>21</i></b>
<b><i>Arctic Regional Environmental Studies .....</i></b>	<b><i>22</i></b>
<b><i>Northern Contaminants Program.....</i></b>	<b><i>22</i></b>
<b><i>Northern Abandoned Mine Reclamation .....</i></b>	<b><i>22</i></b>
<b><i>Taltson Hydroelectricity Expansion Project.....</i></b>	<b><i>23</i></b>
<b>Conclusion .....</b>	<b>23</b>

## **Introduction**

The *Department of Crown-Indigenous Relations and Northern Affairs Act* came into force on July 15, 2019 and established Crown Indigenous Relations and Northern Affairs Canada (CIRNAC), while the *Department of Indigenous Services Act* established Indigenous Services Canada (ISC). These two departments replaced the former Indian and Northern Affairs Canada (INAC) – legally, the Department of Indian Affairs and Northern Development – which was abolished by the *Budget Implementation Act, 2019*.

Under the *Department of Crown-Indigenous Relations and Northern Affairs Act*, the Minister must table in each House of Parliament, within three months after the end of the fiscal year or, if the House is not then sitting, on any of the first fifteen days of the next sitting of the House, a report on the measures taken to advance self-determination, and reconciliation with Indigenous Peoples. The first report of its kind was tabled on October 5, 2020. The present report is the second since the Department was established, and covers the period from April 1, 2020 to March 31, 2021.

The reporting period covers Canada's unprecedented response to the COVID-19 pandemic, which had cascading impacts on both the work of the Department and of Indigenous partners. The crisis exacerbated known and long-standing vulnerabilities of Indigenous Peoples and other vulnerable groups across Canada, while at the same time demonstrating the resilience and capacity of Indigenous communities in the face of adversity. The collective efforts of CIRNAC and multiple government departments, provincial and territorial governments, and Indigenous leadership at the national and community levels, is a clear example of what can be achieved through collaborative relationships and partnerships, with lessons learned in the past year that could usefully inform best practices going forward.

This past year was also marked by a growing global movement to address systemic racism in all its forms. In Canada, it is crucial that we confront racism towards Indigenous Peoples embedded in our institutions and social structures, and to implement the concrete reforms called for by the Truth and Reconciliation Commission, by the National Inquiry on Missing and Murdered Indigenous Women and Girls, and through the results of National Dialogues on racism in the health care system.

### ***Mandate of the Department of Crown-Indigenous Relations and Northern Affairs***

CIRNAC was established to carry out activities that support the Government of Canada's commitment to work towards reconciliation with First Nations, Inuit, and Métis through renewed nation-to-nation, Inuit-Crown, and government-to-government relationships based on affirmation and implementation of rights, respect, cooperation and partnership. CIRNAC also works to promote respect for the rights of Indigenous Peoples as recognized and affirmed by section 35 of the *Constitution Act, 1982*, and implementation of the United Nations Declaration on the Rights of Indigenous Peoples. Key activities include: facilitating collaboration and cooperation with Indigenous Peoples and with the provinces and territories in relation to entering into and implementing agreements; the recognition and implementation of treaties concluded between the Crown and Indigenous Peoples; promoting self-determination, prosperity and well-being for the residents and communities of the Canadian North, taking into account their respective needs and challenges; recognizing and encouraging Indigenous ways of knowing, being and doing; and, promoting public awareness and understanding of the importance of working toward and contributing to reconciliation with Indigenous Peoples.

To achieve a coherent whole-of-government federal approach to Crown-Indigenous relationships, CIRNAC works in partnership with other government departments. CIRNAC and Indigenous Services Canada are mandated to work together to transfer control and jurisdiction of service delivery to Indigenous communities. CIRNAC is responsible for continuing to modernize institutional structures and governance so that Indigenous Peoples can build capacity that supports the implementation of their vision of self-determination. In parallel, ISC's primary responsibilities are focused on capacity building to improve access to high-quality services, and to support Indigenous Peoples in assuming control of the delivery of services at the pace and in the ways they choose. Such services include child and family services, health care, education, social programs, and economic development.

### ***Structure of Crown-Indigenous Relations and Northern Affairs Canada***

Five sectors support the Department in its achievement of its mandate:

The **Policy and Strategic Direction Sector** shapes the overall departmental agenda for advancing Indigenous and Northern issues through strategic approaches to policy, relationships, and litigation management, including the coordination of short, medium, and long-term policy planning, as well as Cabinet, legislative and parliamentary affairs. The Sector also supports the management of the Permanent Bilateral Mechanisms, federal-provincial-territorial relations, international affairs, the work with the Métis Nation, non-status First Nations and urban Indigenous Peoples, funding to Indigenous representative organizations, the implementation of the Truth and Reconciliation Commission Calls to Action and the response to the National Inquiry into Missing and Murdered Indigenous Women and Girls.

The **Treaties and Aboriginal Government Sector** leads the negotiations of treaties, agreements, and other constructive arrangements, and works with partners to develop the policy and fiscal approaches to support self-determination through these agreements. The Sector works collaboratively with Indigenous partners to identify and address common impediments to agreements, and to co-develop innovative approaches for advancing negotiations based on the recognition of rights, respect, cooperation, and partnership. The Sector is also responsible for demonstrating leadership, advancing coordination, and identifying emerging issues across the federal system with respect to rights-related discussions with Indigenous partners.

The **Implementation Sector** implements the nation-to-nation, Inuit-Crown, and government-to-government relationships with modern treaty and self-government partners, working to ensure that federal obligations under treaties and agreements are respected and fulfilled. The Sector undertakes its work in a variety of different ways, by working bilaterally with Modern Treaty signatories and through the whole-of-government implementation of the Cabinet Directive on the Federal Approach to Modern Treaty Implementation. The Sector also supports government departments and agencies to understand and fulfill their constitutional obligations around the Duty to Consult with Indigenous Peoples. Finally, the Sector is the Departmental lead for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, working in close collaboration with other government departments and agencies, and with Indigenous Peoples.

The **Resolution and Partnerships Sector** works to resolve outstanding historical grievances, including resolving specific claims, which deal with past wrongs against First Nations related to the federal government's administration of land and other First Nation assets and to the non-fulfilment of historic treaties, the implementation of the Indian Residential Schools Settlement



Agreement and the strategic management of Indigenous Childhood Claims settlements and litigation. The sector also supports self-determination as it manages the relationship with the First Nations Fiscal Institutions, advances institutional development, governance and land management through enhancements to the *First Nations Fiscal Management Act* and *First Nations Land Management Act*, continues the modernization of the Additions to Reserves Policy and manages additions to reserves for CIRNAC, and engages on reforms of the *Indian Act* to support First Nations communities in transitioning away from the *Indian Act*.

The **Northern Affairs Organization** leads the Government of Canada's work in the North. This includes the coordination of federal policy across departments and leading the negotiation and implementation of devolving federal jurisdiction to Territorial governments (*Yukon Act*, *Northwest Territories Act*, and the *Nunavut Act*). The Sector also manages a number of federal regulatory and other functions not devolved through the Territorial Acts and leads whole-of-government activities relating to the environment and renewable resources, northern food security and northern science.

## **Reconciliation**

As stated by the Truth and Reconciliation Commission (TRC), reconciliation is the ongoing process of establishing and maintaining respectful relationships. A critical part of this process involves repairing the damage from the past, providing individual and collective reparations, and following through with concrete actions that demonstrate real societal change. Both the ongoing process of reconciliation, and the federal government's relationship with Indigenous individuals, communities, and governments are, and will remain, enduring elements of the Canadian landscape. The way forward is informed by a number of guiding principles and frameworks, including: Section 35 of the *Constitution Act*; the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration); the Attorney General of Canada's Directive on Civil Litigation Involving Indigenous Peoples; the TRC's Calls to Action; the Principles Respecting the Government of Canada's Relationship with Indigenous Peoples; decisions of the Canadian Human Rights Tribunal; and, the Arctic and Northern Policy Framework. At the same time, an ongoing commitment to dialogue, joint priority setting and co-development, de-colonizing federal structures and institutions, meaningful consultation and accommodation, and initiatives to inform and engage non-Indigenous Canadians are essential to building productive and respectful relationships. CIRNAC recognizes that great strides have been made to achieve its mandate with Indigenous partners, and that significant work still lies ahead.

## **Self-Determination**

Positive federal measures to respond and support the rights of Indigenous Peoples to self-determination are needed to strengthen Indigenous communities by addressing core public services, improving economic opportunities and access to lands and resources. In the context of Indigenous Peoples in Canada, and as indicated in the Declaration, self-determination can be defined as the ability to determine political status and to freely pursue economic, social, and cultural development. In exercising their right to self-determination, First Nation, Inuit and the Métis Nation might exercise the right to autonomy or self-government in matters relating to their internal local affairs and for financing their autonomous functions. Self-determination can be advanced in several different ways, through: treaties (modern and historic); self-government agreements; constructive arrangements; local/regional governance; and, taking part in decision-making processes (e.g.: environmental assessments and international treaty negotiations).

The whole-of-government approach to reconciliation and supporting Indigenous self-determination is rooted in three pillars: acknowledging and addressing the past; closing socio-economic and service gaps; and, supporting visions for self-determination and renewed relationships. Together, they drive specific measures to be undertaken to advance reconciliation and support Indigenous self-determination. This report addresses progress being made by CIRNAC to achieve the pillars of acknowledging and addressing the past, and supporting visions for self-determination and renewed relationships. With respect to the final pillar, reporting on “closing socioeconomic and service gaps is included in the annual report that is submitted by the Minister of Indigenous Services.

## **1: Advancing Reconciliation by Acknowledging and Addressing the Past**

The historic relationships between the Government of Canada and First Nations, Inuit, and the Métis Nation are challenging and complex. Harmful policies of the past, such as those rooted in the *Indian Act* and the failure to live up to the obligations set out in treaties, continue to impact First Nation, Inuit and the Métis Nation today. These impacts manifest in many ways, including socio-economic gaps, intergenerational trauma, and systemic discrimination. Addressing past wrongs is essential to build trust that the Government will fulfil its promises, uphold the Honour of the Crown and move forward on the path of reconciliation.

### **Measures Taken**

#### ***National Action Plan in Response to Missing and Murdered Indigenous Women and Girls***

The Final Report of the National Inquiry into the Missing and Murdered Indigenous Women and Girls calls on all governments – Indigenous, federal, provincial, territorial and municipal to work together to address the issues highlighted in the Calls for Justice. The Prime Minister has made the development of a response to the National Action Plan a top priority.

CIRNAC is the lead department responsible for coordinating working efforts to establish the National Action Plan, including its federal component. This work has involved a high degree of collaboration and engagement across Indigenous, federal, provincial, and territorial governments and organizations, including the direct involvement of victims and their families and Indigenous communities to ensure regional perspectives are reflected. A governance structure, comprised of over 100 First Nations, Inuit, Métis women and 2SLGBTQQIA+ people is in place to oversee the development of the National Action Plan. It includes a Core Working Group and a National Family and Survivor’s Circle, which serve as a liaison with the broader federal, provincial and territorial governments, Indigenous organizations and communities as well as the distinctions-based (First Nations, Inuit, Métis Nation), urban and 2SLGBTQQIA+ sub-working groups.

To ensure accountability, this governance structure includes a Data Sub-Working Group which has undertaken the development of a data framework and the identification of data needs, such as data contributing to tracking the importance and effectiveness of initiatives, and defining data outcomes like indicators and contributing factors as well as metrics that should be used to track progress on the implementation of the National Action Plan. The Government of Canada will continue to work closely with Indigenous partners to prioritize data collection and Indigenous data sovereignty that represents the scale of this national tragedy and supports the advancement of Indigenous self-determination.

The first part of the National Action Plan was released in December 2020, on International Human Rights Day, by the Government of Yukon and the members of the Yukon Advisory Committee. Their response, *Changing the Story: Upholding Dignity and Justice for MMIWG2S+*, speaks specifically to how Yukon will move forward over the next 10 to 15 years.

In response to the Final Report of the National Inquiry, the 2021 Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People National Action Plan was released on June 3, 2021, which included the launch of the federal component containing Canada's contributions and commitments. A wide range of federal government departments have collaborated on the federal component of the National Action Plan - the Federal Pathway: Addressing Violence Against Indigenous Women, Girls and Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex and Asexual + People. The Federal Pathway includes action in four interconnected areas identified as priorities by partners; culture, health and wellness, human safety and security, and justice. Priorities and actions in these areas have been identified with Indigenous partners across the country as well as provincial and territorial governments, Indigenous governments and grassroots organizations, Elders, and most importantly, Indigenous families, survivors, women and 2SLGBTQQIA+ people. The critical work of implementation will be the subject of future annual reporting periods.

### ***Reconciliation Through Relationships with Indigenous Women's Organizations***

Indigenous women's organizations are central to ensuring that the voices of women and girls are sufficiently heard in our work as we build and strengthen Crown-Indigenous relationships. CIRNAC is leading on the implementation of whole-of-government relationship agreements with the Native Women's Association of Canada and Pauktuutit Inuit Women of Canada, and is moving forward with discussions for a relationship agreement with Les Femmes Michif Otipemisiwak (Women of the Métis Nation).

CIRNAC has also collaborated with, and allocated project funding to, regional and community-level Indigenous women's organizations that work directly with urban and off-reserve Indigenous populations, including Les Femmes Autochtones du Quebec and the Newfoundland Aboriginal Women's Network.

### ***Implementing the Truth and Reconciliation Commission Calls to Action***

As stated in the 2020 Speech from the Throne, the Government of Canada is committed to accelerating the ongoing implementation of the Calls to Action. CIRNAC plays a dual role regarding the Calls to Action: a whole-of-government role for tracking, monitoring and reporting on the Calls to Action; and, as the lead on 15 Calls to Action. Of the 94 Calls to Action, 76 are under federal or joint-federal responsibility; nearly 80 per cent of them are complete or well underway.

Sixteen Calls to Action have been fully implemented including:

- 4: Enact Indigenous child-welfare legislation
- 13: Acknowledge Indigenous Languages Rights
- 14: Enact an Indigenous Languages Act
- 25: Develop written policy regarding independence of Royal Canadian Mounted Police
- 41: National Inquiry into Missing and Murdered Indigenous Women and Girls
- 43: Fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples
- 67: Funding to the Canadian Museums Association

- 68: Dedicated Canada 150 projects on reconciliation
- 72: Provide sufficient resources to develop and maintain the National Residential School Student Death Register
- 78: National Centre for Truth and Reconciliation funding
- 80: Establish a National Day for Truth and Reconciliation
- 83: Canada Council for the Arts projects on reconciliation
- 84: Increased funding for CBC/Radio Canada
- 87: Provide public education that tells the national story of Indigenous athletes
- 88: Long-term Indigenous athlete development and growth
- 94: Call upon the Government of Canada to replace the Oath of Citizenship

December 15, 2020, marked the 5<sup>th</sup> anniversary of the release of the Truth and Reconciliation Commission's Final Report. The Minister of Crown-Indigenous Relations met with the former Commissioners of the Truth and Reconciliation Commission in mid-December 2020 to discuss efforts to date. The Government of Canada continues to stress the importance of accelerating implementation of the Calls to Action (Speech from the Throne, October 23, 2020) and to provide investments for the Calls to Action (Fall Economic Statement, November 30, 2020). Although progress has been made to advance the Calls to Action, sustained and consistent action is required to accelerate this important work.

The Government of Canada has continued to take important steps to address the Calls to Action, including making progress on legislation, as follows:

- On December 3, 2020, *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples* (previously known as Bill C-15) was introduced by the Minister of Justice, marking the culmination of generations of advocacy by Indigenous Peoples nationally and internationally. It commits the federal government to working in consultation and cooperation with Indigenous Peoples to develop an action plan that must include measures to combat and eliminate violence, racism and discrimination including systemic racism and discrimination, against Indigenous Peoples. Extensive progress has been made, outlined in more detail later in this report. This legislation is part of the Government of Canada's response to Call to Action 43.
- On December 9, 2020, *An Act to establish a National Day for Truth and Reconciliation* (previously known as Bill C-5) was introduced in the House of Commons. This legislation addresses Call to Action 80.
- On December 11, 2020, *An Act to amend the Citizenship Act* (previously known as Bill C-8) passed Second Reading in the House of Commons. This Act amends the *Citizenship Act* to include in the Oath of Citizenship, a solemn promise to respect the Aboriginal and Treaty rights of First Nations, Inuit and Métis, and addresses Call to Action 94.
- The second of a three-year pilot project being delivered by Canadian Roots Exchange supporting an Indigenous youth pilot program (Call to Action 66).

Several additional Calls to Action are well advanced and continue to make progress. For example, the Government of Canada held virtual consultation sessions with different Indigenous partners from across the country on the Office of the Commissioner of Indigenous Languages. As well, the selection process for the Commissioner and Directors of the Office of the Commissioner of Indigenous Languages is underway (Call to Action 15). The Government of Canada has continued its work on the citizenship guide, associated study materials, and the new citizenship test, including engaging a wide-range of stakeholders to ensure the revised content of the citizenship study guide represents all Canadians (Call to Action 93).

## ***Missing Children and Burials Information***

Recent work has been undertaken to advance Calls to Action 72 to 76 on Missing Children and Burials Information. These Calls to Action relate to the deaths of an estimated 6,000 children who attended Indian Residential Schools across Canada and involves documenting their deaths and identifying, recording, protecting, and memorializing their largely unmarked places of burial. Funding was announced in Budget 2019 in the amount of \$33.8 million, over three years, to advance Calls to Action 72 to 76. In June 2020, financial authority was secured by CIRNAC to draw down a portion of the allocated funds in the amount of \$6.7 million.

These funds supported a nationwide engagement with Indigenous community organizations to gain perspectives on how best to proceed with the implementation of Calls to Action 74 to 76. Funding was also used to support the National Centre for Truth and Reconciliation to conduct an extensive document review to identify deaths and burial information in their archival holdings and further develop the National Residential School Register of Student Deaths. Following a three-month national consultation in the summer and fall of 2020, additional authorities were sought to advance implementation of Calls to Action 74 to 76. Work is also underway with Canadian Heritage and Parks Canada and their partners to collaborate on commemoration initiatives related to Indian Residential Schools as directed by the affected community.

## ***Reparations and Settlements of Past Wrongs***

### ***Childhood Claims***

Canada has committed to resolving Indigenous childhood claims litigation outside of the courts in a fair and non-adversarial manner that balances individual compensation with forward-looking investments to support healing, wellness, education, language, culture and commemoration. As a result of the *Federal Indian Day Schools Settlement Agreement*, compensation is underway to thousands of former students for the harms suffered, including physical and sexual abuse, while attending a federally-run Indian Day School. In addition, the *Settlement Agreement* provided \$200 million to support healing, commemoration, education, language, and culture activities. The implementation of the settlement began on January 13, 2020 and is ongoing. The implementation of other settlements, such as the *Sixties Scoop Settlement Agreement* and the *Newfoundland and Labrador Residential Schools Settlement Agreement*, is also ongoing.

### ***Settling Specific Claims***

Resolving specific claims is an important element in advancing reconciliation with First Nations by acknowledging and addressing the past. Specific claims are grievances that First Nations have against the Government of Canada for failing to discharge its lawful obligations with respect to pre-1975 treaties and the management of First Nation lands, monies and other assets. From January 1, 2016 to March 31, 2021, there have been 173 claims that have been resolved for \$4.7 billion in compensation. Additionally, 45 claims were filed and 46 claims have been assessed; 41 of these were accepted for negotiations. As of March 31, 2021, there were 584 claims in the Specific Claims Inventory: 177 in assessment, 338 in negotiations and 69 under the purview of the Specific Claims Tribunal.

As reflected in the Minister of Crown-Indigenous Relations' mandate letter, CIRNAC continues to work with First Nations partners to review the current specific claims processes and develop

possible reform options. To this end, the Assembly of First Nations (AFN) plans to develop a report of policy reform options in spring 2021.

### ***Addition of Lands to Reserve***

The Minister of Crown-Indigenous Relations' mandate letter commits to the modernization of the 2016 Policy on Additions to Reserves and Reserve Creation, which is an important shared priority with First Nations. Over the past year, Canada worked closely with the AFN, through the permanent bilateral mechanism at the working group level, to co-develop a terms of reference creating an AFN and Canada Lands table in January 2020. The terms of reference commit the AFN and Canada to discuss relevant land related federal legislative and policy measures that impact First Nations territories with a focus on the Additions to Reserve policy.

Additions to reserve and reserve creations contribute to advancing reconciliation and improving the treaty relationship through the fulfillment of Canada's outstanding historic obligations to First Nations. Through additions to reserve and reserve creations, First Nations can build healthy, sustainable communities and contribute to regional revitalization and economic development, which can benefit communities and neighbouring municipalities. Between April 1, 2020 and March 31, 2021, 50 additions to reserve or reserve creation submissions were approved, including 12 urban reserve submissions. Canada and First Nations are continuing the work in partnership to advance First Nations addition to reserve proposals.

## **2: Creating Conditions for Self-Determination and Renewed Relationships**

Supporting self-determination of Indigenous Peoples and renewing relationships between First Nation, Inuit and the Métis Nation and the Crown are guideposts for the reconciliation process. Over the past year, CIRNAC has continued to build the nation-to-nation, Inuit-Crown, and government-to-government relationships through the Permanent Bilateral Mechanism process, which advances shared priorities on the path to self-determination. CIRNAC continues its review of the policies that guide the negotiation and implementation of treaties and other rights agreements and strengthen and enhance the First Nations institutions that support self-determination through the *First Nations Land Management Act* and the *First Nations Fiscal Management Act*. The Department has continued to support whole-of-government consultation, engagement, and co-development activities, which respect rights and advance relationships.

### **Measures Taken**

#### ***Ongoing Response to the COVID-19 Pandemic***

Canada has been working closely with First Nation, Inuit and the Métis Nation to support the response to the pandemic and to plan the recovery. To date, the government has provided \$2.5 billion in supports to Indigenous Peoples, including support for the public health response in Indigenous communities, the Indigenous Community Support Fund to provide flexible, community-based solutions, and to safely restart, sustain, and revive local economies. The Government of Canada will continue to protect the health and safety of Indigenous communities and all Canadians, and to ensure a safe, sustainable, and greener economic recovery. First Nations, Inuit, and Métis communities have worked tirelessly in addressing the impacts of the global pandemic while working to ensure the safety and wellbeing of their communities. These collective efforts have helped during the pandemic, and will continue to do so as we work to build a healthy, more resilient, and more prosperous country for everyone.

To address pandemic-related concerns specifically facing self-governing and modern treaty partners, CIRNAC led weekly COVID-19 meetings with partners since April 2020, discussing matters such as community health, community responses to the pandemic, access to federal support programs, and other related federal government initiatives.

Canada provided \$17.1 million to the First Nations Finance Authority (FNFA) to provide interest relief on its loans to 58 First Nations with flexibility to temporarily divert interest payments to support urgent health and safety needs while at the same time sustaining the credit-worthiness of the FNFA. As well, the First Nations Tax Commission was provided \$800,000 to enhance the capacity of the Tulo Centre of Indigenous Economics to develop and deliver services to support effective development of Indigenous community COVID-19 recovery strategies. Additionally, a specific Canada-Métis Nation COVID-19 table was established to share information and gather input to improve response initiatives. Specific considerations for citizens whose incomes did not meet the threshold for 'normal' income supports received tailored supports (e.g.: Elders, artists), and Métis Nation organizations supported local, community-based food security measures to support members who did not have access to food banks or other charitable support organizations.

The collaborative process used to co-develop and implement the Arctic and Northern Policy Framework has also helped inform the COVID-19 pandemic response. Over \$854.7 million in targeted COVID-19 funding has been announced since April 2020 to address the unique needs of the Arctic and the North, directed in part towards areas aligned with Framework goals. These areas include: increasing access to food; health care system preparedness and mitigation efforts and social services' needs; non-repayable support for northern businesses; and, securing critical air services to ensure essential resupply and continued access to remote northern communities.

The 2020 Fall Economic Statement provided \$64.7 million in supplementary funding for the Arctic and the North, which was well-aligned with the Framework goals and the priorities identified by Framework partners, including support for territorial governments, individuals and businesses. To offset the financial burden caused by the pandemic, the Government of Canada also announced, in 2020, a one-time financial injection of \$25 million to the Nutrition North Canada subsidy program. Subsidy rates were increased on basic and essential goods that families require during this challenging period.

### ***Legislation to Implement the United Nations Declaration on the Rights of Indigenous Peoples and the Implementation Plan***

In the September 2020 Speech from the Throne, the Government of Canada reaffirmed the commitment to introduce legislation to implement the Declaration before the end of 2020. The Minister of Justice and Attorney General of Canada led this work with support from the Minister of Crown-Indigenous Relations.

Using former Private Members Bill C-262, introduced by former MP Romeo Saganash in 2016, as the foundation for new legislation, Canada engaged with national and regional Indigenous organizations, Indigenous governing bodies, modern treaty and self-governing nations, women, youth, and two-spirit persons on the development of the new legislation. Canada also held discussions with provincial and territorial governments and industry stakeholders. In total, over 70 virtual sessions took place.

The input received through the engagement process contributed to the development of the final legislative draft. These enhancements include an acknowledgement of the inherent rights of Indigenous Peoples, the importance of respecting treaties and agreements, and the need for gender diversity. The proposed legislation also includes a purpose clause, which recognizes the Declaration as a human rights instrument, a commitment to ensure the laws of Canada are consistent with the Declaration and a requirement to develop an action plan and annual reports.

On December 3, 2020, the *United Nations Declaration on the Rights of Indigenous Peoples Act* (formerly known as Bill C-15) was introduced in Parliament. The proposed legislation includes, a purpose clause which recognizes the Declaration as a human rights instrument, a commitment to ensure the laws of Canada are consistent with the Declaration and a requirement to develop an action plan and an annual report, in consultation and cooperation with Indigenous Peoples. As of March 31, 2021, the legislation was at the second reading stage in the House of Commons.

CIRNAC and the Department of Justice are actively preparing the action plan in co-development with Indigenous partners. The plan will include a comprehensive communications strategy with all segments of the Canadian population to help convey the implications of the Declaration and how Canadians can contribute to its implementation.

### ***Permanent Bilateral Mechanism Process and Other Forums Update***

In 2016, Permanent Bilateral Mechanisms (PBMs) were introduced as forums to identify joint priorities, co-develop policy and monitor progress. They are guided both by Senior Officials Meetings and Leaders Meetings, the latter of which typically occur annually. The COVID-19 pandemic introduced challenges in scheduling some meetings, and as such, it was not possible to schedule Leaders Meetings with the AFN and the Métis Nation during this report's time.

The Government of Canada held Senior Officials Meetings with the AFN in August 2020 and March 2021, which allowed partners to take stock of the relationship and status of existing joint priority areas. Joint priorities included, among others, the implementation of the Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission Calls to Action, and the New Fiscal Relationship. They also identified new priorities, which included the COVID-19 Response and Recovery, the implementation of the Missing and Murdered Indigenous Women and Girls Calls to Justice, and the tackling of systemic racism.

Similarly, the Government of Canada held an Officials Meeting with the Métis Nation (represented by the Métis National Council and its Governing Members; Métis Nation of British Columbia, Métis Nation of Alberta, Métis Nation-Saskatchewan, Manitoba Metis Federation and Métis Nation of Ontario) in January 2021, where they advanced work on the joint priorities as identified under the Canada-Métis Nation Accord. These priorities included work on housing and infrastructure, environment and climate change, early learning and child care, post-secondary education, skills and employment training, and economic development.

A Leaders meeting of the Inuit-Crown Partnership Committee (ICPC), co-chaired by the President of the Inuit Tapiriit Kanatami and the Prime Minister, was held in December 2020, and two Senior Officials' Meetings were also held in November 2020 and March 2021. In these meetings, partners assessed the status of these priority areas and submitted new work plans in response to the evolving needs of Inuit communities and current mandate commitments. They continued work to advance their priorities, which included the co-development of the Inuit Nunangat Policy, the Fisheries and Oceans Canada and the Canadian Coast Guard Arctic



Regions, as well as reconciliation between the Qikiqtani Inuit Association and the Government of Canada.

### ***Update on Post-Daniels Decision***

On April 14, 2016, the Supreme Court of Canada ruled that Métis and Non-Status Indians are Indians within the meaning of s. 91(24) of the *Constitution Act*, 1867. CIRNAC is leading a whole-of-government approach to address the *Daniels* decision with a focus on gaps and support of reconciliation with Métis and Non-Status Indians, and is also undertaking an internal gap assessment of current departmental policy approaches to Métis and Non-Status Indians.

*Canada – Congress of Aboriginal Peoples (CAP) Accord Implementation:* Minister of Crown-Indigenous Relations and the Congress of Aboriginal Peoples signed a Political Accord in December 2018 to advance joint policy priorities. The Accord reaffirmed a renewed relationship between Canada and Indigenous Peoples based on recognition of rights, respect, cooperation and partnership. It is focused on closing socio-economic gaps between off reserve Indigenous Peoples and non-Indigenous Canadians and presents a whole-of government approach to working with the Congress of Aboriginal Peoples.

The Government of Canada launched an Accord Implementation Forum with the Congress of Aboriginal Peoples in June 2020 to address joint policy priorities, including on Housing, Indigenous Languages, Post-Secondary Education, Family Programs, Missing and Murdered Indigenous Women and Girls, and Justice. Tables for each of these priorities have been established with terms of reference and include participation from multiple federal departments taking the federal lead role (Canada Mortgage and Housing Corporation on housing, Canadian Heritage on languages, ISC on post-secondary education and family programs, and CIRNAC on Missing and Murdered Indigenous Women and Girls). The co-development of work plans is under way.

*Métis Settlements General Council Trilateral Working Group:* In June 2020, the Métis Settlements General Council (MSGC), Crown-Indigenous Relations and Northern Affairs Canada, and the Government of Alberta re-launched a Trilateral Technical Working Group process to explore respective options in support of MSGC's ongoing sustainability and the self-determination of eight Métis Settlements located in Central and Northern Alberta. Over the past year, five meetings were held to identify priority areas and make connections with other federal programs and departments to discuss the future health, prosperity, and long-term economic sustainability of the Settlements.

The MSGC is unique in Canada as it represents the only recognized section 35 Métis communities with a historic and protected land-base, with land legislated through a provincial act (the *Metis Settlements Act*). In 2020-21, funding support to MSGC included \$1.89 million for COVID-19 pandemic assistance and \$700,000 for a registry initiative to support members exercising harvesting, hunting and fishing rights.

### ***Negotiating Treaties and Agreements***

The Government of Canada is engaged in collaborative discussions with Indigenous Peoples across the country related to treaties, self-government agreements and other constructive arrangements to advance self-determination. These tables explore new ways of working together through co-development, mutual respect and partnership, to advance the recognition of

rights and self-determination, and support reconciliation. In recent years, Canada has been undergoing a shift from settling claims towards recognition and implementation of rights in partnership with Indigenous Peoples. The Government of Canada has shifted away from "one size fits all" type of agreements towards distinctions-based tailor-made, rights-based agreements that support the renewal of Crown-Indigenous relationships through various innovative developments in the negotiation process. The positive impact of the changing direction has been reflected in the increasing number of negotiation tables. Negotiations today enable the development of flexible and practical agreements with opportunities for the evolution of rights and relationships through living agreements.

There are 25 modern treaties, three stand-alone self-government agreements, two sectoral self-government agreements, and fourteen other agreements. During the 2020-21 fiscal year, CIRNAC and its Indigenous partners established twelve new discussions tables, bringing the total number of active tables to over 150. In addition, five preliminary-type agreements and one reconciliation framework agreement were signed to frame discussions and identify priorities for potential negotiations, bringing the total preliminary-type agreements to 87.

### ***Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia***

Since 2019, the Governments of Canada, British Columbia, and the First Nations Summit continue to implement the co-developed Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia. This policy replaces the Comprehensive Land Claims and Inherent Right policies in the context of treaty negotiations in British Columbia. A central feature of the policy is basing negotiations on the recognition and continuation of rights without those rights being modified, surrendered or extinguished when an agreement is signed. Where there is interest, Canada is ready to discuss using the approaches found in the policy with negotiation partners elsewhere in the country.

In 2020-21, tripartite policy work continued on priority areas outlined in this policy. Canada, British Columbia and the First Nations Summit jointly hosted a session for negotiators involved in British Columbia treaty negotiations to share experiences regarding the implementation of this policy in negotiations, and support a common understanding of how the policy enables rights recognition, reconciliation, and co-development of mandates.

### ***Redesigning the Comprehensive Land Claims and Inherent Right Policies***

The mandate letter of the Minister of Crown-Indigenous Relations commits to working with First Nations, Inuit, and the Métis Nation to redesign the Comprehensive Land Claims and Inherent Right policies. In recent years, Canada has been using co-developed approaches in rights-based negotiations to respond to the needs of Indigenous partners in new and flexible ways. CIRNAC will continue to address this commitment through a variety of efforts, including advancing innovations co-developed with Indigenous partners, and building public service capacity to advance co-development and rights-based approaches. In alignment with this and where there is interest, CIRNAC is ready to discuss using the approaches found in the Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia with negotiation partners elsewhere in the country. CIRNAC is also working in partnership with the AFN to lead a policy redesign process with First Nations and continues to explore innovative ways to collaborate further with Indigenous partners.

## ***Ongoing Implementation of Modern Treaties and Agreements***

The implementation of modern treaties and self-government agreements by federal, Indigenous, provincial and territorial signatories is a key element in renewing Nation-to-Nation, Inuit-Crown and Government-to-Government relationships consistent with principles of Indigenous self-governance and self-determination and the ongoing implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

Canada is currently implementing 25 modern treaties (18 of which include or have associated self-government agreements), three stand-alone self-government agreements, and two education agreements across six provinces and all three territories. Fiscal transfers to self-governing Indigenous governments are guided by the Collaborative Fiscal Policy framework co-developed by Canada and self-governing partners. Between April 1, 2020 and March 31, 2021, regular meetings were held and fiscal transfer payments of over \$1 billion were made to Indigenous signatories in support of their jurisdictional responsibilities and governance activities. Canada and self-governing partners are currently working on an approach to ensure adequate lifecycle capital and operations and maintenance funding for core community infrastructure assets in every self-government community.

CIRNAC has continued to strengthen whole-of-government implementation by completing the first evaluation of the “Cabinet Directive on Modern Treaty Implementation”; launched the Modern Treaty Management Environment 2.0; provided training to federal officials on modern treaty and self-government implementation; completed the Assessments of Modern Treaty Implications for Cabinet proposals; and, worked with the Deputy Ministers’ Oversight Committee to improve oversight responsibilities.

The Government has also been advancing mutual priorities with Inuit partners through the Crown-Inuit Partnership Committee Land Claims Implementation Working Group and continues to engage with members the Land Claims Agreements Coalition. Dedicated work has been carried out through a sub-working group with members of both organizations to advance consideration of a Modern Treaty Implementation Review Commission and a stand-alone implementation policy.

## ***Continuing Collaborative Self-Government Fiscal Policy Development Process***

Since 2016, CIRNAC has been working in a collaborative forum with interested self-governing Indigenous governments to review and replace fiscal financing policies that apply specifically to them. Canada and self-governing partners have co-developed and implemented a methodology for the funding of Indigenous self-government for 25 self-government partners. Over the past year, Canada and self-governing partners largely completed work on an approach to ensure adequate lifecycle capital and operations and maintenance funding for core community infrastructure assets in every self-government community. A core group of participants has been meeting monthly with CIRNAC and other government department officials. This process has built stronger ties and trust between Indigenous governments and the Government of Canada and across Indigenous governments themselves.

While the 2019 release of *Canada’s Collaborative Self-Government Fiscal Policy* set out some funding methodologies, other elements were left to future discussions. In the past year, work was largely completed on co-developed infrastructure-related funding methodologies, with various technical working groups addressing different areas of self-government jurisdiction and monthly plenary meetings to ensure approaches have broad support. The Collaborative Self-

Government Fiscal Policy includes a co-developed funding process for closing socio-economic and service gaps that maximizes self-determination in targeting community wellness. Tailored initiatives by each, supported with funding from Budget 2018, will continue over five years and the approach will be evaluated at that time; however, annual information sharing has seen many communities making progress towards their specific goals.

### ***Loan reform: forgiveness and reimbursement***

Budget 2019 committed up to \$1.4 billion to forgive all outstanding comprehensive land claim negotiation loans and to reimburse Indigenous governments that have already repaid these loans. This measure would enhance financial stability and enable Indigenous communities to improve access to funding mechanisms that may not have been otherwise available due to the outstanding liability. It also eliminates the erosion of an existing or future capital transfer settlement as the loan is no longer required to be repaid or will be reimbursed to communities who have already repaid their loans.

Between April 1, 2020 and March 31, 2021, letters were sent by the Minister of Crown-Indigenous Relations to 82 Indigenous communities providing a status update on the loan forgiveness commitment, and a further 16 letters were sent to communities outlining the reimbursement details. A total of \$94.1 million was paid out to 29 Indigenous groups for the first of five reimbursement payments.

### ***Nation Rebuilding Program***

In Budget 2018, the Government invested \$100 million over five years to support Indigenous groups' efforts to rebuild their governance structures and reconstitute their nations. The program is an important step forward in supporting Indigenous groups in rebuilding their governance structures on the path towards self-determination. In the 2020-21 fiscal year, the department provided \$19 million to 48 Indigenous groups. To date, over 150 projects have been funded under this program across the country with \$52 million in funding allocations.

### ***Supporting the New Fiscal Relationship and Supporting First Nation Fiscal Institutions***

#### ***First Nations Land Management Act***

First Nations Land Management is a First Nations-led governance model that advances self-determination of First Nations by bringing control and jurisdiction back to Indigenous communities. Through the *First Nations Land Management Act*, First Nations have seen increased economic development, including more external and internal investments, job creation, new business opportunities, and re-investment in social programs and cultural renewal activities.

Currently there are 178 First Nations who are signatories to the Framework Agreement on First Nation Land Management. From April 1, 2020 to March 31, 2021, there were 13 new First Nations added, with an additional 13 expected to be signed off on in April 2021. As of March 31, 2021, 47 First Nations are in the process of developing their land code, an additional 32 are inactive. In total, 99 First Nations are operating under their own land codes including 3 First Nations that have transitioned to self-government. Including all self-governing First Nations, a total of 24% of First Nations are managing their lands outside of the *Indian Act* under their own laws.

In March 2020, the Minister of Crown-Indigenous Relations confirmed support to replace the *First Nations Land Management Act* with more concise legislation to resituate the Framework Agreement. Over the past year, CIRNAC has been coordinating whole-of-government engagement with the Lands Advisory Board to develop, in more detail, this approach to repeal the *First Nations Land Management Act* and replace it with more concise legislation.

### *Supporting Economic Reconciliation*

The *First Nations Fiscal Management Act* (FNFMA) is an optional legislation that provides First Nations with support and tools to strengthen their communities and build their economies.

Between April 1, 2020 and March 31, 2021, a total of 18 First Nations were added to the regime. This brings the total to 312 of 634 First Nations able to access measures that advance self-determination and reconciliation at the pace the First Nation so desires. In support of advancing self-determination, CIRNAC continued to draft amendments to the *First Nations Fiscal Management Act* and worked collaboratively with the fiscal institutions, partner First Nations and the Province of British Columbia on drafting regulations to allow treaty and self-governing First Nations and public service-centered Indigenous organizations, such as health or education authorities, to benefit from the Act.

One measure that provides First Nations with greater flexibility to develop their economy is the capacity to borrow funds for the development of infrastructure at lower interest rates than traditional financial institutions. Since the inaugural bond issuance in June 2014 for \$90 million, there have been eight additional issuances, totalling \$1.3 billion in debentures. As noted above, Canada provided \$17.1 million to the First Nations Finance Authority (FNFA) to provide interest relief on its loans to 58 First Nations providing flexibility to temporarily divert interest payments to supporting urgent health and safety needs while at the same time sustaining the credit-worthiness of the FNFA.

Between April 1, 2020 and March 31st 2021, funding was allocated towards several programs and/or projects in relation with the *First Nations Fiscal Management Act*, including: \$2.9 million to increase the Credit Enhancement Fund; \$270,964 to the Tax commission to advance a First Nation Cannabis Tax Option; \$143,000 to the FNFA to replace their aging Financial Management System; \$628,614 to further advance the establishment of the First Nations Infrastructure Institution (FNII) under the *First Nations Fiscal Management Act*; and, \$139,517 towards the First Nations Leading the Way III National Meeting: Economic Reconciliation.

The Department, in collaboration with ISC, also continued to explore the development of the Infrastructure Institution through proof of concept projects with Kettle and Stoney Point, the First Nations Health Authority, and the Atlantic First Nations Water Authority.

### ***Guidance, Advisory and Information Services on Consultation and Accommodation with Indigenous Peoples***

Consultation and engagement activities are key opportunities for Canada to demonstrate its continued commitment to rebuilding relationships with First Nation, Inuit and the Métis Nation. CIRNAC provides funding for consultation tools, such as Consultation Protocols and Resources Centres, thus enhancing capacity for First Nation, Inuit and the Métis Nation to manage consultation consistent with their recognition and self-determination objectives; as well as guidance and tools to federal officials in order to support Canada's whole-of-government approach to the Duty to Consult. The COVID-19 pandemic has posed challenges, to all

involved, in fulfilling Duty to Consult obligations. Together with Justice Canada, CIRNAC provided practical guidance to federal, provincial and territorial officials to support the fulfilment of meaningful consultation activities under such unique circumstances.

Between April 1st, 2020 and March 31, 2021, negotiation was initiated for an additional Consultation Protocol, bringing the total to 8 Consultation Protocols under negotiation. Consultation Protocols foster relationships while clarifying engagement processes, laying out important parameters and standards necessary to the planning process. Implementation is ongoing for the 10 signed Consultation Protocols, currently supporting 43 Indigenous communities and 15 Métis regions in Ontario, while five Resource Centres are supporting 74 Indigenous communities and 6 Métis regions in Alberta. Resource Centres support Indigenous partners to meaningfully engage in consultation by ensuring that they have the tools and capacity to manage and coordinate requests for consultation.

While in-person training sessions to federal officials on Crown consultation and accommodation obligations to Indigenous Peoples have been suspended due to the COVID-19 pandemic, in the past year, CIRNAC has delivered 8 virtual presentations to director and working-level audiences, and one virtual session to Fisheries and Oceans Canada in Quebec, reaching more than 10 federal departments and agencies. The Aboriginal and Treaty Rights and Information System supports assessments of Duty to Consult obligations by detailing the geographic location and nature of potential and established Aboriginal and Treaty rights. Between April 1, 2020 and March 31, 2021, there have been 49 Aboriginal Treaty Rights and Information System webinars and 7 tailored coaching sessions delivered to 193 federal officials to support data needs, and 46 cartographic services on emerging issues were provided.

### ***Métis Nation Housing Strategy update***

Métis Nation partners have made steady progress on the Métis Nation Housing Strategy (2018-28) this reporting year, despite COVID-19 challenges. Key targets have been surpassed for the past three-year reporting period: 1,158 household units built or purchased; 2,096 household units repaired or renovated; and, 7,584 household units subsidized for their rental costs. The key objective of the work is a 50% reduction in the Core Housing Need (CHN) gap between Métis Nation citizens and non-Indigenous Canadians. Housing has remained one of the key priorities identified in the Canada-Métis Nation Permanent Bilateral Mechanism since its inception following the signing of the Canada-Métis Nation Accord in 2017. The Canada-Métis Nation Housing Sub-Accord was signed in July 2018 by the President of the Métis National Council (MNC), the Presidents of each of the MNC's five Governing Members, and the Minister of Crown-Indigenous Relations. The Government of Canada committed \$500 million in Budget 2018 to this effort.

The five Governing Members are leading housing programs, which include support for the construction of new housing units, the purchase of additional units, the renovation and repair of existing housing units, the provision of rent subsidies for housing units, including support for households in need of COVID-19 related rent relief, and the operations and maintenance of housing units managed by the Métis Governing Members' housing authorities. This reporting year, other achievements include: the launch of a Housing Technical Working Group to support the implementation of the strategy; encouraging collaboration amongst the parties, and encouraging horizontal engagement with Canada Mortgage and Housing Corporation and Les Femmes Michif Opetimisiwiak; the co-developed forward plan for Years 4 to 10 of the remaining years of the Strategy; and, the launch of a Housing Data Sub-Group to examine the challenges for data collection and to formulate solutions.

## ***Northern Self-Determination***

### ***Arctic and Northern Policy Framework***

The Arctic and Northern Policy Framework was launched in September 2019 following its co-development with Indigenous, territorial and provincial partners, and is now being implemented with partners, beginning with the co-development of Framework governance approaches. The Framework articulates a shared vision for a strong, prosperous and sustainable Arctic; a set of principles that recognizes that decisions about the Arctic and the North will be made in partnership with northerners to reflect their rights, needs and perspectives, and the need for ongoing reconciliation with First Nation, Inuit and the Métis Nation, building on the work of the Truth and Reconciliation Commission and other initiatives.

CIRNAC is making progress on implementing the Framework, including through the ongoing investments of over \$700 million from Budget 2019, such as developing the Taltson Hydroelectric System in the Northwest Territories. These investments are: creating new clean energy employment opportunities for Northern and Indigenous Peoples; enhancing access to culturally relevant post-secondary education opportunities in the North, including through the creation of a youth-led Task Force on post-secondary education; and, offering culturally appropriate and accessible wellness programs to address addictions and trauma challenges in partnership with territorial governments and Indigenous organizations.

CIRNAC is the lead federal department responsible for supporting Northerners and northern Indigenous Peoples in the pursuit of healthy and sustainable communities, and better economic and social outcomes. For First Nation, Inuit and the Métis Nation in the North, this includes a commitment to the principles of reconciliation and self-determination. Respecting the right for Indigenous Peoples to determine their own economic, social and cultural development underpins all measures undertaken by CIRNAC Regional Offices. CIRNAC Regional Offices in the territories provide programming from both ISC and CIRNAC to Indigenous governments, territorial governments, and communities, as well as maintain a direct role in the political and economic development of the territories. CIRNAC's Regional Offices also have responsibilities for regional delivery of some federal Indigenous programming, as well as support for the ongoing implementation of land claim and self-government agreements in the North.

Specific actions taken by CIRNAC Regional Offices between April 1, 2020 and March 31, 2021 in support of self-determination and reconciliation initiatives include the following:

#### ***Yukon Region:***

The Intergovernmental Forum Protocol Yukon signed by First Nation Chiefs, Yukon's Premier, and the Ministers of ISC and CIRNAC confirmed a political commitment to ongoing trilateral dialogue on shared priorities. As a result, 11 Self-Government Financial Transfer Agreements were completed with Yukon First Nations while the negotiation of program and service transfer agreements were completed with eleven Self-Governing First Nations to advance the implementation of the final and self-government agreements by transferring program and service authority to Indigenous governments. Additionally, the implementation of several multi-year administrative and financial management training and mentorship projects is ongoing to help smaller non-self-governing First Nations build long term governance capacity within their communities.

### *Northwest Territories Region:*

Between April, 2020 and March, 2021, the region strengthened its partnership with the Dene Nation, by seeking opportunities to advance its interests through co-implementation of the Arctic and Northern Policy Framework's goals and objectives. The region continued to include Indigenous groups in northern development and infrastructure projects, such as the expansion of the Taltson hydroelectricity system by establishing partnership and capacity agreements, creating formal investment roles, and participation in technical and feasibility studies, as well as the environmental assessment process. Government of Canada officials worked with partners to in a variety of ways, and brought together federal, territorial and Indigenous Peoples to pursue new approaches to meet Indigenous housing needs, resolve concerns about the remediation of the Rayrock Mine with the Tlicho Government leadership, and support Giant Mine research that will inform responding to the Yellowknives Dene First Nation's apology and compensation request.

### *Nunavut Region:*

The Nunavut Region has been working to develop and implement departmental and whole-of-government Inuit Employment Plans to increase Inuit employment to representative levels. Inuit employment levels have increased over time and ensuring they continue to do so is a key obligation under the Nunavut Agreement. Additionally, since the formal acknowledgement of the findings of the Qikiqtani Truth Commission's final report and apology to the Qikiqtani Inuit, the Nunavut Regional Office has continued to collaborate to implement the report's 25 recommendations. This includes working closely with the Qikiqtani Inuit Association to secure long term funding for the sustained delivery of programming related to healing, restoring language, culture and identity. Finally, through the support of the Nunavut Region, the Canadian Heritage Rivers Inuit Impacts-Benefits Agreement was signed between CIRNAC on behalf of the Government of Canada, Government of Nunavut, and Nunavut Tunngavik Incorporated. The agreement has led to \$6.7 million in programming funding to carry out water quality monitoring, build Inuit cultural camps along designated rivers, and create a fund to support business opportunities.

### ***Nunavut Devolution***

The devolution of province-like responsibilities to the territories is a long-standing federal policy objective. Nunavut is the last jurisdiction in Canada remaining without responsibilities for public lands and resources, and devolution will allow the Government of Nunavut to manage these resources and collect royalties. As Nunavut's population is approximately 85% Inuit, devolution advances reconciliation by creating stronger public governments that are more responsive to local issues and priorities within territorial boundaries. Devolution fosters reconciliation by renewing the Crown-Inuit relationship and advances self-determination for Indigenous Peoples and all Nunavummiut.

As the Nunavut Lands and Resources Devolution Agreement-in-Principle was signed on August 15, 2019, completing a significant milestone in the devolution process, the next step was the negotiation of the Final Agreement. As an initial priority, a Transitional Human Resources Development Strategy was approved by all parties in September 2020 to support capacity building within the Government of Nunavut, ensuring a viable workforce for when responsibilities, currently carried out by the Government of Canada, are transferred. The Strategy also aims to maximize Inuit employment at all levels within positions that will be



created as a result of devolution, as well as ensuring that the Government of Nunavut will have the necessary human resource capacity to discharge its responsibilities.

### ***Inuit Nunangat Policy***

The Minister of Crown-Indigenous Relations was directed to co-develop and implement an Inuit Nunangat Policy in the Fall 2019 mandate letter, with support from the Minister of Northern Affairs. Inuit and federal leaders, including the Prime Minister, have endorsed the co-development of an Inuit Nunangat Policy.

In October 2020, to facilitate the co-development process and to prompt early discussions, Inuit shared a first draft of an Inuit Nunangat Policy with the Government of Canada. Crown-Indigenous Relations is the federal lead for the co-development process, facilitating input on the text from other government departments and agencies. A Senior Officials Working Group with CIRNAC, ISC, the four Inuit Land Claims Organizations and Inuit Tapiriit Kanatami meets on a weekly basis to discuss the sections of the Policy and proposed language. Over the next few months, Inuit and federal senior officials will continue co-development work on the Policy, aiming for Fall 2021 completion.

The Inuit Nunangat Policy provides an opportunity to support the objectives of Inuit land claims implementation through a whole-of-government lens, and to serve as the Inuit-specific policy mechanism for advancing the goals and objectives of the Inuit Nunangat Declaration on the Inuit-Crown Partnership, the Arctic and Northern Policy Framework, and other existing federal policies, directives and principles. The Policy also offers the opportunity to be truly transformative and to make real progress on Canada's commitment to achieve reconciliation with Inuit through a renewed Inuit-Crown relationship based on recognition of rights, respect, co-operation and partnership.

### ***Inuit Nunangat Housing Strategy***

Implementation since April 1<sup>st</sup>, 2020 of the co-developed Inuit Nunangat Housing Strategy (released in April 2019) has focussed on work to understand, address gaps and challenges that remain, and identify opportunities to improve housing outcomes in Inuit Nunangat. Implementation of the Strategy is helping to guide distinctions-based housing investments announced through Budget 2018. The Government of Canada committed \$400 million over ten years in Budget 2018 for the Inuvialuit Settlement Region, Nunavik and Nunatsiavut. Treasury Board recently approved the release of years four to ten (2021-22 to 2027-28) of this funding.

Inuit organizations delivering distinctions-based funding are developing housing in a way that meets the unique needs of Inuit in their communities through construction, repairs and augmenting Inuit delivered housing programming. They are leading partnerships with other stakeholders such as provincial and territorial governments to deliver programming suited to the Inuit context. Federal partners in the implementation of the Strategy are working with Inuit to seek additional opportunities for Inuit to benefit from federal programs and initiatives. Understanding that much more work is required to meet shared housing objectives and address the significant needs, CIRNAC continues to work with Inuit on the implementation of the Strategy to address remaining gaps and challenges and ensure long term sustainability.

## ***Post-Secondary Education Initiatives***

As part of Arctic and Northern Policy Framework implementation, Budget 2019 announced a number of new targeted Arctic and Northern investments to support post-secondary education.

Through Budget 2019, Canada invested almost \$13 million over five years in the Dechinta Centre for Research and Learning and \$26 million over five years for the construction of a science building at Yukon University. In October 2020, CIRNAC launched the Task Force on Post-Secondary Education in the North announced in Budget 2019 with a \$1 million investment. The establishment of the Post-Secondary Education Task Force is a key priority for the Government of Canada as identified in the mandate letter for the Minister of Northern Affairs. The Task Force is comprised of 13 members nominated by Northern governments, Indigenous organizations and co-development partners of the Arctic and Northern Policy Framework. Task Force members will lead public engagement sessions both in the North and elsewhere; formulate recommendations in a final report; and, help publicize those recommendations. Recommendations are expected to be framed broadly so that they may be applicable across the region, rather than being explicitly aimed at any given jurisdiction or educational institution. The Task Force will submit its recommendations by January 1, 2022.

## ***Food Security – Nutrition North***

Nutrition North Canada provides a subsidy on eligible food and other items in 116 isolated communities that lack year-round surface transportation (road, rail, marine). The subsidy is applied against the total cost of an eligible product (including product purchasing cost, transportation, insurance and overhead) shipped by air or surface transportation to an eligible community.

### ***Providing funding through the Harvesters Support Grant***

While Nutrition North plays a part in helping to alleviate food insecurity in the North, a true response to food insecurity requires made-in-the-North solutions beyond store-bought market food. As a result, the Harvesters Support Grant was implemented at the end of fiscal year 2019-20, its design directly informed by feedback from Indigenous partners. The Grant adds value by creating less local reliance on store-bought food and supporting the restoration and continuation of culturally relevant harvesting and food sharing practices. This recognizes harvesting as vital to Indigenous social well-being and cultural survival, and seeks to restore the status of hunters and harvesters in the community while reinforcing traditional knowledge transfers. This new grant provides \$40 million dollars over 5 years through partnerships with Land Claim Organizations, Self-Government entities and Indigenous organizations to support hunting and harvesting activities and networks in 108 eligible communities.

## ***Climate Change***

First Nation, Inuit and the Métis Nation are among the most sensitive and most exposed to climate change impacts due to their locations, close relationship with the land and its resources, and climate change effects that exacerbates existing challenges and health stressors – such as the housing and infrastructure deficits that are persistent across Indigenous and northern communities, and lower health outcomes among Indigenous Peoples.

CIRNAC continued to work with Indigenous partners, and in collaboration with Environment and Climate Change Canada and other departments, to promote equitable Indigenous access to

federal funding, and to advance Indigenous Climate Leadership and self-determined climate action through all Government of Canada climate programs - including through Canada's new Strengthened Climate Plan to co-develop, on a distinctions basis, an Indigenous Climate Leadership agenda and decision-making guidance, under which self-determination is the key principle. Co-developing and advancing an Indigenous Climate Leadership agenda aims to build regional and national capacity, and progressively vest authority and decision-making over climate funding and resources for climate action in the hands of First Nations, Inuit, and Métis and representative organizations.

CIRNAC's current climate change programs were developed based on engagement with Indigenous communities, representative organizations and past recipients. The programs are: First Nation Adapt, Indigenous Community-Based Climate Monitoring, Climate Change Preparedness in the North, Northern Responsible Energy Approach for Community Heat and Electricity and Engaging Indigenous Peoples in Climate Policy. In the fiscal year 2020-21, the five climate change programs invested over \$32 million in 275 community driven projects in Indigenous and Northern communities across Canada. Several specific projects were undertaken between April 1, 2020 and March 31, 2021 to support reconciliation through place-based climate research and development of clean energy.

For example:

- The First Nation Adapt program supported Grand Council Treaty #3 and the 29 communities they represent to collaborate on climate change issues and provide Indigenous leadership in regional watershed management planning to help address flooding issues;
- The Indigenous Community-Based Climate Monitoring Program funded a project planned and led by the Métis Nation of Alberta to conduct extensive engagement on climate monitoring priorities, develop a monitoring strategy for the region and to begin implementing this strategy with an initial focus on traditional plants;
- The Climate Change Preparedness in the North Program funded an expansion of the Young Hunters Program to the Hamlet of Pangnirtung to assist in developing climate change preparedness and adaptation skills for Inuit youth, by promoting Inuit Qaujimagatuqangit and intergenerational knowledge exchange through on-the-land mentorship, including hunting and fishing activities; and,
- Northern REACHE is supporting an energy coordinator position at Nihtat Corporation in Inuvik, NWT to displace more than 200,000 litres of diesel annually in Inuvik, while directly reducing energy costs for Gwich'in members and providing revenue to the economic development corporation.

### ***Northern Participant Funding Program***

The Northern Participant Funding Program supports informed Indigenous and community engagement in major project reviews carried out under the northern co-management regimes established under modern treaties across the three territories. The program supports the meaningful participation of those potentially affected by major or controversial project development in areas subject to environmental co-management regimes established under modern land claim agreements in the Yukon, Northwest Territories and Nunavut.

This program supports self-determination by ensuring Indigenous governments and northerners have the capacity and capability to meaningfully participate in northern environmental assessment processes. While such participation was already a fundamental tenet of the impact

assessment co-management regimes developed under the northern land claims agreements, the provision of participant funding further advances self-determination and reconciliation by providing funding for those activities First Nation, Inuit, and the Métis Nation feel are most critical to ensuring their interests and perspectives are considered during the review of major projects. The program also supports reconciliation by reincorporating Indigenous perspectives into decision-making and building capacity, both of Indigenous Peoples and of the co-management systems, to integrate Indigenous and western scientific knowledge into environmental management.

Funding was made available to eligible individuals and organizations participating in the following environmental assessments during the 2020-21 fiscal year: the Yukon Environmental and Socio-economic Assessment Board's review of CIRNAC's Faro remediation; and the Nunavut Impact Review Board's review of Agnico Eagle Mines Limited's proposed Saline Effluent Discharge to Marine Environment at Meliadine Gold Mine and Baffinland Iron Mines Corporation's Mary River Phase 2 Development Proposal in northern Baffin Island.

### ***Arctic Regional Environmental Studies***

Under the Arctic Regional Environmental Studies program, CIRNAC has led novel approaches in fiscal year 2020-21 to engage Indigenous and territorial governments in decisions around oil and gas in Canada's Arctic. Two Strategic Environmental Assessments were initiated in 2016, one for the Beaufort Sea and the other for Baffin Bay and Davis Strait. These allowed Indigenous community members to participate in the study and, in turn, provide input into the decision making. The studies are using science alongside Indigenous knowledge to inform decision making in these northern regions.

### ***Northern Contaminants Program***

The Northern Contaminants Program engages Northerners and scientists in research and monitoring of contaminants that make their way into the Canadian Arctic from other parts of the world and accumulate in the food chain, to a point of concern for those who consume certain country foods. The Program's key objective is to reduce and, where possible, eliminate contaminants in northern traditional/country foods while providing information that assists individuals and communities in making informed decisions about their food use.

This program allocated \$4.1 million through an annual Call for Proposals launched in October of 2020. In addition to meeting strict requirements for scientific integrity, all approved projects must meet standards for community engagement, inclusion of Indigenous Knowledge, training of Northerners, data management, and results communication, as set by the program's northern and Indigenous partners.

### ***Northern Abandoned Mine Reclamation***

The 2019 Budget invested \$2.2 billion over 15 years in the Northern Abandoned Mine Reclamation Program, starting in 2020-21 to address the eight largest and highest risk abandoned mines in the Yukon and the Northwest Territories. This program includes funding for the Giant and Faro mine remediation projects, two of the largest contaminated sites in the North.

The new Northern Abandoned Mine Reclamation Program will allow for longer-term remediation contracts, which provide greater certainty and economic opportunities for Indigenous Peoples, Northerners and communities affected by these projects. The eight large projects to be managed under the program are currently in care and maintenance while remediation plans are being drafted.

In 2020-21, the program made progress towards these goals by advancing project specific socio-economic frameworks and benefit plans in partnership with Indigenous communities and territorial partners. Funding was also provided directly to communities to participate in projects or for training. For example, in 2020-21, the Faro Mine Remediation Project allocated approximately \$1.5 million to the Ross River Dena Council, Liard First Nation and Selkirk First Nation to participate in the project, and is co-developing a Socio-economic Strategy to guide the delivery of Socio-economic benefits. Additionally, the Giant Mine Remediation Project co-developed a Socio-economic Strategy and associated Socio-economic Implementation Plan, while providing \$1.1 million in funding for staff within the Yellowknives Dene First Nation, the North Slave Métis Alliance, the City of Yellowknife, and Alternatives North. The Giant Mine Remediation Project also provided approximately \$450,000 to the Yellowknives Dene First Nation Dechita Naowo (BEAHR) Environmental Monitoring training program in which 12 students completed the courses and two students were hired onsite.

### ***Taltson Hydroelectricity Expansion Project***

Budget 2019 committed \$18 million over three years (2019-20 to 2021-22) to fund the pre-development phase of the Taltson hydroelectric expansion project. This initiative will support implementation of whole-of-government initiatives such as the Arctic and Northern Policy Framework and Creating Conditions for Self-Determination and Renewed Relationships by Closing Infrastructure Gaps and Supporting Northern Communities.

Over three years, the Government of the Northwest Territories will negotiate partnership and capacity agreements with impacted Indigenous groups; formalize commercial arrangements, business case and investment relationships to support eventual construction; finalize engineering technical and feasibility studies; and undertake the environmental assessment process with community engagement and complete the necessary regulatory/permitting applications. The Government of the Northwest Territories project plan places early emphasis on securing and creating strong partnerships with Indigenous governments to collaboratively develop the partnership model, and ensure full participation in the project, including formalization of the investment relationship, undertaking of engineering technical and feasibility studies, and the environmental assessment process.

### **Conclusion**

Moving forward, thoughtful discussion, genuine collaboration and working in partnership will continue to be key factors to delivering meaningful results that will lead to improved outcomes for First Nation, Inuit and the Métis Nation in Canada. Equally, a whole-of-government approach will continue to be an integral part in achieving the renewal of a nation-to-nation, Inuit-Crown and government-to-government relationship with Indigenous Peoples. While considerable work remains to be done, measures taken to-date demonstrate the strength of the government's commitment going forward.