

An Update from the

# GOVERNANCE WORKING GROUP

of the Anishinabek Nation Governance Agreement

October 2017

The Governance Working Group was established to help guide the negotiation of the *Anishinabek Nation Governance Agreement* (“Governance Agreement”) with Canada and is comprised of representatives from our member First Nations of the Anishinabek Nation.

The Governance Working Group (GWG) members typically meet three or four times a year and most recently met in Sault Ste. Marie, Ontario, on October 11 & 12, 2017. There were good discussions and questions surrounding the Governance Agreement. There were 14 GWG members that attended, representing 12 of our member First Nations, including Chiefs and members of Council.



The GWG members were provided with updated information about the new proposed government-to-government fiscal arrangement that will be part of the Governance Agreement. These new fiscal arrangements will be part of the new Fiscal Transfer Agreement that will provide the financial support for the governance related functions and for the exercise of the law-making powers and other authorities going forward in a new self-government agreement.

The federal government is currently developing a new national fiscal policy framework that will apply to any new self-government arrangements and is working to improve on the language which is typically found in older self-government agreements and we will be using these updated principles in our new Fiscal Chapter of the Governance Agreement and Fiscal Transfer Agreement.

The GWG members were also made aware of the things we are learning from the ratification of the *Anishinabek Nation Education Agreement*, including the need to develop a transitional plan to cover the period of time from the vote until the Effective Date and secure resources to implement the activities during this period.

We also discussed the importance of every one of our First Nations having their own constitutions in place prior to the ratification vote on the Governance Agreement. The constitutions could set out, among other things, the law-making powers of the First Nation, how laws can be passed by the Council, the power to establish other governance related institutions like committees and boards and any future judicial institutions that will be needed as we pass more and more of our own laws like administrative tribunals, or courts. It will be the most important law a First Nation will have and this is why it is sometimes referred to as a “Supreme Law”.

As we continue to move forward together along our path of self-determination, it will be very important to keep our First Nations citizens informed at every step along the way. The way we communicate with our citizens needs to be carefully thought out and to this end, we will be developing a communication strategy that will give us some best practices and ways to reach out to our citizens.

Things are not going to change overnight, but change is needed. Our citizens have been facing and living under deplorable conditions and it is time we looked at better and more effective ways of governing ourselves that will change this for the better and hold out the hope of a better tomorrow for our children.

Our main messages we took away from the meeting are set below:

1. The new proposed government-to-government fiscal relationship and the new fiscal agreements that come with them must be an improvement over the fiscal frameworks we currently have in place. Our populations are growing and the current funding models have not kept pace with this growth.
2. We need to put in place our own “Supreme law” in our First Nations – our constitutions. We simply cannot rely anymore on other governments to come up with the laws that we need for our First Nations. We need to have our own laws and legal framework and the constitution is the law that gives us the power to enact the other laws needed in our First Nations. Without a constitution, our laws can be challenged.
3. Regular and ongoing communications with our citizens is so important. After all, it will be our citizen voting members who will be voting on the new Governance Agreement and we must all work together to help get the word out to our citizens about the coming opportunity to change things for the better.



Chief Phyllis Williams of Curve Lake First Nation perhaps summed up our challenge best when she said...

“ The purpose in having these negotiations with Canada is not only for ourselves, but for our youth who will need to continue to live a good life after we have gone, what will their future look like? That’s what we need to think of regardless of what has happened in the past—we are still here and our traditional ways of looking after ourselves must be passed on to our youth. ”

**The next scheduled GWG meeting will be February 7-8, 2018, in Sault Ste. Marie, ON.**