



# TIME FOR CHANGE

## A Brief Overview of the Draft *Anishinabek Nation Governance Agreement*

October 2017

The Draft *Anishinabek Nation Governance Agreement* (ANGA) between the Anishinabek and Canada is nearing completion. First Nation communities have long heard about the need for change for over 20 years. It is a fact that the *Indian Act* prevents growth and stability in our communities and citizens, and will continue to do so for future generations.

Through the Agreement with Canada, communities that successfully ratify the *Anishinabek Nation Governance Agreement* will be removed from sections 8-14 and sections 74-80 of the *Indian Act*. A nation-wide vote is projected to take place Spring/Summer 2019.

The fiduciary relationship between Canada and the First Nations will continue and any change to the fiduciary obligations of Canada must be agreed to by the First Nations.

This agreement will allow Anishinabek First Nations to proceed with deciding on:

- Citizenship
- Selection of Leaders
- The process for exercising law-making authority
- Accountability of leaders to their members
- Rights of appeal and redress
- Structures and Procedures and legal status and capacity of government
- Fiscal relations between the Anishinabek and Canada

**Did you know?** The *Anishinabek Nation Governance Agreement* once finalized will not limit or take away any Aboriginal or Treaty rights of our First Nations and is not intended to be any interpretation of our inherent right of self-government.

The *Anishinabek Nation Governance Agreement* will set out:

- The establishment and recognition of two levels of government – one at the First Nation level and the Anishinabek Nation government level;
- Law-making powers for our First Nations and the Anishinabek Nation to preserve, promote and develop the use of Anishinaabe culture and language;
- Law-making powers for our First Nations and the Anishinabek Nation to select our leaders;
- Law-making powers for our First Nations to determine its citizenship;

- Law-making powers for our First Nations and the Anishinabek Nation with respect to the management and operation of our governments;
- That other law-making powers may be negotiated as required;
- The development of constitutions at both the First Nation level and the Anishinabek Nation;
- To negotiate the relationship between the First Nation laws, Anishinabek Nation laws and those of Canada and Ontario;
- The Anishinabek Nation Governance Agreement will set out the application and priority of the Canadian Human Rights Act;
- The Canadian Charter of Rights and Freedoms will apply to each Participating First Nation Government and the Anishinabek Nation Government.

The Benefits of the Anishinabek Nation Governance Agreement:

- **More Jurisdiction or Law -Making Powers:** Without our own laws, we are subject to and dependant upon other government's laws, priorities, funding, and programs. When we make our own decisions and our own laws, this will help ensure we make better decisions that produce better results.
- **Good Governing Institutions:** Stability in the rules and how things are done—by having our own constitution, and election laws and well-trained workers in our communities will get the job done.  
Separation of business or management functions from the Chief and Council role (Governance) increases the chance of success of a business on reserve by 400%.  
Effective dispute resolution mechanisms will allow ways to resolve differences using our own systems.
- **Our Anishinaabe Culture:** Our governing institutions such as our First Nation Chi-Naaknigewins (constitutions), election laws, appeal tribunals & courts, must be designed to match our culture. We will have more legitimacy in the eyes of our people because they will have built them.
- **Having a Long Term Strategic Vision or Plan:** A long term strategic plan (20-30 years) would make a difference in determining the kinds of laws and policies we need and set targets.

For additional information or if you have any questions, please contact:

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