

TRANSITION WORK PLAN TO ESTABLISH THE ANISHINABEK GOVERNANCE

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- Any Party may suggest additions and/or deletions to the rolling draft until the work plan is complete
 - The identified topics in this document are for discussion and do not constitute legally binding obligations
 - **Text agreed upon at the table will be recorded in bold font.**

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Introduction

1. The purpose of this plan is to set out the recommended initial activities steps required after the ratification of the Governance agreement and before its effective date to prepare for the day one of the Anishinabek Governance System by the Anishinabek First Nations and Anishinabek Nation.
2. The parties to this Work Plan to Establish the Anishinabek Governance System (the “Work Plan”) are the Anishinabek First Nations, and Indigenous Affairs and Northern Development representing the Government of Canada (“Canada”). The Anishinabek First Nations and Canada have jointly developed this plan to coordinate activities to support the establishment of the Anishinabek Governance System. The Parties anticipate this system will be operational on April 1, 2021.
3. The bases for this Work Plan are the Governance Implementation Plan, the Anishinabek Nation Governance Agreement and the Anishinabek Nation Fiscal Transfer Agreement.
4. The Anishinabek Nation Governance Agreement is a sectoral self-government agreement between the Anishinabek First Nations and the Government of Canada that deals with core governance matters including elections, citizenship, financial and administration. It also identifies matters for subsequent negotiations. On the basis of the Anishinabek Nation Governance Agreement, the Anishinabek First Nations and Canada have agreed to identify their respective activities related to setting up the Anishinabek Governance System.
5. The separate funding arrangements to support the implementation of this Work Plan will be addressed in an annual self-government negotiations funding Support funding Agreement between by the Union of Ontario Indians and Canada. It will not be covered by the Fiscal Transfer Agreement.

Definitions

6. In this Plan, the

“Anishinabek First Nations” are the First Nations that successfully ratified the Anishinabek Nation Governance Agreement and whose names appear in Schedule A of that Agreement;

“Anishinabek Nation Education Agreement” and “ANEA” means the agreement on education between the Anishinabek First Nations and Her Majesty the Queen in Right of Canada as represented by the Minister of Indian Affairs and Northern Development as ratified by the Anishinabek First Nations;

“Anishinabek Nation Governance Agreement” and “ANGA” means the agreement on education between the Anishinabek First Nations and Her Majesty the Queen in Right of Canada as represented by the Minister of Indian Affairs and Northern Development as ratified by the Anishinabek First Nations;

“Effective Date” means the date that the ANGA comes into legal effect under federal legislation;

“FNs” are the First Nations that successfully ratified the Anishinabek Nation Governance Agreement and whose names appear in Schedule A of that Agreement;

“FTA” means the Anishinabek Nation Fiscal Agreement

“Parties” means the individual Anishinabek First Nations, Ontario and Canada;

Legal Status of this Plan

7. This Work Plan does not create any legally binding obligations on the Parties.
8. Nothing in this Work Plan will be considered an amendment to, modification of or derogation from the provisions of the ANGA or the Anishinabek Nation Fiscal Agreement.

Work Plan Timeframe

9. This Work Plan covers the period of time from the ANGA Ratification date to the Effective Date.
10. On Effective Date, the ANGA and FTA will be implemented.

Assumptions

11. The assumptions made regarding this Work Plan are:
 - a. the Anishinabek First Nations will confirmed the structure of the Anishinabek Nation’s Government;
 - b. the activities under this Work Plan will support the establishment of the Anishinabek Nation Governance for operation on the Effective Date;
 - c. the activities under this Work Plan will support the smooth transition from the Indian Act governance systems to the Anishinabek Governance system;
 - d. that each Party is responsible to approve only the activities attributed to that Party under this Work Plan;

- e. that each of the Parties commits to provide necessary personnel and time to implement this Work Plan; and,
- f. that parallel execution of activities is required to ensure all activities are completed prior to Effective Date.

Points of Contact

12. The points of contact for the Parties are:

For the Anishinabek First Nations:

Dave Shawana
Director of Restoration of Jurisdiction
Anishinabek Nation
Nipissing First Nation, ON P1B 8J8
Tel.: 705-497-9127
Fax: 705-497-9135

For Canada:

Murray Pridham, Negotiator
10 Wellington Street
Gatineau, PQ K1A 0H4
Tel.: 819-953-6887
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Implementation Representatives:

TBD

Overview of this Plan

13. This Work Plan will set out the:

- a. description of major activities leading up to the operation of the Anishinabek Nation Governance system on Effective Date;
- b. lead party(ies) for the activities;
- c. participating party(ies) in the completion of activities;
- d. associated activities;
- e. associated documents;

- f. planning assumptions;
- g. steps for completion of the activities;
- h. start and end dates for each activity;
- i. outcomes/deliverables;
- j. resources required to support those activities;
- k. current status of activity; and
- l. associated notes.

14. Attached to this Work Plan as Annex A are the major activity sheets describing the major activities.

Meetings

15. The Parties will meet every month, or as required, to assess the implementation of this Work Plan.

Transition Work Plan Approval and Monitoring

16. The Parties acknowledge that they have reviewed the Work Plan and understand the information presented within this document. Changes to this Plan will be coordinated with, and reviewed by the Parties, as appropriate.

17. The Parties agree to ongoing monitoring of the Work Plan and associated communications as required based on transition activity.

Format Notes and Interpretation for the Work Plan Major Activity Sheets

18. This section describes the contents of the major activity sheets in Annex A.

Major Activity #: title of the activity leading up to the operation of the Anishinabek Nation Governance on Effective Date

Description: describes purpose and scope of activity

Lead Party(ies): the primary party(ies) responsible to oversee the major activity

Participating Party(ies): others that have a direct and significant role in completing the associated activities;

Associated Documents: the documents that are related to the major activity;

Planning Assumptions:

The planning assumptions reflect the circumstances considered or expected to arise in relation to the major activity. Some planning assumptions also reflect steps or measures that the Parties assume will be taken to support the performance of the associated activities.

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
Description of activity	Steps required to complete activity	Resources required to complete the steps	Start date for the steps	End date for the steps	Ultimate target or outcome of the activity	Target date for outcome completion	Statement on immediate present

Associated Notes:

Other information the Parties wish to record in relation to the activity sheet.

Annex A – Major Activities Sheets

Major Activity 1 – Inaugural Assembly of Anishinabek Nation Government.

Description: This would be the initial organizing meeting of the FNs who successfully ratify the Governance Agreement to form the Anishinabek Nation Government.

Lead Party(ies): FNs and AN

Participating Party(ies): Anishinabek First Nations, Anishinabek Nation and Canada

Associated Documents: The Work Plan, the ANGA, the FTA.

Planning Assumptions:

- The vote on the ANGA and FTA would occur in early 2020 (February);
- The anticipated effective date is April 1 2021;
- The parties will identify the resources available to implement these activities

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
1. Inaugural Assembly of the Anishinabek Nation Government;	1) Management and Operations of Government: a. Recognition/appointment of First board or leadership council and/or executive. b. Assignment of Officers of the Nation or clan heads, signing authorities;	FN leaders,	April 2020	On-going	Appointment of board or leadership council or executive, Appointment of officers; adoption of operating by-laws/ rules of procedures; Establish of governance agenda;	June 2020;	

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
	<ul style="list-style-type: none"> c. Mandate Board or leadership council or executive for any or some of the following: d. Creation/adoption of operating by-laws/rules of procedures consideration of Dodem system; e. Development of Governance Agenda; f. Appoint interim auditor, making banking arrangements; 						
	<p>3) Develop significant Policies consistent with Anishinabe Chi-Naaknigewin:</p> <ul style="list-style-type: none"> a. Conflict of interest; b. Delegation of authority; c. Appeal and Redress mechanism; <p>4) Mandate and decide on</p>	<p>Board or leadership council or executive</p> <p>FN leaders</p>	<p>June– August 2020</p> <p>June –</p>		<p>Policies and guides to aggregation;</p> <p>Centralized appeal systems to support FN laws, policies and conflict;</p> <p>Department mandate /</p>	<p>August 2020</p>	

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
	administration of ANG a. Elections b. Citizenship c. Culture and language d. Management and operations	FN Leaders Identify strategic priorities	August 2020		objectives,		

[Major Activity 2 – The Development of the Initial Body of FN laws.](#)

Description: It is anticipated that it will take some time to develop the initial FN body of laws for Effective Date and their implication for changes in a FN community; however, some work should be done prior to the effective date to have template laws developed and workplans to get them into force.

Lead Party(ies): FNs and AN

Participating Party(ies): Anishinabek First Nations, Anishinabek Nation and Canada

Associated Documents: The Work Plan, the ANGA, the FTA.

Planning Assumptions:

- The vote on the ANGA and FTA would occur in May or June 2019;
- The anticipated effective date is April 1 2021;
- The annual negotiations work plan will identify the resources available to implement these activities

<p>1. Development of initial FN citizenship law.</p>	<p>a) Strike an Citizenship Law Working group to oversee development of FN citizenship law; b) Analysis of each FN in regards to status of citizenship laws/policy/codes; c) Report findings and recommendations to the Anishinabek Nation government; d) Develop template law; e) Develop template FN workplan to develop law;</p>	<p>FN, AN</p>	<p>May – June 2020</p>	<p>May 2020</p>	<p><u>Outcome:</u> AN and FN are informed about the about the work required to ensure compatibility between existing laws/codes/policies and the ANGA requirements. <u>Deliverables:</u> Report to FNs and AN on the requirements to meet the terms of the ANGA and FN specific work plan to meet requirements of ANGA.</p>	<p>May 2020</p>	
<p>2. Development of initial FN Elections law.</p>	<p>a) Strike an Elections Law Working group to oversee development of FN Election law; b) Analysis of each FN in regards to status of Election laws/policy/codes; c) Report findings and recommendations to the Anishinabek Nation government; d) Develop template law; e) Develop template FN workplan to develop</p>	<p>AN, FN</p>	<p>May – June 2020</p>	<p>May 2020</p>	<p><u>Outcome:</u> AN and FN are informed about the about the work required to ensure compatibility between existing laws/codes/policies and the ANGA requirements. <u>Deliverables:</u> Report to FNs and AN on the requirements to meet the terms of the ANGA and FN specific work plan to meet requirements of ANGA.</p>	<p>June 2020</p>	

3. Development of initial FN Financial Administration law.	law;					
	<ul style="list-style-type: none"> a) Strike an financial administration Law Working group to oversee development of FN Financial Administration law; b) Analysis of each FN in regards to status of Financial Admin laws/codes; f) Report findings and recommendations to the Anishinabek Nation government; g) ANG coordinate FN in development of initial body of laws; h) Develop template FN workplan to develop law; 	FNs and AN	May – June 2020	May 2020	<p><u>Outcome:</u> AN and FN are informed about the about the work required to ensure compatibility between existing laws/codes/policies and the ANGA requirements.</p> <p><u>Deliverables:</u> Report to FNs and AN on the requirements to meet the terms of the ANGA and FN specific work plan to meet requirements of ANGA.</p>	

Major Activity 3 – Establish AN and FN Registry and Repository of Laws

Description: The process for storage and access of AN and FN laws along with policies for access and storage will be developed.

Lead Party(ies): Anishinabek First Nations, Anishinabek Nation.

Participating Party(ies):

Associated Documents:

Planning Assumptions:

- Prevailing principles in regards to access to information will apply to the registry;
- First Nation privacy Laws will impact the protocols and agreements ;
- FNs will forward to the Anishinabek Nation its laws created pursuant education, citizenship, elections, culture and language and operation of government.

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
1. Initial research or scan of the FNs existing registries;	a) Contact FNs and document findings into a report;	Contract or internal AN activity;	May 2020		Report on existing systems for registry of by-laws, codes, laws, etc.	Systems for effective date	
2. Research in regards to best practices in municipal law or by-law registry systems;	b) Contact municipalities and other governments to determine systems of registries;	Same above	May 2020		Report on systems in Municipalities and other governments;		
	c) Develop report including recommendations in regards to FN and AN registries;	Same as above	May 2020				
3. Develop model or template FN registry and repository system.	d) Policy to govern system including access	Same as above	June 2020		Template policies and procedures for consideration by Anishinabek Nation Government;		

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
4. Implement FN training on registry of laws systems;	e) Training of FNs on system;	Same as above.	June 2020				

Major Activity 4 – Develop and maintain a system of Access to information and Privacy for FNs and the AN.

Description: The Anishinabek Nation will need to develop access to information and privacy policy or law in order to facilitate citizenship and election information transfer from FNs to the AN and to support aggregation.

Lead Party(ies): Ontario and Canada

Participating Party(ies): Anishinabek First Nations, AN,

Associated Documents:

Planning Assumptions:

- Clear and well communicated access to information and privacy rules are key to effective aggregation
- Range of activities undertaken by all parties
- Activities require tripartite facilitation for effective implementation
- Communications to First Nations

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
1. Initial assessment and analysis of access information and Privacy for FN, AN and AN Institution	a) Review law in regards to Access to Information and Privacy for FNs		May 2020		Memo or brief on issue	August 2020	
	b) Draft guidelines for FNs and AN		June 2020		Draft document	August 2020	
	c) Determine method of implementation		June 2020		Policy, law or guideline		
2. Training in regards	a) Develop Training		August		Training module		

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
to preferred access to information and privacy system.	Module		2020				
	b) Conduct training;		August 2020		Trained staff		
	c) Report.		August 2020				

Major Activity 5 – Development of Fiscal transfer arrangement and establish spending authorities.

Description: Need to prepare and facilitate the fiscal transfer by consolidating the current governance related transfers.

Lead Party(ies): AN and FNs,

Participating Party(ies): Anishinabek First Nations,

Associated Documents:

Planning Assumptions:

- During the Transitional Year First Nations and the Anishinabek Nation must have internal transfer agreements in place to distribute and maintain reporting related to self-government funding

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
1. Development and support for internal transfer agreements	a) Form fiscal working group from representatives from the FN that successfully ratified governance agreement	FN reps AN	May 2020		Draft Internal transfer agreements (one for Governance FNs and another for FNs that ratify both Governance and Education)		
	b) Complete review of what accountability and other requirements are required in the internal transfer agreements;	AN FNs	May 2020 May 2020				
2. AN – FN	a) Finalize and sign AN and		June 2020			June 2020	

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
transfer Agreements	FN transfer agreements						

Major Activity 7- Enforcement and Adjudication

Description: the Participating First Nations need to understand how to enforce their newly acquired law making authority.

Lead Party(ies): Anishinabek First Nations and Ontario

Participating Party(ies): FN, AN

Associated Documents: sample FN law on citizenship or elections

Planning Assumptions:

- First Nations will have developed laws to be enforced come effective date.
- First Nation will have identified a representative as responsible for enforcement.

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
1. Gathering on enforcement and adjudication	a) Identify FN participants	AN, FNs		May 2020			
	b) Draft agenda	AN, FNs					
	c) Develop material for enforcement gathering. d) Advise or train participants on current enforcement and adjudication processes and options.	AN, FNs		June 2020	An approach, policy, law or plan for enforcement.		

Major Activity 7- Alignment of Education and Governance Agreements and FNs

Description: A gathering needs to take place to bring together the FNs that approved both the governance agreement and the education agreement to address any issues in regards to the amalgamation of the AES to the Anishinabek Nation Government. Possible topics include relationship between AN and KEB; timelines for amalgamated funding agreement for FNs that are signatory to both;

Lead Party(ies): Anishinabek First Nation Youth, Anishinabek First Nations, youth from provincial school boards

Participating Party(ies): KEB, FNs of the governance agreement

Associated Documents: ANGA, ANEA

Planning Assumptions:

- That there will be a number of First Nations that have ratified both the governance and education agreements.
- The FNs that approved the education agreement will be represented by the participation of the KEB.
- There will be some duplication of activities and functions as a result of a PFM approving both education and governance agreement.

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
1. Identify amalgamation issues	a) Identify FNs that agreed to both Education and Governance Agreement		April 2019		Improved efficiencies and coordination.		
	b) Prepare material for discussion of amalgamation	Discussion material, options material.	April 2020				
	c) Hold meeting and		May 2020				

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
	identify approach.						

Major Activity 8- Consolidation of the Education and Governance Fiscal transfer agreements.

Description: To facilitate a single self-government fiscal transfer concerning both the Education and Governance Fiscal transfer agreements.

Lead Party(ies): KEB and Ontario

Participating Party(ies): Anishinabek First Nations,

Associated Documents:

Planning Assumptions:

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
1. Develop common instructions for FTA between Education and Governance FNs Agreement	a) Prepare material for meeting between FNs that ratified both the Education and governance agreements.		May 2020				
	b) Hold meeting between FNs for both the education and governance agreements.						
	c) Develop common instructions for next FTA						

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status

[Major Activity 9- Establish Implementation Committee](#)

Description: ANGA requires the establishment of the Implementation and Operations Committee.

Lead Party(ies): FNs, Canada (ANEA)

Participating Party(ies): same as above

Associated Documents:

Planning Assumptions:

- In order for the committees required to be operation on effective date, we need to prepare and introduce them to the roles and responsibilities in lead up to effective date.

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
1. Terms of Reference for Committee	a) Develop a Terms of Reference for the Implementation committee	FNs, AN Canada,	April 2020	April 2020	Terms of Reference	April 2020	
2. Appoint representatives	b) FNs and AN to identify representatives for the Governance	FNs, Canada	April 2020				

Associated Activities	Steps for Completion	Required Resources	Start	End	Outcome/Deliverable	Target Date	Current Status
	Agreement Committee & Implementation and Operations Committee.						
3. Committee meet with main tables for briefings on Agreements and Roles and Responsibilities	a) meeting with main tables (half day meeting with each table)	FN reps, AN and , Canada reps	May 2020	May 2020	Orientation and review	May 2020	
4. Committee draft any operating procedures and Work Plans	a) committees establish meeting schedules b) committees report back to parties (Half day meeting with each table)		June 2020	June 2020		June, 2020	