



# **Anishinabek Nation Governance Agreement**

## **Pre-Implementation Activities (Implementation Working Group)**

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(2021-2022)

### INTRODUCTION

Commissioners, Patrick “Wedaseh” Madahbee, Barbara Nolan, and Jeanette Corbiere-Lavell, have been instrumental within their leadership roles by sharing their knowledge and expertise for areas of Governance, Anishinaabemowin, and Citizenship. Their guidance has contributed to the success of the Anishinabek Nation Governance pre-implementation activities on behalf of funded Ratifying First Nations that include Magnetawan First Nation; Moose Deer Point First Nation; Nipissing First Nation; Wahnapiatae First Nation and Zhiibaahaasing First Nation.

Aundeck Omni Kaning First Nation, Biinjitiwaabik Zaaging Anishnaabek, First Nation, Sheshegwaning First Nation and Namaygoosisagagun First Nation are unfunded but press forward with pre-implementation activities as far as they are able through participation in Transition Plan meetings and activities. These 4 First Nations are especially involved in the development of the collective Intergovernmental Forum and the collective body, called the “Anishinabek Nation Government” in the Governance Agreement.

Patrick Madahbee Commissioner on Governance, was appointed by the Ratifying First Nations and became the Chair of the Implementation Working Group (IWG) in November 2021. His natural ability to progress this evolutionary work with technical support, consensus building, and navigation of project management issues has been key to the advancement of the formation of the “Anishinabek Nation Government” body (ANG).

Barbara Nolan, Anishinaabemowin Commissioner, has also played a crucial role, as her Anishinaabemowin fluency was required for translation of key documents for the early development stage of the ANG, such as the Mission Statement. The importance of Culture and Language will continue to be pivotal for the next phase of development.

Citizenship is one of the first template laws initiated for research and development. Jeanette Corbiere-Lavell, E’Dbendaagzijing Commissioner, produced earlier research for the Restoration of Jurisdiction (ROJ) Department and produced the E’Dbendaagzijing template law which was based on community engagement sessions held throughout the Territory nearly a decade ago which is proving to be useful for important messaging for the Citizenship Conferences and the Anishinabek Nation.

Guided by the Director of Restoration of Jurisdiction, Dave Shawana, Janet Esquimaux, Transition Plan Coordinator, has the responsibility of coordinating all the work of the Implementation Working Group (IWG); however, critical to that work are the ROJ staff who play an active in internal Transitional Planning. They are Marina Plain, Mary Laronde, Arnya Assance, Barbara Naveau, Melanie Miller and Kirk Titmuss.

Governance Coordinators and Directors at the community level and their citizens make all of this Community Development work possible with the establishment of their working groups that are creating their laws for the continued and enhanced exercise of their jurisdiction.

The technical Fiscal Team, comprised of Martin Bayer, Jide Afolabi and Fred Bellefeuille, are diligent in navigating fiscal offers with Federal officials. The Global Pandemic caused inflation values to soar, taking this into consideration, Internal Funding Agreements were revised to reflect this factor. Additionally, the Fiscal Team is developing first laws regarding the Operation and Management of Government and the development of internal allocation agreements and processes to receive and distribute funds for First Nations and the ANG collective body.

**Implementation Working Group (IWG) Developments**

The Implementation Working Group (IWG) meets on a regular basis to make recommendations for the evolution of the “Anishinabek Nation Government” (ANG). This work is derived from a comprehensive Transition Work Plan intended to operationalize nine major activities. The work plan covers the period of time from the ANGA Ratification date to the Effective date of the Agreement.

The project deliverables include the development of initial body of laws based on the four pillars; establishment of an Anishinabek Nation First Nation Registry of Laws; a system of Access to Information and Privacy; development of a Fiscal Transfer arrangement and spending authorities; Enforcement and Adjudication; harmonization of the Education Agreement and the consolidation of the Fiscal Transfer Agreements

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| <b>Meeting Summary</b>              | <b>Project Name:</b>  | <b>Transition Work Plan</b>   |
|                                     | <b>Date:</b>  | <b>March 10, 2022</b>   |
|                                     | <b>Time:</b>  | 9:00 a.m. – 12:00 p.m.  |
| <b>Summary of Discussion Topics</b> | <ul style="list-style-type: none"> <li>• Citizenship Conference Update (2<sup>nd</sup>)</li> <li>• Central Body Update</li> <li>• IGF Backgrounder</li> <li>• ANG Budget &amp; Work Plan</li> </ul> | <ul style="list-style-type: none"> <li>• Internal Transfer Agreements</li> <li>• Draft Legislation update</li> <li>• Critical Path review</li> <li>• Virtual Signing Ceremony – ANGA Agreement</li> </ul> |

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| <b>Meeting Summary</b>              | <b>Project Name:</b>  | <b>Transition Work Plan</b>   |
|                                     | <b>Date:</b>  | <b>February 11, 2022</b>  |
|                                     | <b>Time:</b>  | 9:00 a.m. – 12:00 p.m.  |
| <b>Summary of Discussion Topics</b> | <ul style="list-style-type: none"> <li>• Terms of Reference – IGF</li> <li>• Citizenship Conference Successes</li> <li>• Progress Evaluation</li> </ul> | <ul style="list-style-type: none"> <li>• Management and Operations of Government Law</li> <li>• Naming of Central Body</li> </ul> |

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| <b>Meeting Summary</b>              | <b>Project Name:</b>  | <b>Transition Work Plan</b>   |
|                                     | <b>Date:</b>  | <b>January 11, 2022</b>   |
|                                     | <b>Time:</b>  | 9:00 a.m. – 12:00 p.m.  |
| <b>Summary of Discussion Topics</b> | <ul style="list-style-type: none"> <li>• Fiscal Meetings Update</li> <li>• Intergovernmental Forum update and Review</li> </ul> | <ul style="list-style-type: none"> <li>• Federal Fiscal Model Presentation</li> <li>• Review of ANGA Legislation</li> </ul> |

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| <b>Meeting Summary</b>              | <b>Project Name:</b>  | <b>Transition Work Plan</b>   |
|                                     | <b>Date:</b>  | <b>December 9, 2022</b>   |
|                                     | <b>Time:</b>  | 9:00 a.m. – 12:00 p.m.  |
| <b>Summary of Discussion Topics</b> | <ul style="list-style-type: none"> <li>• Citizenship Conference Update</li> <li>• ANGA Transition Plan Activities</li> <li>• Mission Statement</li> </ul> | <ul style="list-style-type: none"> <li>• Mandate discussion</li> <li>• Citizenship Law – Guiding Principles.</li> </ul> |

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| <b>Meeting Summary</b>              | <b>Project Name:</b>   | <b>Transition Work Plan</b>  |
|                                     | <b>Date:</b>   | <b>November 4, 2021</b>  |
|                                     | <b>Time:</b>   | 1:00 p.m. – 3:00 p.m.  |
| <b>Summary of Discussion Topics</b> | <ul style="list-style-type: none"> <li>• Citizenship Conference</li> <li>• ROJ Update, Ratification, Implementation Funding</li> <li>• Determining Fiscal Amounts</li> </ul> | <ul style="list-style-type: none"> <li>• Fiscal Table – Rep. call out</li> <li>• KEB Corporate Review</li> <li>• Draft Vision and Mandate</li> </ul> |

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| <b>Meeting Summary</b>       | <b>Project Name:</b>   | <b>Transition Work Plan</b>   |
|                              | <b>Date:</b>   | <b>October 4, 2021</b>  |
|                              | <b>Time:</b>   | 1:00 p.m. – 3:00 p.m.   |
| Summary of Discussion Topics | <ul style="list-style-type: none"> <li>• Ratification, Introduction of the Governance Transition Plan Coordinator</li> <li>• TOR Working Group/Work Plan Review</li> </ul> | <ul style="list-style-type: none"> <li>• Identification of Chair</li> <li>• Community Engagement – Pre-Implementation Work Activities</li> <li>• Discussion of Draft Documents</li> </ul> |

### Legal and Technical Support from Anishinabek Nation Negotiations Team and UOI Staff

We are taking a formulated approach, which is simply a process or set of rules to be followed to calculate community pressures, such as resources and dealing with implementation of a Citizenship Template law. This is the technical element involved with deciphering “where to start” which can be challenging for a First Nation community. There are two different types of Citizenship Laws – One Parent rule which will enhance population or a Two Parent rule which will limit community growth.

Band members primarily see and think about the end product of a law, who they desire to have as fellow citizens, think in broader principles and do not see the details involved in creating a law. With that, Fred Bellefeuille, provided an overview of this formula through a PowerPoint Presentation delivered at the Citizenship Conference on February 1, 2022.

### Vision and Mandate Statements

The Mission statement and mandate focus on a foundational concept of Niigaan Zhaamin – Forward Together. These documents were acknowledged and accepted by the Implementation Working Group (IWG). They capture a summary of the Anishinaabe Government organizational goals and values to guide, direct and unify the efforts of this new legislated corporate body. The core features also reflect how each First Nation will create their laws with the on-going supports and how the Intergovernmental Forum and collective body will effectively transpire.

**“Supporting strong Anishinabek First Nation Governance, for a brighter future and the future generations of E’Dbendaagzijig”**

#### **Anishinaabemowin Translation:**

**"Aasgaawitong Anishinaabemowin Meshkoziid Anishinaabe Ogimaakandiwin, wii wasse anikiwaad miinwaa wi ni niigaaniwaad ayaanke nitaawigijig mina E’Dbendaazijig"**

## Implementation Working Group (IWG) Terms of Reference (TOR)

Initiating the work of Implementation Working Group, required a Terms of Reference for the Anishinabek Nation Government Formation. Fred Bellefeuille, Interim Negotiator, presented a draft to the Ratifying First Nations in October 2021, which was reviewed, finalized and accepted. The objectives are to collaborate and share ideas on which implementation activities to be pursued initially; to discuss ways of sharing information and share ideas on the best ways to implement the ANGA in the First Nation; think about what services could be provided by a central agency or Anishinabek Government collective body; and develop and table recommendations for the benefit of signatory First Nations.

### Intergovernmental Forum:

The Governance Agreement identifies the principles upon which the Anishinabek Nation and Canada will establish the **Anishinabek Nation – Canada Intergovernmental Forum**. The goal is to maintain a relationship to enable cooperation on issues of mutual interest or concern. The requirement of the **Effective Date**, which has been recently determined as October 1, 2022, is to have concluded an Inaugural Assembly of the newly formed “Anishinabek Nation Government” (ANG).

The IWG must also recommend and identify their respective representatives upon the completion of the Terms of Reference of the Intergovernmental Forum.

**Terms of Reference (TOR):** The Terms of Reference for the Intergovernmental Forum appended to the Governance Agreement required internal research and development to ensure the proper functioning of the Anishinabek Nation/Canada Intergovernmental “Nation to Nation” relationship. The representatives RFN’s who are involved in the development are Nipissing First Nation; Moose Deer Point First Nation; Wahnapiatae First Nation and Zhiibaahaasing First Nation. An internal meeting took place on December 16, 2021, to discuss pragmatic issues of development of the Intergovernmental Forum. Several topics were discussed, such as the scope of participation, preparations and briefings and lessons learned. A sub-committee was formed as a result of a follow up meeting with Canada. The individuals representing Canada, were Victoria Bird, and Laurence Monfils, Negotiations Analyst, Nick Stewart, Governance Director from Wahnapiatae First Nation, and Janet Esquimaux, Transitional Plan Coordinator.

### Central Body

The Central Body referred to in the Anishinabek Nation Governance Agreement is simply called, Anishinabek Nation Government. A cultural shift is required in providing an Anishinaabe name. As per a Briefing Note to the IWG members, prepared by Janet Esquimaux, Transitional Plan Coordinator, a call out was emailed to the Ratifying First Nations Leadership to gather their Anishinaabemowin speakers to seek a name for the ANG collective body. This work will be facilitated by Head Getzit, Richard Assinewai and Language Commissioner, Barbara Nolan, on April 19, 2022.

A cultural ceremony will also be conducted as part of this process in the spring, to breathe life into the structure and function of our Anishinaabe collective body.

### Review of Draft Enabling Legislation Presentations

Enabling federal legislation are regulations made under the Authority of an Act. As such, a review of the draft enabling federal legislation was introduced at the January 11, 2022 meeting of the Implementation Working Group (IWG). Legal Director, Fred Bellefeuille conducted a review and critique of the Anishinabek Nation's Governance Act and provided his feedback via memo. There were individual presentations coordinated via Zoom Platform made to each Chief of the Ratifying First Nations in February 2022.

### Community Leadership Presentation-Fiscal Offer Updates

The updated Fiscal Model was delivered by Canada representatives at the IWG Meeting on January 11, 2022. Jide Afolabi, Anishinabek Nation Fiscal Advisor, delivered the fiscal offer update(s) to community leadership during February 2022. Also, included in these presentations was the offer for the collective body, the ANG, to be operationalized.

### Communications strategy

Anishinabek News articles promoting the work of the Ratifying First Nations (pre-implementation) have been published (attached). Also, governance-related events such as meetings and conferences are published in an internal newsletter, the Mzinhigan,

Governance website is updated and new tabs installed to capture Transition and Implementation.

Two Citizenship Conferences have been directed and sponsored by the Ratifying First Nations to engage citizens and begin the developmental work for laws and administrative processes, including registries and corollary laws and policies.

Speaking notes for First Nation and Anishinabek Leadership are created for meetings and events.

Community presentations were also created for Wasauksing First Nation and Dokis First Nation.

Liaison with the Chiefs Committee on Governance is also undertaken through the Transition Coordinator and the Ratifying First Nations.

### Pre-Implementation Work Plans

Magnetawan First Nation, has retained Lloyd Noganosh as their newly acquired Governance Director. Mr. Noganosh, was their former Governance Coordinator, hired for the Ratification Vote. He has been diligent working with Chief and Council guiding Implementation Activities and establishing their working groups for the four pillars outlined in their Memorandum of Agreement (MOA).

Moose Deer Point First Nation, Chief, Rhonda Williams Lovett, has been vocal promoting the Governance Agreement at speaking engagements. They have not been able to find a qualified individual to perform the Governance coordination and management role but the search continues.

Nipissing First Nation is in the process of hiring a Governance Manager, who will advance their electoral code and culture and language strategy. Research and development continue to be ongoing for Citizenship work they have undertaken and are moving towards Implementation.

Wahnapiatae First Nation continues to exemplify the work they are conducting in community in preparedness for Effective Date.

Zhiibaahaasing First Nation recently received their Implementation Funding and are in the process of hiring two individuals for their Governance positions. This community is considered remote on Mniidoo Mnising with staff working from home due to their Covid Protocol impeding and delaying their hiring practice.

The Ratifying First Nations have also established a network to educate and communicate on best practices of implementation activities amongst each other. The sharing of resources, such as job descriptions and pre-implementation reports, mitigating pitfalls of community engagement, the importance of the use of language when discussing sensitive areas associated with status issue of citizenship code development, and moving away from the Indian Act.

- Aundeck Omni Kaning First Nation, Biinjitiwaabik Zaaging Anishinaabek and Namaygoosisagagun have not received Implementation Funding to begin the work. This issue is currently being mitigated due to Federal recognition and community internal ratification processes.

### E'Dbendaazijig Conference

The Restoration of Jurisdiction (ROJ) team was tasked with the responsibility of organizing a virtual Citizenship Conference that took place on February 1, 2022, as an output of the Technical Team. The goal of the conference was to determine a starting place and awareness for the Ratifying First Nations to begin the development work of creating their template law for citizenship. The diversity and the complexity associated with developing this particular law were taken into consideration for the planning sessions to invoke education on the subject matter.

Topics presented at the conference were the following:

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| The Importance of a First Nation Citizenship Law | FN's Experiences on Existing Membership Codes    |
| E'Dbendaazijig (Those Who Belong)                | RFN's Pre-implementation Findings on Citizenship |
| Impacts of Indian Status and Moving Forward      | E'Dbendaazijig Laws under the ANGA               |

A follow-up virtual conference via zoom platform was requested from the IWG to complement the topics addressed above. This event is scheduled for April 28, 2022. There have been several planning meetings to date. Bob Goulais will once again act as facilitator and the UOI ROJ staff will implement.

### **Future activities of the Implementation Working Group (IWG)**

Significant work has been achieved in the last six months; however, the next phase of Implementation Activities will focus on the other two pillars that need to be initiated. They are Culture and Language and Leadership Selection.