
Assembly of First Nations

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Annual General Assembly
July 5, 6, 7, 2022, Vancouver, BC

Resolution no. 01/2022

TITLE: **A Renewed Framework Providing Strategic Direction and Action Toward Evolutionary and Positive Change**

SUBJECT: Canada-AFN/Intergovernmental Relations

MOVED BY: Dwight Sutherland, Proxy, Taykwa Tagamou First Nation, ON

SECONDED BY: Chief Robert Nakogee, Fort Albany First Nation, ON

DECISION Motion passed; 191 for, 24 opposed, 14 abstentions

WHEREAS:

- A. In June 2017, the Permanent Bilateral Mechanism (PBM) also known as the AFN-Canada Memorandum of Understanding (MOU) was signed between the Assembly of First Nations (AFN) and Canada.
- B. The main purpose of the Permanent Bilateral Mechanism/ AFN-Canada Memorandum of Understanding (PBM/MOU) is to advance joint priorities between the AFN and Canada.
- C. The PBM/MOU's processes are not working effectively; as a result, the AFN is experiencing challenges and setbacks when working to advance identified priorities through this process.
- D. Considering the recent change in AFN leadership, the recent federal election, and the Liberal Party of Canada's commitment of "As set out in our permanent bilateral process, we commit to meet regularly with the Assembly of First Nations to make progress on First Nations priorities" there is a great opportunity to change the way that the PBM/MOU on joint priorities proceeds or changes.
- E. Not all of PBM/MOU's current commitments are being honoured, nor are regional needs recognized.
- F. The PBM/MOU needs to be renewed and refocused to:
 - i. address an overloaded priorities list,

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- ii. reflect and incorporate current priorities, and,
 - iii. and speak to regional diversity needs via the development of relevant processes and best practices.
- G.** In a Briefing Note created in September 2021, it was recommended that National Chief's Office determine one of three possible pathways for the PBM/MOU in order to realize the AFN's goals:
- i. Continuing on with current priorities,
 - ii. Creating a new list with removal/addition of priorities but still operating within the current system, and,
 - iii. Overhauling the current PBM/MOU process with possible changes.
- H.** In November 2021 at an AFN Executive Committee Meeting, the current sitting National Chief presented a draft framework entitled The Healing Path Forward Accord (The Accord) with the goal of renewing the 2017 AFN-Canada Permanent Bilateral Mechanism (PBM/MOU) agreement and relationship. The Accord was created as a draft for discussion document and comes from the current sitting National Chief's recent election document The Healing Path Forward.
- I.** In November 2021, the draft framework generated dialogue from the Regional Chiefs for purposes of getting their input into a revised draft of the Accord.
- J.** In March 2022 at an Executive Committee Retreat, a subsequent draft of the Accord was presented.
- K.** An opportunity to reset the direction and improve the current PBM/MOU, the Executive Committee was tasked in March 2022, to undertake consultations within their regions on the Accord, with the intent of providing feedback before the next AFN Executive Committee meeting.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Support the implementation of the renewed Permanent Bilateral Mechanism/Memorandum of Understanding framework entitled the Healing Path Forward Accord (The Accord), that includes input and feedback from each region.
2. Support the creation and implementation of a workplan that includes a steady timeline and ensures an approach that is inclusive and informative before bringing it forth for negotiations. Some of the steps include:

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- a. Regional Chiefs to bring the Accord back to their respective regions with the intent of providing feedback, and,
 - b. AFN Secretariat to do more research, assess the considerations and technicalities, and compile information to begin the formal development of the Accord.
 - c. Once the second draft is developed and agreed upon by the Executive, a motion will be passed that will result in the signing of the Healing Path Accord.
3. Support the establishment of an ad hoc technical advisory committee comprised of governance specialist, Chiefs from each region, and legal counsel to support the work mentioned above and in turn, will report back to the Executive Committee.
4. Direct the Executive Committee to issue a final report of the Accord and a suite of recommended structural changes to ensure the Accord includes political processes that will focus on action, continue to advance national priorities while also respecting regional diversity and promoting First Nations regionally led processes.
5. Support the current sitting National Chief to push the Prime Minister and his Cabinet to agree to renew the PBM/ MOU as outlined in the final draft of the Healing Path Forward Accord document.

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