
To: Chief and Council

From: Stephanie Charlie

Throughout the document anything in red are my own thoughts on needs or questions we should be considering in our work and moving forward with what has been presented at these meetings.

May 1 & 2, 2018 - AFN Special Assembly; Quebec

Attached are my notes on the breakout sessions.

AFN Special Assembly – May 1&2 2018

Nanaimo, BC

Land Claim Costs- are the costs recoverable? During the opening panel there were points made about FN fighting for their rights in court and the costs associated. With the recognition of rights being only recognized through the courts system nations are spending what little funds they have on lawyers. The question of recovering costs with the new proposed legislation was asked and needs to be considered.

Number 1 & 2 were panel presentations in the main hall

1. Education Privatization Legislation- Federal

- Consultation is required for any language legislation
- Meetings will be set up in different regions to discuss and develop the legislation
- **Look/ask about notice to participate**

Q.- What steps are the federal Government taking – what plans for dealing with challenges to the legislation?

Answers –

- Protection and revitalizing language is key part of reconciliation
- Emergency to act on language
- 90 million over 3 years
- Criteria to access funding
- Fall 2018 legislation to be introduced

2. Rights and Recognition Legislation – panel spoke about what has been taking place.

- Meetings in diff nations
- No legislation has been drafted. The legislation will be drafted after consultation

Break out session - Day 1 (afternoon)

Bill 3- Descheneaux VS Canada

Alberta Regional Chief Introduction explaining discrimination of the Indian Act

- B-C31, B-C3, B-S3 – all were created in an attempt to address issues such as:
 1. Cousins issue- differential treatment based on whether father was native or not
 2. Siblings issue- women born to 6(1)
 3. Minor whose mother married a non-native
 4. Non-stated maternity –adoption, 1951 to entitlement second generation cut off role enforcement ,FN authority to determine
- Consultation with Nations to discuss membership in Spring 2018

- Notice was sent to Indian Register in each band
- Citizenship (band membership) is controlled by FN. All those now accepted under Bill S-3 is for status only. Bands with their own membership rules still determine membership of those who have now been granted status.
- Bill C-3 tried to address gaps of Bill C 31
- Bill S-3 – created to address sex discrimination – the Bill has been passed in Parliament now
- An estimated 28,000-35,000 will be entitled to apply for status under Bill S-3
- Some funding available to FN to assist in the additional work required but on-going funding to support this is not known as the additional work required under Bill S-3 will not be on going.

David Shultze- legal counsel in the Descheneaux case

- Some communities are upset with the ability of people they don't know being given status

Provisions of S-3

- Why stuck with 1951 cut off
- All born before 1985 will have 6(1) status
- Changes to a person's "category" (6-1 etc) may be changed but Canada has not said when this will happen. Probably after phase 2 of the discrimination work. Phase 2 is to work on any discrimination changes required in the Indian Act

June – Consultation with FN about registration of members – notice will be sent to the Indian Register in FN offices

- Funding:
 - 19 million for processing of increased applicants
 - 90 million to post-secondary over 2 years
 - will adjust funding based on new registrations

Delayed Amendments of Bill S-3

- 1951 cut off – women not registered before that can now get status. This will increase numbers significantly since their descendants will now be eligible.
- Implementation of this will only happen after consultation
- 750,000- 1 million people may be eligible for status
- Details of this work is on Website
- Look at funding increase based on numbers
- Change everyone pre- 1985 to 6(1)

6(1) 6(2) numbers – what will Cowichan Tribes do in the future?

Break out session – morning Day 2

Language legislation – this session was quick. The Chief’s AFN package contained a memory stick which contains the presentation given at this session

Indigenous Language Act – pass resolution to do this work in December 2017

- 11 principles brought to the table
- Canada, AFN, METIS, INUIT at the table
 - meet almost weekly since December
 - Key principles to inform developed in agreement
 - 12 principles to inform the development of any legislation
- Incorporated the 11 from December 2017 in the principles
- Next Step – develop other documents
 - Elements of the proposed legislation
 - Will inform the engagement between June- August
 - Regions- informed documents with questions
 - Identify details
- Introduce the Language Legislation Bill in the Fall of 2018((October)
- Get away from project based funding
 - Long lasting/ permanent
 - Costing analysis now – community, Regional , Nation levels
 - Trying to determine how you put a value on the work to revitalize language
- Terms of Reference for the work
 - Political leaders on steering community
 - Despite resolution responsibility when working group has disputes

The remaining time was in the big hall with resolutions and presentations from the Canadian Political Party leaders