

BACKGROUND

There is an opportunity to unleash even greater economic success and more effective partnerships with the business community through land reforms. Canada's current additions to reserve (ATR) and claims processes take decades to complete, delaying or destroying much-needed construction and economic opportunities, and causing unnecessary confrontations over land and resource development.

Most of all, Ottawa needs to get out of the way when there are opportunities to resolve land files quickly.

A NEW APPROACH TO ADDITIONS TO RESERVE

Canada's ATR process takes as much as 30 years to complete. There is far too much bureaucratic delay, and the government admits that the ATR process is "broken". This disaster is made even worse when First Nations are resolving claims, where even after an agreement is reached, the ATR process kicks in and fails everyone. Land code First Nations want an entirely new First Nations Land Policy which can move at the speed of business.

We want to expand on the success of land codes under the *Framework Agreement on First Nation Land Management* to broader traditional territories, particularly on environmental issues which cross land boundaries. Some First Nation land conflicts in Canada will remain challenging, but the current system needlessly wastes limited resources and repeatedly fails everyone. The ATR process is broken because Canada fears taking on new liabilities under the *Indian Act*. Land code First Nations are not under *Indian Act* land management. They contribute to Canada's economy, not its liabilities.

NEW FIRST NATIONS LAND POLICY – IN THE FIRST 365 DAYS OF A NEW GOVERNMENT

- Work with the Lands Advisory Board to establish a new First Nations Land Policy to replace the failed ATR process, primarily for First Nations with land codes or other self-government agreements –this will accelerate the abandonment of the *Indian Act* processes, limitations and legacy.
- Work with the Lands Advisory Board to build a First Nation organization responsible for advancing ATRs at the speed of business, with a transition away from Ottawa bureaucracy.
- Amend the Framework Agreement to add an option for First Nations rather than Canada to hold title to First Nation Land (fee simple ownership by the First Nation as a whole, not individual member-held parcels).
- Work with the Lands Advisory Board on opportunities for improved engagement on environmental issues in the context of major project development.
- Announce with the Lands Advisory Board the objective of establishing a **new 30-day electronic approval for some ATRs**. This new option would focus on uncontroversial development-ready ATRs, as well as ATRs which can accelerate housing and economic development.

FINANCIAL CONSIDERATIONS

Federal Budget 2021 provided for more than \$35 million over four years for Indigenous Services Canada to operate the current failed ATR process. Federal officials are likely to request renewal of this funding, even as First Nations call for a different ATR process. The new 30-day electronic ATR approval process could save thousands of work-days and operate at a fraction of the \$35 million spent on Canada's current ATR systems.