



Decolonizing Land Governance under the Framework Agreement

TMPD Virtual Workshop

Dec 9, 2021 - 9:00 AM PDT / 12:00 PM EDT

WELCOME





AGENDA & OBJECTIVES



9:05 AM

Decolonizing Land Governance

- Interactive Presentation & Discussion

9:25 AM

Land Decolonized Armchair Discussion

- Panel Discussion

10:30 AM

Body Break

10:45 AM

Virtual Networking Exercise

- Breakout Room Discussions

11:50 AM

Summary & Next Steps

12:00 PM

Close of Workshop

Decolonizing Land Governance



Meko Nicholas
Executive Director



Leah Bitternose
First Nation Support
Services Prairies



Stefanie Recollet
Waste Management
Specialist



The need to have this conversation, it has a different meaning to everyone


Today we will be talking about decolonizing land and environmental governance

Recognition under the Framework Agreement on First Nations Land Management

Providing for future generations

slido

In one word, what does Decolonization mean to you?

 Start presenting to display the poll results on this slide.

First Nations: Sovereign Nations

- First Nations have been on the Land since "Time Immemorial"

- Stood equal to any Nation in the World

- Sophisticated Social Structures that included Legal Systems *and* Laws on Land & Resources

- Land is fundamentally connected to our Identity and Existence

- The responsibility to Protect the Earth for Future Generations is an Inherent Right and Law universal to all Tribes.

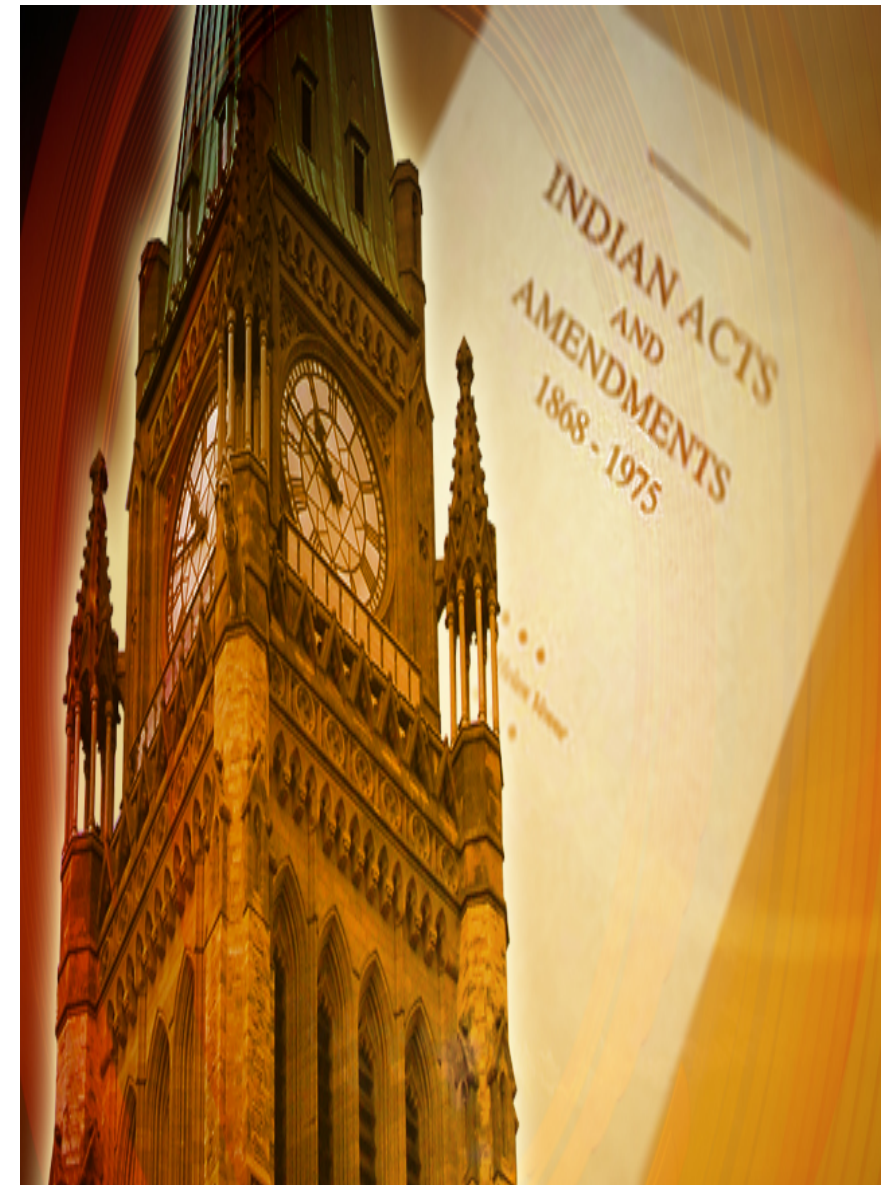


European Settlement, Treaty & Dispossession of FN Land

- 1600's First Reserve Established
- Peace and Friendship Treaties
- *The Royal Proclamation, 1763*
- Treaty's & Lands Set Apart
- Systematic dispossession of First Nation Land and Resources

The Imposition of Colonialism

- Early Imperial Acts, Policy and Laws
- Sec. 91(24) of the *Constitution Act, 1867*
- The *Indian Act, 1876*, is the oldest Federal legislation governing First Nations in Canada
- The Act gave Canada the authority to legislate all matters concerning “Indians and lands reserved for Indians”
- The Act enabled Canada to exercise "exclusive jurisdiction' and control over FN life in areas, such as:
 - Introducing the Reserve System
 - Community Location
 - Lands and Resource Management
 - Forced Surrender of Reserve Lands
 - Expropriation
 - Vehicle of Assimilation, Colonization



Initial Contact and the Loss of First Nation Land



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 See http://www.cipmefoundation.org/en/press_release_20130901.html

- First Nations have continuously fought and stood against the forced colonization and the unlawful taking of land and resources
- Through:
 - ✓ Land Claims
 - ✓ Self-Government Agreements
 - ✓ Sectoral Self Government Agreements
- First Nations are re-assuming their Inherent Rights to manage their lands and resources



The *Framework Agreement* is an historic Government-to-Government agreement signed on February 12, 1996 by 13 First Nations and Canada.

The purpose of the *Framework Agreement* is to enable First Nations to resume control over their lands and resources without Canada's interference.

This is the only time in Canada's history that a group of First Nations have joined together to design, negotiate and sign a government-to-government arrangement with the federal government to resume their rightful jurisdiction.

[April 13, 2012: 18 First Nations added as signatories to the FA in historic signing ceremony]

First Nation Lands & the *Framework Agreement*:

- No expropriation of reserve lands by Federal or Provincial governments
- Community control over Land Management and Development
- First Nations recognized as the decision-making authority over their reserve lands and resources
- Ability of First Nation to protect the environment
- *AND Ensures:*
- Canada continues to be liable for previous acts and omissions (E.G. Settlement of land claims)
- First Nation lands continue to be lands reserved for Indians within the meaning of section 91(24) of the *Constitution Act, 1867*



Dismantling the *Indian Act*



Re-establishment of FN
Governance



102 First Nations operating
under own FN Laws



FA recognizes UNDRIP

Decolonization & The Framework Agreement

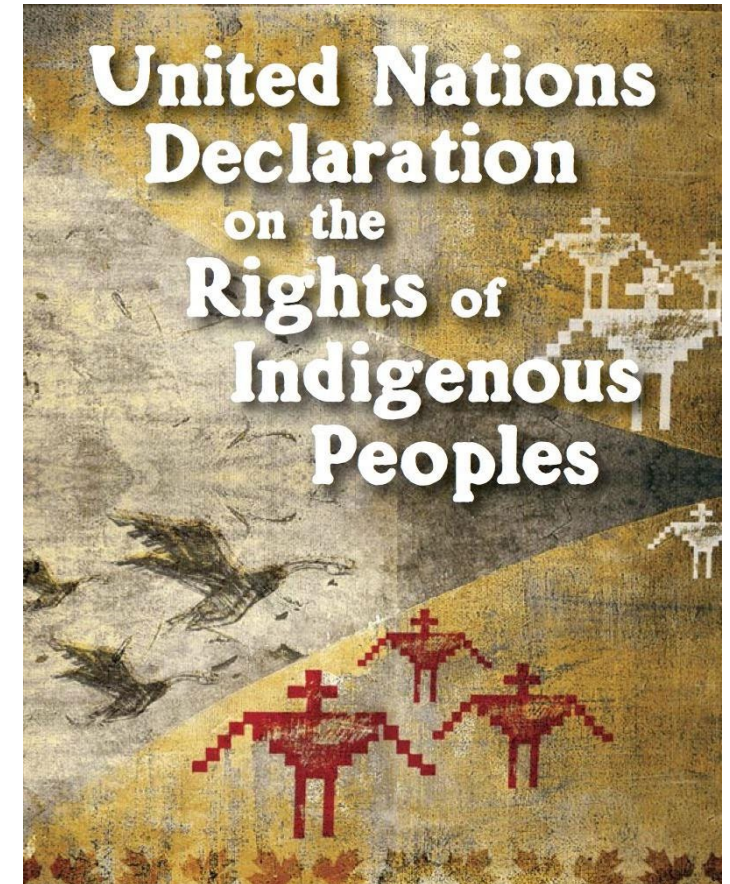
UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES



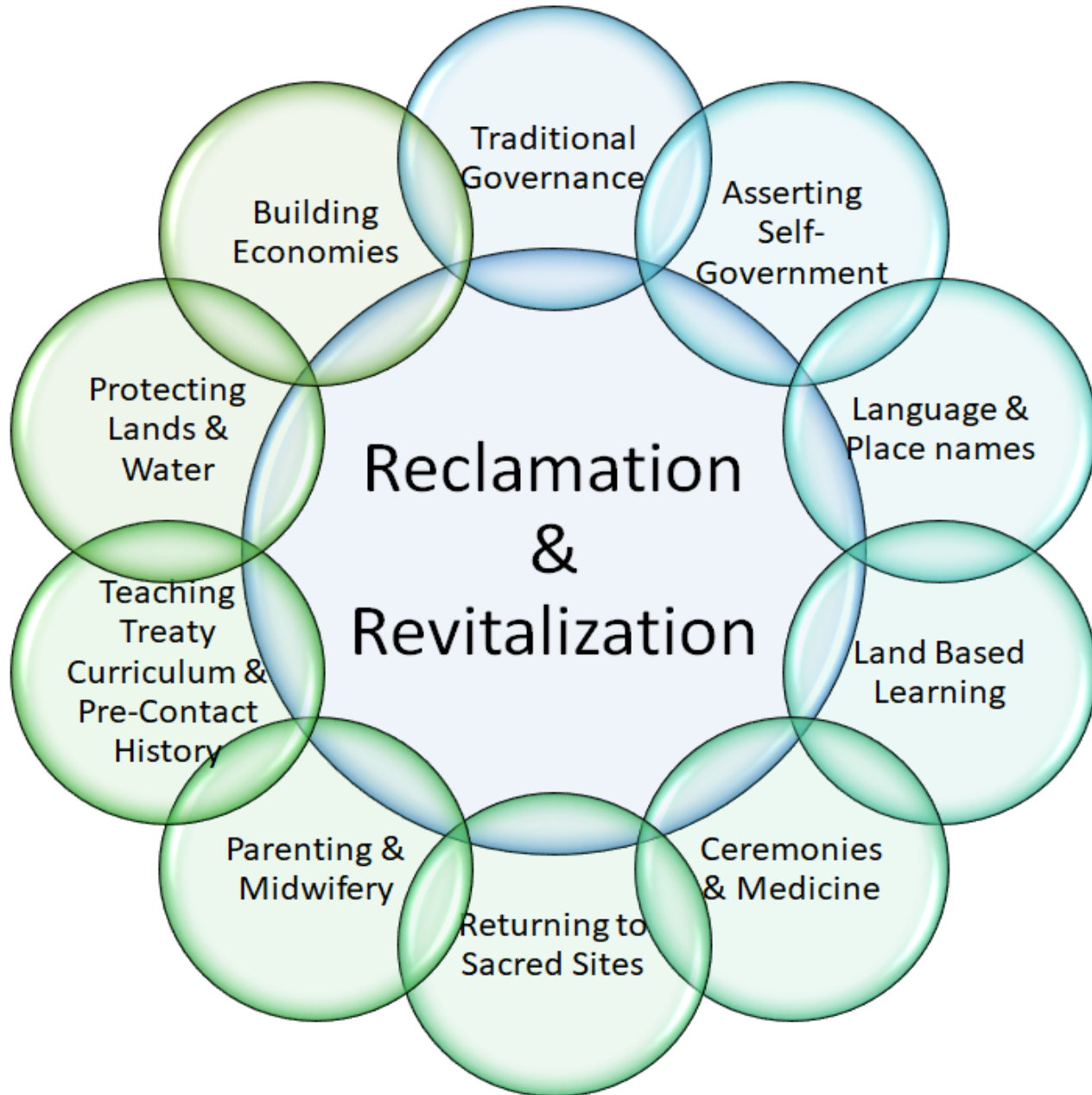
Adopted by the United Nations on September 13, 2007

- Articles 3, 4 & 18 – Self-Determination, Autonomy, Self-government and Decision-Making
- Article 19 – Free Prior and Informed Consent
- Article 20 – Maintain and develop political, economic and social systems or institutions
- Article 26, 27 & 28 – Lands & Territory
- Article 37 – Enforcement of Treaties

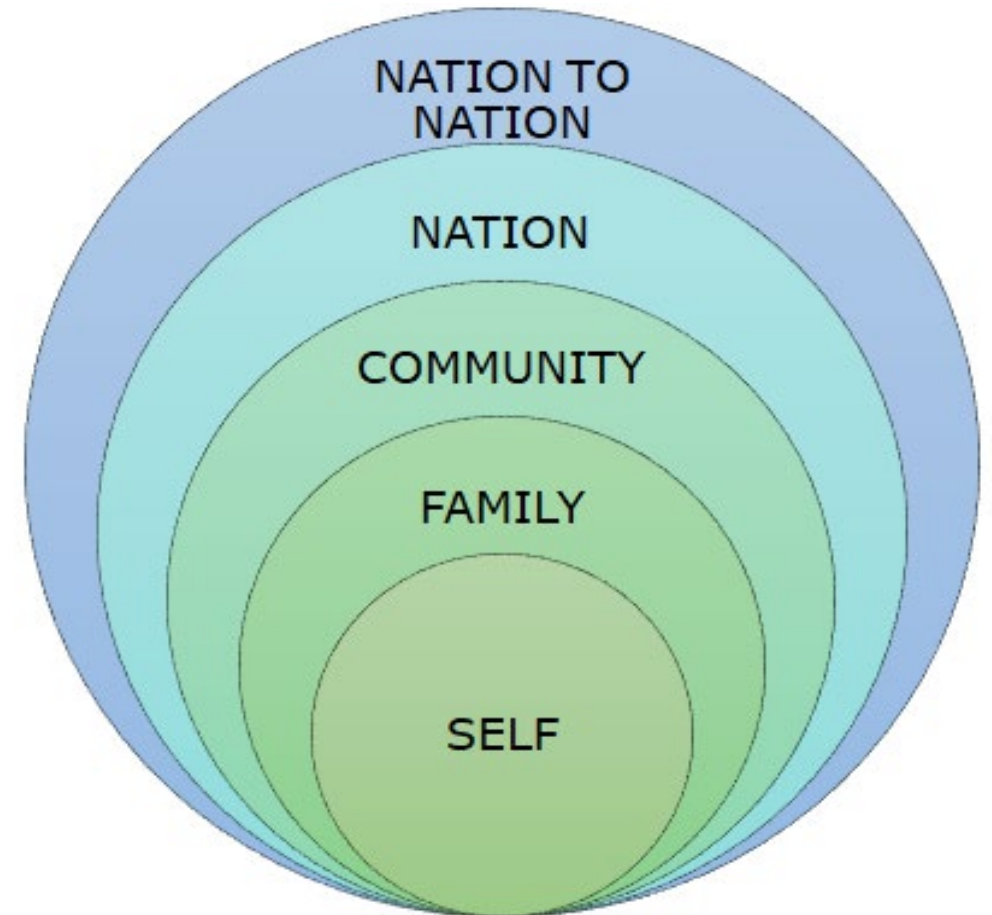
On June 16, 2021, the Senate officially passed **Bill C-15, an Act respecting the United Nations Declaration on the Rights of Indigenous Peoples**



RECLAMATION & REVITALIZATION



FN governance has been interrupted for 150 years.
What does reclamation look like?
Where does it happen?



RESURGENCE & RESISTANCE: SOCIAL JUSTICE MOVEMENTS

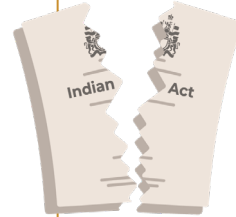
- Response to historical (& current) lack of access to justice
- Social Media -> wider reach
- Current movements (fisheries, resource extraction, pipelines, Idle No More, Land back, MMIW, etc.)
- Opposing unilateral and colonial legislation & decision-making
- FN governance systems (constitutions, living our own world view, two eyed seeing, connecting past into the future, etc.)



FUTURE FA AMENDMENTS



LABRC is always looking to expand the authority of First Nations through the Framework Agreement and continue to decolonize land governance



Canada to recognize the need for changes to federal policy



Continued discussion with leadership on future action based on Canada's recognition of lands

Land Decolonized Armchair Discussion



John Makson
Senior Public Relations Advisor

LAND DECOLONIZED PANEL



Austin Bear
Chairman, First Nations Land
Management Resource Centre



Leah George-Wilson
Tseil Wauthuth Nation



Robert Louie
Chairman, Lands Advisory
Board



Chief Gordon Planes
T'souke First Nation



Chairman Remarks





Question 1

Why is it time to talk about decolonization?

Why is it so important?





Question 2

Why is Land Code under the Framework Agreement a good step towards decolonization?





Question 3

What in your opinion needs to happen and how does the Framework Agreement fit into this effort?





Question 4

How can we collectively support resurgence of traditional governance?





Final Comments



Coffee break...

10:00

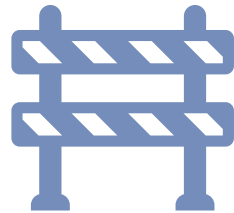
Start Stop Reset mins: 10 secs: 0 type: Coffee ▾
Breaktime for PowerPoint by Flow Simulation Ltd. Pin controls when stopped

Virtual Networking Exercise





Group Discussion - Successes, Challenges, Needs



What does decolonization mean to you?

Question 1
In your opinion, what are the biggest barriers to decolonization?

Question 2
Is there anything the FA & RC can do to assist with the conversation?

Question 3
What are your thoughts in respect to UNDRIP commitments and the FA?





Virtual Networking Recap

Room 1

Room 2

Room 3

slido



Summary & Next Steps



Overview and dialogue on approach to decolonization under the Framework Agreement

Knowledge sharing on implementing traditional governance structures and practices under Land Code

How the RC can continue to support reconciliation and principles of UNDRIP in support of land decolonizing

Virtual Networking

- Knowledge Sharing
- Breakout Room
- Open Discussion
- Frequently Asked Questions



25 YEARS REVITALIZING FIRST NATION LAND GOVERNANCE

ANNUAL GENERAL MEETING

LABRC **2021** **CCCT**

ASSEMBLÉE GÉNÉRALE ANNUELLE

A central graphic containing the LABRC logo on the left, the year 2021 in the center, and the CCCT logo on the right. Below the logos is a stylized landscape illustration with mountains, a river, and a tent.

25 ANS DE REVITALISATION DE LA GOUVERNANCE DES TERRES DES PREMIÈRES NATIONS

DECEMBER | 14 & 15 | DÉCEMBRE

LAND DECOLONIZED

PODCAST SEASON II - New Episode Available Now!



<https://www.buzzsprout.com/1515202>

Available anywhere you already listen to podcasts



2022 TMPD EVENT SCHEDULE

• First Nation Land Registry Fundamentals for the CITRIX User

Jan 13



• Records Management & Data Governance Considerations under Land Code

Feb 10



• Considerations for Commercial & Residential Leasing (A to A Leasing) under Land Code

Mar 9-10



• Approaches to Managing Legacy Issues under the Framework Agreement

Apr 7



• Land Governance Office – Considerations for Operational Start Up & Implementation of Land Code

May 12



• Developing a Climate Change Strategy for Resilient Communities under the Framework Agreement

Jun 8-9



• Enforcement & Dispute Resolution under Land Code

Jul 14



• Land Governance Authorities under Framework Agreement & Land Code

Aug 11



• Natural Resource Management under the Framework Agreement

Sep 7-8



• Update on the new model Land Codes

Oct 13



• Land Development Approaches under Land Code

Nov 10



• Environmental Management under Land Code

Dec 7-8



labrc.com/events



Webinars

1 Hour Sessions

11:00 – 12:00 PT / 2:00 – 3:00 ET

Workshops

2 Day Sessions

9:00 – 12:00 PT / 12:00 – 3:00 ET



T M Training, Mentorship &
P D Professional Development

Workshops & Webinars

Online Courses

Knowledge Paths Tool

Land Governance Manual

Knowledge Repository

Direct Community Support (1:1)





Framework Agreement Signatory First Nations across Canada

As of December 8, 2021

Total Signatories	194
Operational	99
Developmental - Active	62
Developmental – Inactive	30
Self Governing	3



Lands Advisory Board >

Resource Centre (RC) >

Our History

RC Board

RC Staff

Employment Opportunities

RC Reports

Employment Opportunities

Job Opportunities (Internal and External)

Winter Solstice

December 21, 2021





**FIRST NATIONS
LAND MANAGEMENT
RESOURCE CENTRE**



**Training, Mentorship &
Professional Development**

THANK YOU

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