

Anishinabek Nation Governance Agreement Information Package



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NGO DWE WAANGIZID ANISHINAABE **One Anishinaabe Family**

Debenjged gi'gaan anishinaaben aking giibi dgwon gaadeni mndoo waadziwin.

(Creator placed the anishinabe on the earth along with the gift of spirituality.)

**Shkode, nibi, aki, noodin, giibi dgosdoonan wii naagdowendmang
maanpii shkagmigaang.**

(Here on mother earth, there were gifts given to the Anishinabe to look after, fire, water, earth and wind.)

**Debenjged gii miinaan gechtwaa wendaagog Anishinaaben waa naagdoonjin
ninda niizhwaaswi kino maadwinan:**

(The Creator also gave the Anishinabe seven sacred gifts to guide them. They are:)

**Zaagidwin, Debwewin, Mnaadendmowin, Nbwaakaawin, Dbaadendiziwin,
Gwekwaadziwin miinwa Aakedhewin.**

(Love, Truth, Respect, Wisdom, Humility, Honesty and Bravery.)

Debenjged kiimiingona dedbinwe wi naagdowendiwin.

(Creator gave us sovereignty to govern ourselves.)

**Ka mnaadendanaa gaabi zhiwebag miinwaa nango megwaa ezhwebag,
miinwa geyaabi waa ni zhiwebag.**

(We respect and honour the past, present and future.)

*Preamble to the Anishinaabe Chi-Naaknigewin (Anishinabek Nation Constitution)
Adopted by the Anishinabek Grand Council - June 6, 2012*



ANISHINABEK NATION

Boozhoo, Aaniin Kina Waya,

After nearly 25 years of negotiations with Canada, the Anishinabek First Nations are heading into an exciting time. A successful ratification vote on the *Anishinabek Nation Governance Agreement* will see Canada finally recognizing our unceded jurisdiction in the areas of culture and language, election process and citizenship.

The *Anishinabek Nation Governance Agreement* and the *Anishinabek Nation Fiscal Agreement* were negotiated with direction from Chiefs, citizens and the Governance Working Group over the years. The Agreement doesn't take away from our inherent or treaty rights.

I encourage all Anishinabek Nation citizens to get informed and be engaged in the process. Go to a First Nation Open House or attend a regional information session and ask any question you may have. Visit www.governancevote.ca for detailed information. Find out about the fiscal offer for your First Nation. Tell your family that lives away from home. Visit our booths on the pow-wow trail, check out the news stories on www.anishinabeknews.ca, and stay connected to us on Facebook, Twitter and Instagram.

It is important that your First Nation has your current mailing address to send information and notices for the community approval vote starting in August.

Electronic voting for the *Anishinabek Nation Governance Agreement* will take place between August 1 and November 30. Find out from your First Nation for times to vote in person or by mail-in ballot.

For far too long we have heard that we need to get out from under the *Indian Act*. This is our opportunity to do just that! Again. Just as we succeeded in education, we can again demonstrate that our leadership election processes, our law-making authorities as guided by our Chi'Naaknigewin, our language and our culture will thrive under our authorities as each community determines. A very critical element of this agreement is determining our own citizens – we know we are bringing babies into our world who do not meet Canada's criteria of being a member of our community – these babies need to belong to us; status or not. We can determine who our people are and we will.

I encourage every Anishinabek Nation citizen to take the time to understand what the *Anishinabek Nation Governance Agreement* can mean to you, your family and your community now, and well into those seven generations ahead that we must always be mindful of. It's *your* vote for *your* future! Let's make this happen! Nishin.

Glen Hare (Gwiingos)

Grand Council Chief Anishinabek Nation

HEAD OFFICE: NIPISSING FIRST NATION

1 Migizii Miikan, P.O. Box 711 | North Bay, ON P1B 8J8 | Ph: 705-497-9127 | Fax: 705-497-9135 | 1-877-702-5200
info@anishinabek.ca | www.anishinabek.ca | Anishinabek Nation | @AnishNation



Anishinabek Nation Governance Agreement OVERVIEW

NEGOTIATIONS HISTORY

- Anishinabek Nation Grand Council Resolution signed in 1995 to authorize Governance negotiations.
- Framework Agreement signed in 1998.
- Agreement-in-Principle signed in 2007.

WHAT DOES GOVERNANCE MEAN?

- “Governance” simply means the structures and processes used to “govern”, for example, the “structure” is the Chief and Council itself who make decisions on behalf of their citizens/electors.
- The “processes” simply refers to how Chiefs and Councils make decisions such as its law-making procedures.

WHY IS GOVERNANCE IMPORTANT?

- Helps ensure better decision-making and outcomes for the community through stability of processes and structures.
- Shows potential business partners stability and certainty when it comes to investment decisions with First Nations.

LAWS RECOGNIZED IN THE AGREEMENT

- **Leadership Selection:** The right to pass election laws that reflect the way citizens want to select their leaders.
- **Language and Culture:** The recognition of the right to pass laws to promote and protect the use of the Anishinaabe language and the practice of ceremonial opening and conduct of meetings.
- **Citizenship:** The right to choose who citizens are and what rights, privileges and responsibilities come with that citizenship.
- **The Management and Operations of Government:** Recognition of the right to develop laws such as Financial Management Acts.

IMPORTANT POINTS

- The Governance Agreement opens the door to future discussion/negotiations on lands, health, justice etc., as determined by the First Nations who ratify the Agreement if they so choose.
- Section 87 (tax exemption) under the *Indian Act* will remain.
- The *Anishinabek Nation Governance Agreement* recognizes the inherent right of our First Nations to govern themselves in relation to matters integral to their unique culture, identity, traditions, languages and institutions with respect to their special relationship to the lands and resources.

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Anishinabek Nation Governance Agreement OVERVIEW

INTERGOVERNMENTAL FORUM

- The Governance Agreement establishes a new “Intergovernmental Forum” between the Anishinabek First Nations who ratify and the Government of Canada. The Forum will provide direct access to the Prime Minister and the Cabinet on matters of concern to our First Nations. No other self-government agreement has this provision.

GOVERNMENT STRUCTURE

- The *Anishinabek Nation Governance Agreement* will recognize the Anishinabek Nation and Anishinabek First Nations as governments, with the same legal status and capacities of other Governments. Under the *Indian Act*, there is no mention of legal status of First Nations (Indian Bands) and the capacity to enter into contracts and hold land in their own names.
- The Anishinabek Nation Government will be made up of the First Nations who ratify the Governance Agreement. They will decide what laws to pass at the Anishinabek Nation level. First Nation laws will take precedence over laws passed at the Anishinabek Nation level. The corporate body, The Union of Ontario Indians, *will not* be the government.
- Collective priorities of the member First Nations who make up the Anishinabek Nation Government will determine its direction.

RATIFICATION VOTE

The voting period for ratification of the *Anishinabek Nation Governance Agreement* is between August 1, 2019 and November 30, 2019. Options for voting:

- E-voting
- Mail-in ballots
- In-person voting

NEW FISCAL FRAMEWORK

- Funding Agreements will contain substantially more money for governance-related functions. The funding agreements will be for longer terms, five years with renewals.
- The additional money can be used to offset costs related to elections, government operations, citizenship laws and community engagement.

OWN SOURCE REVENUE

- Own Source Revenue is in a moratorium (suspended) until further notice as stated by Crown-Indigenous Relations Minister Carolyn Bennett in November 2018.

For more information please visit: governancevote.ca



Anishinabek Nation Governance Agreement

BENEFITS

By approving the Anishinabek Nation Governance Agreement:

First Nations can incorporate **more Anishinaabe language and cultural practices** into self-governance.

First Nations can **determine who their citizens are** and their **related responsibilities**.

First Nations will be legally recognized as **governments** that have the power to **pass their own governance laws**.

First Nations can set **longer terms in office** for Chiefs and Councils.

First Nations **can determine who can run** in elections and **establish candidates' qualifications**.

First Nations can **pass their own finance management laws**, making them accountable to their citizens **on their own terms**.

First Nations will receive **an increase in funding** provided by Canada for governance functions.

First Nations will be **removed from parts of the *Indian Act* that cover** band lists, elections for Chief and Councils, council meeting procedures.

The Anishinabek Nation (on behalf of First Nations who ratify) and Canada will **form an intergovernmental forum** to discuss matters of importance to First Nations.

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Anishinabek Nation Governance Agreement WHAT'S THE DIFFERENCE?

Indian Act Governance **(WHAT WE CURRENTLY HAVE)**

- Our First Nations are not recognized as legal entities under the *Indian Act* or even as governments.
- There is not enough funding provided by Canada for governance-related activities like holding our council meetings, committee meetings and running elections.
- Canada provides no funding to promote language and culture.

Anishinabek Nation Governance **(WHAT WE CAN HAVE)**

- Our First Nations will now be legally recognized as governments. Our leaders will be able to pass our own election laws, citizenship laws, language and culture laws and financial administration type laws.
- Chief and Council will receive more money from Canada for governance functions, including work we're already doing.
- Our First Nations can determine who our citizens are and what rights and responsibilities come with that citizenship.
- Chief and Council can pass financial management laws and not be forced to disclose information about salaries and honourariums of Chief and Councillors and travel expenses. They won't have to post this information on their websites if they don't want to.
- Our First Nations will be removed from parts of the *Indian Act* that cover band lists and Chief and Council elections and the Indian Band Council Procedure Regulations that prescribe how Chief and Council meetings must be conducted.

Indian Act **Elections**

- Chief and Council are limited to serve two (2) year terms under the *Indian Act*. This is not enough time for Councils to get their work done.
- The size of our Council is determined by the Minister and the *Indian Act*, not us.
- First Nation Custom Election Codes still need review and approval by Canada.

Anishinabek Nation Governance **Elections**

- Our First Nations can set longer terms in office so our Chiefs and Councils have enough time to finish the important work needed in our communities.
- Our First Nations can decide how they want to elect their government and set their own qualifications to run for office.

Intergovernmental Forum

- The Anishinabek Nation (on behalf of First Nations who ratify the Governance Agreement) and Canada will meet in an Intergovernmental Forum, which will provide direct access to the Prime Minister and the Cabinet on matters of concern to our First Nations. No other self-government agreement has this provision.

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Anishinabek Nation Governance Agreement **FISCAL OVERVIEW**

MORE MONEY

- Increased funding for much of the work we're already doing in our First Nations (governance) plus money to support language and culture development.

LANGUAGE & CULTURE

- The *Anishinabek Nation Fiscal Agreement* will provide more money to design laws and programs that will increase use of traditional language. Use of the Ojibway language is very low and likely to disappear in most Anishinabek First Nations, if it hasn't already.*
- The *Anishinabek Nation Fiscal Agreement* will provide more money to strengthen the use of our language and to learn more about traditional ways of governing ourselves (Clan-Dodemaag System). The number of Ojibway speakers in Anishinabek First Nations has declined by 60% in the last 20 years.**
- Building on Anishinabek traditions and culture will promote identity and unity. The *Anishinabek Nation Fiscal Agreement* will provide more money to make laws to promote and protect cultural practices such as ceremonies.

Sources

*Source: Pg 70. *Anishinabek Nation Socio-Demographic Profile*; Jeremy Hull, Prological Research Inc. Stewart Clatworthy, Four Directions Project Consultants. July 20, 2018.

**Source: Pg 5. *Anishinabek Nation Socio-Demographic Profile*; Jeremy Hull, Prological Research Inc. Stewart Clatworthy, Four Directions Project Consultants. July 20, 2018.

CITIZENSHIP

- Funding will support First Nations to decide who their citizens are and what responsibilities will come with that citizenship.
- Control of citizenship (currently known as "membership") by First Nations means the ability to negotiate future agreements using citizenship instead of "Indian Status" as the basis for funding. This is the first step towards eliminating the divisive and discriminative influence of "status" in our lives.

GOVERNANCE & LEADERSHIP SELECTION

- Money will flow to First Nations through the central Anishinabek Nation Government. But the central government cannot hold back any funding.
- There will be more money for band support funding, band employee benefits, registry events and Indian Registry Administrators.
- The *Anishinabek Nation Fiscal Agreement* provides flexibility in how the money is spent with accountability to First Nations Citizens.
- There will be funding to support, if First Nations desire, synchronized elections and longer Chief and Council terms. That will create stability and allow more time for leaders to complete important work.
- Own Source Revenue (OSR) to remain in a moratorium indefinitely.

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Anishinabek Nation Governance Agreement IMPLEMENTATION PLAN OVERVIEW

The Implementation Plan for the *Anishinabek Nation Governance Agreement* is part of the Governance Agreement package.

The Implementation Plan contains steps recommended to make the Governance Agreement happen. It spreads the implementation out over a 10-year time frame, but is flexible.

The Implementation Plan **breaks the Governance Agreement into manageable “projects”** that include the **enacting of language and culture laws and initial governance laws** [such as leadership selection, E'Dbendaagzijig (citizenship), financial administration].

The Implementation Plan is not an agreement and does not create any legal obligations.

There is implementation funding from Canada **to assist with the costs of implementing the *Anishinabek Nation Governance Agreement*.**

ANISHINAABE CHI-NAAKNIGEWIN TRADITIONAL GOVERNANCE



The Clan System is the traditional form of governance. Every clan has their own roles and purpose that relates to the greater good of the entire community.

TRADITIONAL GOVERNANCE CLAN SYSTEM



DEER CLAN - SOCIAL

The Deer/Hoof Clan is known for its kindness, gentle and soft-spoken nature. The Deer/Hoof clan is responsible for the social aspects of the community including ceremonies and celebrations.



EAGLE CLAN - EDUCATION

The Eagle Clan, also known as the Bird Clan, is known to be the closest to the Creator as it is part of the sky world. Eagle Clan members are the keepers of knowledge and responsible for spreading seeds of knowledge.



CRANE CLAN - EXTERNAL

The Crane stands in the water observing the world above the water line. The Crane observes the outside world and is known as the Outside Chief. The Outside Chief is responsible for negotiation with people from other communities (Nation-to-Nation).



TURTLE CLAN - LAW MAKERS

Turtle Clan members are healers and have knowledge of medicine and give advice. The Turtle Clan helps with decisions if there is a disagreement between clans.



LOON CLAN - INTERNAL

The loon dives and sees the happenings inside the water. The Loon Clan is known as the Inside Chief as it is responsible for settling disputes and issues within its community.



BEAR CLAN - HEALTH

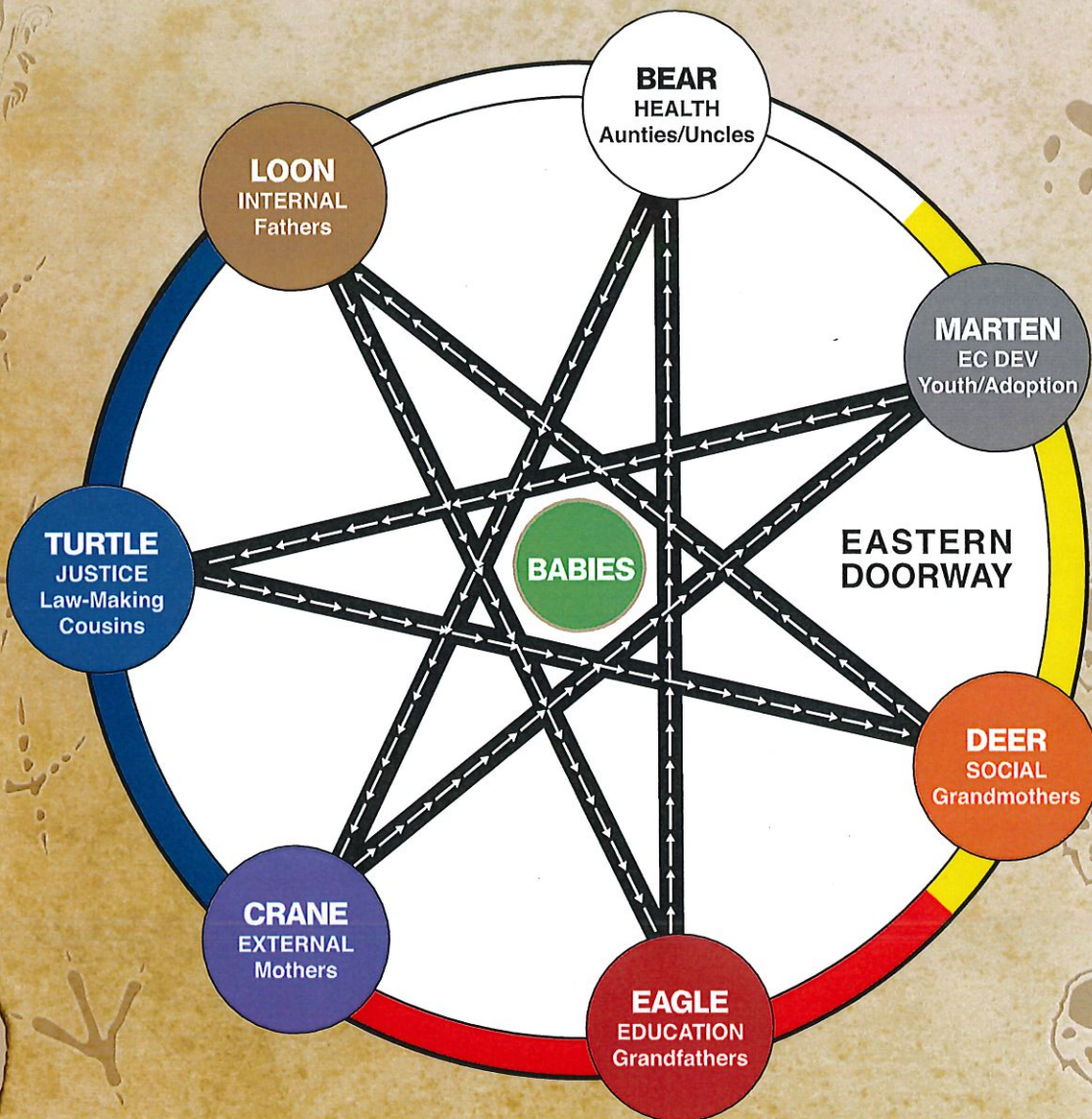
The Bear Clan is responsible for protecting its people to ensure the safety of the gentler clans inside the community. Bear Clan members are also the medicine people as they know the healing ways of plants available to them.



MARTEN CLAN - ECONOMIC DEVELOPMENT

Marten Clan members are the warriors and builders within their community as well as good hunters and providers. Marten Clan members are known as master strategists in planning the defense of their people. The Marten Clan also adopts people who don't know which clan they belong to.

7-POINTED STAR DECISION MAKING PROCESS



**CHI-NAAKNIGEWIN
CLAN SYSTEM**



**ANISHINAABE
CHI-NAAKNIGEWIN**



Anishinaabe Chi-Naaknigewin
Anishinabek Nation Constitution

Table of Contents

Preamble.....	3
Ngo Dwe Waangizid Anishinaabe.....	4
Article 1 - Interpretation; In this Law.....	4
Article 2 - Official Languages of the Anishinabek Nation.....	5
Article 3 - Citizenship of the Anishinabek Nation.....	5
Article 4 - Principles of Government Structure of the Anishinabek Nation.....	5
Article 5 - The Anishinabek Nation Law-Making Powers.....	5
Article 6 - Anishinabek Nation E'Dbendaagzijig Participation and Consultation.....	6
Article 7 - Institutions of the Anishinabek Nation Government.....	6
Article 8 - Relationship of Laws.....	6
Article 9 - Constitutional Amendment.....	6
Article 10 - Admission of First Nations to the Anishinabek Nation.....	6
Article 11 - Withdrawing of First Nations from the Anishinabek Nation.....	7

Preamble

Ngo Dwe Waangizid Anishinaabe

One Anishinaabe Family

(Preamble to the Anishinaabe Chi-Naaknigewin –as adopted by the Grand Council in June 2011)

**Debenjiged gii'saan anishinaaben akiing giibi dgwon gaadeni
mndoo waadiziwin.**

**Shkode, nibi, aki, noodin, giibi dgosdoonan wii naagdowendmang
maanpii shkagmigaang.**

**Debenjiged gii miinaan gechtwaa wendaagog Anishinaaben waa
naagdoonjin ninda niizhwaaswi kino maadwinan.**

**Zaagidwin, Debwewin, Mnaadendmowin, Nbwaakaawin,
Dbaadendiziwin, Gwekwaadziwin miinwa Aakedhewin.**

Debenjiged kiimiingona dedbinwe wi naagdowendiwin.

**Ka mnaadendanaa gaabi zhiwebag miinwaa nango megwaa
ezhwebag, miinwa geyaabi waa ni zhiwebag.**

Ngo Dwe Waangizid Anishinaabe

The Anishinaabe Chi-Naaknigewin is founded on Ngo Dwe Waangizid Anishinaabe and forms the Traditional Government of the Anishinabek Nation, within the Inherent, Traditional, Treaty, and Unceded Lands of Our Territories.

The Anishinabek Chi-Naaknigewin is proclaimed by the Peoples identifying as the Anishinabek Nation, who in exercising their Sovereign, Inherent, and Treaty Rights, now establish and empower the Anishinabek Nation Government as their Traditional Government.

Article 1 – Interpretation; In this Law

- 1.1 “Anishinaabemowin” refers inclusively to all languages of the Peoples belonging to the Anishinabek Nation.
- 1.2 “Anishinabek Nation” refers to those First Nations who together have proclaimed and signed this Anishinaabe Chi-Naaknigewin and includes “Our Territories”
- 1.3 “Chi-Naaknigewin” refers to the written constitution of the Anishinabek Nation.
- 1.4 “Dodemaag” refers to the traditional Anishinaabe clan system of governing which is based on the Seven Sacred Gifts and informs the roles and responsibilities of the Dodemaag represented by: Deer, Eagle, Crane, Turtle, Loon, Bear, and Marten.
- 1.5 “E’Dbendaagzijig” refers to the citizens of the Anishinabek Nation, which are those people who are recognized as E’Dbendaagzijig by the Anishinabek First Nations or the Grand Council. In English, E’Dbendaagzijig translates to those who belong.
- 1.6 “Grand Council” refers to the law-making authority of the Anishinabek Nation and is comprised of a Grand Council Ogiimah, Deputy Grand Council Ogiimah(k) and a representative of each First Nation of the Anishinabek Nation, all of whom must be citizens of the Anishinabek Nation.
- 1.7 “Ngo Dwe Waangizid Anishinaabe” refers to the preamble of the Anishinabek Nation. In English, Ngo Dwe Waangizid Anishinaabe translates to *One Anishinaabe Family*.
- 1.8 “Our Territories” refers to the fire, water, earth, and wind of the inherent, traditional, treaty, and unceded lands of those First Nations identifying as the Anishinabek Nation.
- 1.9 “First Nation Resolution” refers to an official decision made by the Chief and Council of an individual First Nation.

Article 2 – Official Languages of the Anishinabek Nation

2.1 Our Language is Anishinaabemowin and English is a secondary language.

Article 3 – Citizenship of the Anishinabek Nation

3.1 Every person recognized as an E'Dbendaagzijig of an Anishinabek First Nation, or recognized, as E'Dbendaagzijig by the Grand Council, is an E'Dbendaagzijig of the Anishinabek Nation.

Article 4 – Principles of Government Structure of the Anishinabek Nation

4.1 The Anishinabek Nation Government shall be guided by the principles and way of life of the Seven Sacred Gifts given to Anishinaabe, namely: Love, Truth, Respect, Wisdom, Humility, Honesty, and Bravery.

Government Structure

4.1 The Anishinabek Nation Government shall be based on the Dodemaag system of governance.

4.2 The Anishinabek Nation Government will include the law-making authority, the Grand Council, and an Elders' Council, a Women's Council, and a Youth Council, to advise the Grand Council.

4.3 The Anishinabek Nation Government will fulfill the roles and responsibilities of the Dodemaag, including the administration of the day-to-day operations of government and the administration of a system of justice.

Article 5 – The Anishinabek Nation Law-Making Powers

5.1 The Anishinabek Nation has the inherent right bestowed by the Creator to enact any laws necessary in order to protect and preserve Anishinaabe culture, languages, customs, traditions, and practices for the betterment of the Anishinabek.

5.2 The Grand Council shall enact Rules of Procedure to govern the Grand Council.

Article 6 – Anishinabek Nation E'Dbendaagzijig Participation and Consultation

- 6.1 The Anishinabek Nation Government will establish processes to ensure E'Dbendaagzijig participation and consultation in its law-making and policy procedures.

Article 7 – Institutions of the Anishinabek Nation Government

- 7.1 Through a decision of the Grand Council, the Anishinabek Nation Government has the authority to establish institutions for the administration of government.

Article 8 – Relationship of Laws

- 8.1 Anishinabek Nation laws and Anishinabek First Nation laws are equally operative; however, First Nation laws will take precedence.

Article 9 – Constitutional Amendment

- 9.1 The Anishinabek Nation Grand Council may propose an amendment by a majority decision and any proposed amendment(s) must be forwarded to the Elders', Women's and Youth Councils within 30 days.
- 9.2 After review by the Elders', Women's and Youth Councils, the Grand Council will consider the comments of the Elders', Women's and Youth Councils and decide whether to amend, withdraw or submit the proposed amendment to each Anishinabek First Nation community for approval.
- 9.3 If the Grand Council decides to proceed and submit the proposed amendment to each Anishinabek First Nation for approval, the Grand Council must obtain at least a majority approval by First Nation Council Resolution from the Anishinabek First Nations, in consultation with their citizens.

Article 10 – Admission of First Nations to the Anishinabek Nation

- 10.1 A First Nation may be admitted to the Anishinabek Nation by a decision of the Grand Council confirming the addition.

Article 11 – Withdrawing of First Nations from the Anishinabek Nation

- 11.1 A First Nation may withdraw from the Anishinabek Nation by way of a First Nation Resolution notifying Grand Council to the withdrawal.



Glen Hare

Anishinabek Nation Grand Council Chief

On the Anishinabek Nation Governance Agreement:

“We move forward to the day when we govern ourselves in our own way.”



For More Information

Toll-free line - 1-833-297-9850



Anishinabek Nation



@AnishNation



@anishinabeknation



Anishinabek Nation

Restoration of Jurisdiction Department Anishinabek Nation

1 Migizii Miikan,
P.O. Box 711

North Bay, ON P1B 8J8

Main phone: 705-497-9127

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