



**National Vice-Chief Kim Beaudin**

**47<sup>th</sup> Annual General Assembly Report**

**Ottawa Marriott Hotel**

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As National Vice-Chief for the Congress of Aboriginal Peoples (CAP), Red River Metis and Treaty 6 beneficiary I would like to welcome all of you to CAP's 47th Annual General Assembly (AGA). I am pleased to submit my second report as National Vice-Chief.

I would like to acknowledge the Traditional territory of the Algonquin which we all are presently privileged to be meeting on.

Since my election at the 45th AGA, I have been proud to engage in meetings and initiatives to continue raising the profile of CAP within all levels of government. As National Vice-Chief, I have been honoured to advocate for our nation-wide constituency. This report will outline my activities since our last AGA in September, 2017.

### **Justice and Public Safety Ministers**

On September 14, 2017, I attended a meeting with Federal-Provincial-Territorial Ministers of Justice and Public Safety. Ministers from across Canada were in attendance, including Federal Justice Minister and Attorney General of Canada, Jody Wilson-Raybould, as well as Federal Minister of Public Safety and Emergency Preparedness, Ralph Goodale.

Representatives from AFN, ITK, NWAC and the MNC were also present. Each Indigenous organization was provided with fifteen minutes to speak. I provided background historical information and an overview on CAP. The purpose of the meeting was to review the Justice system and how it impacts Indigenous peoples in Canada. Minister Wilson-Raybould made reference to my two-year appointment to the Federal Judicial Committee. (Agenda)

### **Meeting with Marilyn Gladu, MP**

On December 11, 2017, I met with Member of Parliament for Sarnia-Lambton, Conservative; Marilyn Gladu. This was a follow-up to our meeting earlier in the year to provide an update on Indigenous issues. MP Gladu stated she had children whom were non-Status and took an interest in the Daniels v. Canada Supreme Court ruling. She also stated that under Bill C-45, the Cannabis Act, Indigenous people are included in this current Federal Legislation.

### **Meeting with Cathy McLeod, MP & Indigenous Affairs Critic**

Conservative Member of Parliament (MP) for Kamloops-Thompson and Indigenous Affairs Critic, Cathy McLeod, was very interested in an update on the Daniels Vs the Crown decision and on our relationship with the federal government. I provided an historical overview of the CAP for her information.

MP McLeod asked why CAP was not at any discussion tables when over half the population of

indigenous people live off-reserve in Canada. She also inquired as to why CAP was not at any negotiation tables regarding Indigenous issues and why our constituency is no longer invited to represent the majority of the off-reserve Indigenous peoples during implementation of new Federal Policy.

MP McLeod stated that the Federal government has moved First Nations health services to the Indigenous Services ministry. The Federal budget will reflect this process in the next couple of years. She stated that other indigenous organizations should be consulted and that AFN, MNC and ITK are not a Government. I referred to the relationship between CAP and the Federal Government under former Prime Minister, Stephen Harper, and that CAP was asked to assist in support of legislation, Section 67 Human Rights would be a good example.

I also spoke about the success of Str8 Up 10,000 Steps to Healing program, keeping ex-gang members out of high risk life styles and rejoining gangs in Saskatoon. I was eager to share, Statistics Canada reports despite an overall increase, in Canada of gang related homicides, Saskatchewan gang related homicides declines by 50% in only one year.

She asked if CAP was engaged in a National Strategy Recognition and implementation of Indigenous Rights with the Federal government. Again, CAP has been excluded from the consultation process.

We spoke about how the 2017/2018 federal budget allocated no funds for Métis and non-status Indians. Only 29% of Métis people would benefit and 0% of non-status Indians. We believe that this is serious oversight in government relations with CAP.

### **Corrections Service Canada**

December 4, 2017, I spoke to Marty Maltby, Aboriginal Initiatives Directorate, Corrections Service Canada. The purpose of the discussion was to follow-up on our meeting regarding CAPs role in the justice system. There was discussion about the past working relationship between CAP and Correctional Service Canada. Both parties agreed that it was time to renew this relationship. One option is an information sharing engagement session called Circles of Communication which was cut by federal government two years ago. Correctional Service Canada is looking to bring a similar type of forum back.

On June 19, 2018, I met with Marty Maltby to address the follow-up on the invitation to the Advisory Committee. I was presented with a letter inviting a CAP representative to sit on their Advisory Committee. It is my recommendation that CAP appoint a Board Member to the Committee. CAP did not respond to the letter of invitation.

### **Canadian Human Rights Commission**

In early 2018, I contacted the Canadian Human Rights Commission regarding issues surrounding Section 810 of the Criminal Code- (If injury or property damage is feared)

In my discussion, I referenced the possibility of filing a complaint on behalf of Indigenous People in Canada specifically relating to this section under the Criminal Code. I believe that it is important that this section be reviewed in regards to how it affects Indigenous Peoples in the criminal system, we have various police departments across Canada who file under this specific section and basically use it as a tool of the Court to place people in prisons in Canada.

### **Métis Nation of Saskatchewan**

The provincial legislation in Saskatchewan signed Legislation in 2007 which had huge implications to the Coalition of Aboriginal Peoples of Saskatchewan (CAPS).

I believe that this legislation is discriminatory as it sets out a bilateral process that leaves out Indigenous organizations such as CIPS and does not recognize the Supreme Court of Canada's ruling of *Daniels v. Canada*. It does not consider the Indigenous Peoples' relationship with the province of Saskatchewan. I would like to set the groundwork for an appeal and declare the legislation **unconstitutional**.

### **Recognition and Implementation of Rights Framework for Indigenous Peoples**

In January, 2018, Prime Minister Trudeau announced the Government of Canada's commitment to creating a new Recognition and Implementation of Rights Framework. The federal government has taken steps to consult with First Nation and Métis organizations across Canada. They have invited First Nations bands, Tribal Councils and Métis organizations to national engagement activities to discuss the new framework. Minister Bennett is currently in the process of introducing a new framework agreement with MNC AFN and ITK. In fact, changes have been made to the INAC website, slowly removing programs and resources that were once available for self identified aboriginal person(s) have recently been removed from the INAC website. A new drop down menu with the option to choose the name of your band, replaces education programs, funding opportunities, and off-reserve programs and resources such as housing, and education.

I raised this issue with the Canadian Human Rights Commission. I believe this Framework and the Ministry of Crown-Indigenous Relations and Northern Affairs' current approach of only inviting certain Indigenous organizations for consultation is a policy issue the federal Government has set out to exclude

**CAP. This is unacceptable.**

National Chief Bertrand and I are both in agreement that CAP should implement a renewed relationship with the Canadian Human Rights Commission and will be sending a letter to the Chief Commissioner Marie-Claude Landry to initiate this process.

The current policy of the Federal Government excluding CAP and its constituents in relation to their Rights Framework Policy making, whether they be governance meetings or public meetings must change.

### **Relationship with Federal Government**

It is important that CAP is included in meetings, forums and consultations that have direct correlation to policy issues and development when it comes to the Canadian Human Rights Code. CAP should continue to send correspondence to the Prime Minister's Office laying out the significant forums we have been excluded from over the last two years.

### **Sixties Scoop Rally**

Earlier this year, I had the opportunity to attend a Sixties Scoop rally in Saskatoon where a number of government representatives were present including newly elected provincial NDP Leader, Ryan Meili, and federal NDP Member of Parliament, Sherry Benson. I attended as CAP Vice-Chief and was included on the agenda to speak to Sixties Scoop survivors and offer CAP's support.

In speaking I cited the fact that Métis and Non-Status Indians in Canada had been left out of the Sixties Scoop compensatory measures being undertaken by the Federal Government. Furthermore, Minister Bennett has stated that in fact they are going to be negotiating with the Métis National Council regarding compensation for its membership. This again outlines the fact that there has been and continues to be no tangible reference to Non-Status Indians. I spoke about my direct experience of the 60s Scoop from having my daughter taken away in 1979 in the province of Saskatchewan.

### **2018 Gun and Gang Violence Summit**

On March 7th, by email request of National Chief Robert Bertrand, I attended the 2018 Gun and Gang Violence Summit held by Public Safety Ministry Canada in Ottawa.

At the Summit there were a number of top bureaucrats from police departments across Canada. A considerable amount of attention was paid to the current statistics surrounding gangs and what happens to guns; when and how they are traceable, and how they get into the wrong hands.

There were also about five organizations from across Canada that do the groundwork in addressing how people become involved in gangs. One such organization from Edmonton dealt with youth issues in addition to the Str8Up program in Saskatoon. Over the course of the Summit, it became very clear was that this meeting was a top down process in not addressing grass roots people trying to work with communities. It was driven by major departments and police associations with a focus on keeping their jobs and creating employment for lawyers.

I am including a draft of a letter to Public Safety Minister Goodale to address the possibility of a National Dialogue undertaken by CAP on gangs. I believe this is important initiative. The federal government has not invested the resources necessary to combat gangs in this country. The available funding has been very minimal with the bulk of the money (billions of dollars) going to the police services across Canada. Not sure if the letter was written.

### **Rights Framework & Meeting with Minister Carolyn Bennett**

In March, I attended a meeting convened by Carolyn Bennett, Minister of Crown-Indigenous Relations and Northern Affairs (CIRNA) regarding the recently announced Recognition and Implementation of Rights Framework. The meeting was one of several sessions to be undertaken by the Ministry across the country. The contents of the Framework will be determined through national engagement activities led by the Minister of Crown-Indigenous Relations and Northern Affairs. Engagement is to continue throughout the spring, with the intention to have the Framework introduced in 2018 and implemented before October 2019.

The meeting was held at the Saskatoon Indian and Métis Friendship Center. A number of First Nations Bands and organizations were invited to discuss the recognition and implementation of Indigenous rights. I spoke directly to Sarah Welch, a direct assistant to Minister Bennett. In asking why these meetings are not advertised and why CAP and our constituency has not heard about the engagement sessions, she stated that these meetings were being held on short notice.

CAP had attempted to arrange for a meeting between myself and Minister Bennett while she was visiting Saskatchewan. The request was declined.

Engagement with Treaty six was presented in the morning and Treaty ten was in the afternoon. The Métis Nation of Saskatchewan (MNS) was invited to present in the late afternoon. Based on the overall presentation of Minister Bennett, I concluded that CIRNA has no apparent interest in acting upon the Daniels Decision or looking to the needs and interests of Non-Status Indigenous Peoples.

I decide to go to the meeting with the Métis Nation of Saskatchewan and was informed that it was by invitation only as well. The Executive of the MNS recognized myself as being present as National Vice-Chief of the Congress of Aboriginal Peoples. Minister Bennett indicated to me that this meeting was by invitation only. The Executive of the MNS stated that they did not have a problem with myself receiving observer status at this meeting. I indicated to those present that the purpose of my being there was to ascertain for CAP an understanding of the engagement process that the Federal Government is involved in for the Framework process.

Based on the meeting with the Métis representatives, it became clear to me that the Federal Government has completely forgotten about CAP's constituency. If CAP does not react quickly to these exclusionary moves by the Federal Government, we will be completely left out until the next federal election in 2019.

Minister Bennett referenced the 60's Scoop, she stated that the government is looking at compensation for Métis and is negotiating with the MNC. Again, only Métis who do not fall under the Membership of the red river, (under Section 35 of the *Constitution Act*) will be considered.

Minister Bennett did state that the Federal Government will be announcing new legislation cementing Section 35 of the Constitution Act, in addition to First Nations Charter rights.

### **Michel Band Mediation Process**

On May 2,2018, I participated in a conference call with CIRNA regarding the Michel Band mediation process. INAC has offered to invest in the mediation process to bring the three groups of the Michel First Nation descendants together to forge a plan for the reinstatement of the Band. On May 18, 2018, I attended another call with CIRNA to continue the dialogue regarding the mediation process for First Nations Michel Band descendants.

October 22,2017 Alberta Congress and CAP and held a public meeting for Michel First Nation Descendants in Edmonton Alberta to bring forward the issue of reinstating the First Nations Band that was enfranchised by the Federal Government in 1958. CTV news put this issue on the news in Edmonton. We also had a Human rights presentation from the Canadian Human Rights Commission addressing the issue of Discrimination within the Indian Act.

September 10,2018 a mediation process has been set up for Michel Descendants with the purpose of the creation of a negotiation table with the federal government. CAP is involved in the process to ensure that Michel Descendants that fall under non-status Indians are included.

### **Our Place. Our Voice. Our Path**

On May 4, 2018 at the invitation of the North West Indigenous Council, I attended a forum entitled Our Place. Our Voice. Our Path. This event addressed community governance and where it is able to happen. The event allowed me to meet with other community leaders to review successful models of community governance, and to be informed as to which aspects of these models can best address the complex problems facing the city of Vancouver.

### **determiNATION**

On May 23-24, 2018 I attended a summit event titled determiNATION in Ottawa. The goal of the summit was to establish fundamental rethinking of Canada's legal framework.

DetermiNATION brings together thinkers and leaders to create a framework for decolonization. Starting with an understanding of the principles and mechanisms that underlie the Indigenous-government relationship, participants develop a concrete, actionable solution for overcoming barriers and achieving Nation-to-Nation progress.

The Summit was Indigenous-led and featured a broad range of voices including Indigenous youth, women, leaders, Elders, legal and scholarly experts, and keepers of traditional Indigenous knowledge, working in collaboration with government stakeholders to advance our shared goals.

I believe that as CAP advocates for the rights and needs of Indigenous Peoples living in urban, rural and remote areas, my attendance and participation in this summit was very beneficial. Of note Minister Bennett did address the delegates at the Forum and stated that the Indian Act will be removed and a new Act will be introduced for spring of 2019.

### **Meeting with Gorgina Jolibois, MP & Sheri Benson, MP**

June 18, 2018, I met with NDP Members of Parliament Gorgina Jolibois and Sheri Benson. I formally invited them to attend our September 2018 AGA. Based on other discussions with NDP members, the Assembly of First Nations and Romeo Saganash, MP and Indigenous Critic, are working on the issue of Michel First Nations regarding First Nations Band reinstatement.

### **Justice Canada**

On June 28, 2018, at the invitation of Justice Canada, National Chief Bertrand, CAP's Senior Manager of Engagement, Robert Russell, and I attended an engagement meeting with department officials to discuss the possible ways that three specific Calls to Action may be implemented by the Federal Government:

- Call to Action 30 for the federal, provincial and Indigenous governments to commit to eliminate Indigenous overrepresentation in the criminal justice system over the next decade.
- Call to Action 50 which calls on the federal government, in collaboration with Indigenous organizations, for support of Indigenous law institutes.
- Call to Action 42 calling upon the federal, provincial and territorial governments to commit to the recognition and implementation of Indigenous justice systems.

### **Youth Justice Initiative**

In June, I attended a follow-up meeting with Caroline Bell, from the Youth Justice and Strategic Initiatives Section of Justice Canada to continue the engagement process and discussion with CAP.

As the issues of justice facing Indigenous Peoples are very close to my heart, I was encouraged by Justice Canada reaching out to CAP to collaborate with a consultative discussion on how key priorities proposed by the TRC may be implemented to assist CAP's constituency.

### **Justice for Our Stolen Children**

June 30, 2018, I joined the First Nations tee pee camp in Regina, Saskatchewan on the Legislative grounds, called our Justice for Our Stolen Children. A Pow Wow was created for the people who support the injustice of children in foster care.

I also went by the CAMP August 29, 2018 for an update on the progress of discussions with the Saskatchewan Government. It was important for CAP to show our support.

### **Andrew Scheer, Leader of the Conservative Party**

On August 29, 2018, I met with Andrew Scheer, Leader of the Conservative Party and Leader of the Official Opposition.

I briefed Mr. Scheer on the history of CAP pointed out that CAP was a participant in the negotiations leading up to the Constitution Act, 1982 and in particular negotiated the inclusion of Métis in section 35(2).

I informed Mr. Scheer that since the Daniels vs Crown decision was made, the federal government has not initiated any negotiations with CAP. Mr. Scheer said that he didn't have an understanding of the Daniels decision and agreed to look into it further and speak to Mrs. Cathy McLeod, Critic for Indigenous and Northern Affairs.

We also discussed that since the Prime Minister Trudeau announced the launch the development of a Recognition and Implementation of Rights Framework, CAP has not been invited to participate in any meetings concerning this important process.

Mr. Scheer has agreed to meet on a regular basis to address ongoing Indigenous issues that impact our people who now represent 80% of the Indigenous population living off reserve. He also agreed to bring up issues in the House of Commons that would be of importance to the constituents of CAP and our affiliate organizations.

In order to continue the Conservative Party's engagement with CAP, Mr. Scheer also agreed to attend a CAP Board meeting and stated that he would bring Cathy McLeod. I did propose that we would also like to meet with the Conservative Caucus, but there was no immediate uptake.

With the 2019 election on the horizon, Mr. Scheer stated that the Conservative Party is in the process of developing policies pertaining to Indigenous peoples in Canada. I informed him that it's very important for Status and Non-Status Indians living off-reserve and Métis people to be included in that policy development. I indicated that we would be prepared to assist the Conservative Party with that policy process.

I briefed him on the positive relationship between the Conservative government and CAP that existed from 2006 to 2015. I pointed out that CAP had been included in the FPTA, FPT processes as well as meetings with the Prime Minister. Today, the Trudeau government has adopted a nation-to-nation, government-to-government and distinctions-based approach, which has resulted in the exclusion of CAP, a representative organization for 80% of the Indigenous population living off reserve.

We spoke about the repeal of section 67 of the Canadian Human Rights Act and the active role that CAP had played. Mr. Scheer was aware of the support that CAP had provided for the repeal.

I invited Mr. Scheer and his caucus to the CAP AGA. This was a very positive and productive meeting. I believe that with respect to the 2019 election, we do need to keep in mind that if there is a change in government, it's important to continue building a relationship with the Opposition who could form the next government.

#### **Other Engagement Activities:**

January 18th Papachase First Nation conference call; This issue was in discussions regarding the self determination and reinstatement of the former Indian Band in Alberta.

April 16-18, 2018; 17<sup>th</sup> Session Report of the United Nations Permanent Forum on Indigenous Issues in New York, USA. The theme was Indigenous People's collective rights to lands, territories, and resources.

June 18, 2018; Meeting with CIRNA regarding Bill S-3, an Act to amend the Indian Act in response to the Superior Court of Quebec in Descheneaux c. Canada and its implications to the Michel Band First Nations.

June 19, 2018; Meeting with Correctional Investigator, Executive Director Marie-France, other officials Kingsley, Miron Hazel, Jean Frederic Boulais and David Hooey.

June 25, 2018; CKOM radio interview on the plight of Indigenous youth. According to Statistics Canada, Indigenous youth account for 46% of admissions to correctional services.

September 10, 2018; Meeting with Alberta Minister of Indigenous Relations, Richard Feehan, alongside Beverly Allard, President of Aboriginal Congress of Alberta Association.

September 17, 2018 Missing and Murdered women presentation in Quebec City.

I would be glad to provide more details on these items and answer any questions that anyone may have while here at the AGA.

I look forward to continuing working with all of you in the days ahead as your National Vice- Chief.

Miigwetch, Respectfully,

**Kim Beaudin,**

National Vice-Chief, Congress of Aboriginal Peoples

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