

Indigenous- Municipal Legal and Governance Relationships

Close to half of all Indigenous Peoples in Canada live in urban areas. Although the Canadian constitution and case law set out the responsibilities of provincial and federal governments to Indigenous Peoples, they shed little light on the relationships between Indigenous communities and municipalities. This paper describes evolving Canadian municipal relationships with Indigenous Peoples and calls attention to an urgent need to review Indigenous-municipal relationships across Canada.

By: Doug Anderson and Alexandra Flynn

[Read the full paper: http://bit.ly/Indigenous-Municipal](http://bit.ly/Indigenous-Municipal)



Conclusions:

Indigenous-municipal relationships must go beyond debates about the “duty to consult.” The duty obligates the federal and provincial governments to consult and accommodate First Nations on specific issues, but is an inadequate framework for Indigenous-municipal relations. The duty, for instance, assumes a singular “First Nation” that represents a particular group of people while urban Indigenous populations have diverse political communities distinct from on-reserve Indigenous governments.

Instead, a mutually respectful and reciprocal relationship must be at the centre of Indigenous-municipal relations. Municipalities should ensure that the practice and revitalization of Indigenous cultural traditions and customs take place without interference from municipal bylaws, increase Indigenous representation on governing bodies, and enter into protocols and agreements with First Nations on lands bordering municipal boundaries and with Indigenous Peoples living in cities.