



As mentioned above, LCAC members are supportive of UNDRIP and want to see a continued productive relationship continue with JC. As such, we would appreciate a meeting to review both the content refinement as well as the content collection process. Even if changes cannot be made this year, we believe that there is an opportunity to better understand and streamline this process to ensure accuracy of our information is represented in future annual reports.

## Overall LCAC Feedback on Missing Content

- **Regression:** Other than a few positive achievements, The 2025-26 fiscal year saw a systemic halt in implementation. Projects that previously received passing grades are now considered failures due to a lack of movement.
- **Systemic Nature:** The LCAC emphasizes that the gaps in modern treaty implementation is not due to specific individuals within the federal system, but is a systemic bureaucratic issue requiring a whole-of-government solution. Current policies leave Indigenous Modern Treaty Partners unable to exercise their full rights as partners.
- **Potential Misuse of Policy:** Updated Cabinet Directives act as barriers, allowing departments like Fisheries and Oceans Canada (DFO) and Indigenous Services Canada (ISC) to "drag their feet" and ignore treaty commitments.
- **Interpretive Failures:** Canada frequently relies on "dubious semantic distinctions" to avoid treaty obligations, refusing to use UNDRIP as the "interpretive lens" that it is required to be.
- **Fiscal Barriers:** There is a lack of transparency in funding. Canada has unilaterally halted co-developed funding proposals due to internal concerns, leading to an erosion of trust with Indigenous Modern Treaty Partners.
- **Exclusion from Decisions:** Indigenous Modern Treaty Partners are frequently excluded from early engagement on legislative and policy measures, despite promises to the contrary in Canada's Collaborative Modern Treaty Implementation Policy.
- **Distinctions-based Advocacy:** LCAC members are advocating for the recognition of Modern Treaty Partners as a fourth distinction in national decision-making, ensuring their interests are not conflated with national Indigenous organizations. Again, this is consistent with Canada's commitments under the Collaborative Modern Treaty Implementation Policy.
- **Overall Watering Down:** The reporting frequently replaces blunt assessments of failure with vague, bureaucratic terminology. For example, "no meaningful work" is softened to "limited progress," and systemic failures are generalized into generic administrative gaps.
- **Removal of 'real world' Context:** The government consistently omits specific, damning evidence, such as ongoing court actions (e.g., First Nation of Na-Cho Nyak Dun vs Government of Yukon and The Attorney General of Canada, Na-Cho Nyak Dun First Nation), specific fiscal disputes (e.g., Colville Lake), and instances where there was specific positive feedback reported.
- **"No Input" Narrative:** A recurring trend is the LCAC pushing back against the report's claim that "no input was provided" for certain measures. The feedback repeatedly insists that input was submitted and demands it be incorporated.

# Specific Nation Feedback Missing

- **The First Nation of Na-Cho Nyäk Dun (FNNND):** Cited regarding failures that have led to enduring ongoing court action. Also noted in the context of antiquated placer and quartz mining industry practices and lack of engagement with DFO decisions. Any decisions that impact FNNND's territory must be made with FNNND's free, prior, and informed consent. Yukon cannot be an UNDRIP-free zone—given that Yukon exercises powers delegated to it by Canada, UNDRIP and UNDA must apply to Yukon.
- **Colville Lake (Sahtu Agreement):** Used as a case study for Canada's inability to support the Sahtu Agreement, specifically regarding the exclusion of the community from the "Collaborative Fiscal Process".
- **Délįnę Got'įnę (DGG):** Noted for a lack of satisfaction with the pace of discussions and concerns over CIRNAC's lack of interest and urgency, though they also reported a positive experience with the Modern Treaty Implementation Office (MTIO).
- **Tla'amin Treaty:** Mentioned in the context of positive progress regarding routine amendments.
- **Ayoni Keh Land Corporation:** Referenced specifically as an example of systemic implementation failures.
- **Behdzi Ahda First Nation:** Referenced specifically as an example of systemic implementation failures.
- **Huu-ay-aht First Nations:** Mentioned regarding positive ongoing work with PCO MPO.
- **Tsawwassen First Nation:** Mentioned regarding their Periodic Review and engagement barriers with Canada.



## ABOUT LAND CLAIMS AGREEMENTS COALITION

*The Land Claims Agreements Coalition works to ensure that comprehensive land claims (modern treaties) and associated self-government agreements are respected, honoured and fully implemented.*

*Fully implemented modern treaties benefit all Canadians. They clarify the terms of the ongoing relationship between Indigenous peoples and the Crown, and define how resources on traditional lands can be used and co-managed to the benefit of all Canadians. For Indigenous signatories, modern treaties offer opportunities for self-reliance, political and economic development, and cultural and social well-being. They are the basis for a new, positive relationship between Indigenous peoples and wider Canadian society.*

*Formed in 2003, LCAC membership includes post-effective date modern treaty holders in Canada. Collectively, modern treaties affect nearly half of Canada's land, waters and resources. **To learn more visit: <https://landclaimscoalition.ca>***