



MEMORANDUM OF UNDERSTANDING

Between:

ARMA Canada Region,

AND

ARMA Vancouver Chapter,

AND

ARMA Vancouver Island Chapter,

AND

The First Nations Summit Society (FNSS)

AND

The First Nations Public Service Secretariat (FNPSS), an initiative of the FNSS

(each a "Party" and collectively, "the Parties")

Background

Both the Federal and Provincial governments have committed to implement the standards set out in the United Nations Declaration on the Rights of Indigenous Peoplesⁱ (UN Declaration) and the 2015 Calls to Action of the Truth and Reconciliation Commission of Canada (TRC).ⁱⁱ Of particular relevance to this MOU are UN Declaration Articles 3, 4, and 31; and TRC Calls to Action 7 and 92.

First Nations governments have the right to exercise decision-making in their communities, design institutions that serve them effectively, and re-establish their position in government-to-government relationships.

Therefore, the Parties agree as follows:

Purpose

The purpose of this Memorandum of Understanding (“MoU”) is to describe the working relationship between the Parties regarding information governance training and capacity-building opportunities for First Nations and First Nations organizations.

Shared Understandings

The Parties agree that the strength and effectiveness of First Nations’ governance can be measured by the extent to which institutions of governance move First Nations towards their respective visions.

The Parties further agree that to build capacity for strong, supportive, and effective structures and institutions, and to achieve effective governance, First Nations require culturally appropriate and sufficient resources.

Shared Goal

The Parties agree to support First Nations in British Columbia in the pursuit of strengthening and enhancing information governance capacity within First Nations’ communities and organizations on an organizational, individual and nation level, consistent with the UN Declaration and the TRC Calls to Action (the “Shared Goal”).

Commitment to Collective Work

The Parties agree to work together to identify learning needs and develop and implement strategies to strengthen and enhance the information governance capacity of First Nations’ governing bodies and institutions.

The Parties agree to work collectively towards the Shared Goal within the mandates of their respective organizations, and to bring in other partners as appropriate.

Roles of the Parties

The Parties recognize that the members and committees of ARMA Canada Region, ARMA Vancouver Chapter, and ARMA Vancouver Island Chapter have expertise relating to records and information management and associated methodologies.

The Parties recognize that the members and committees of the FNPSS have expertise relating to working with BC First Nations communities to determine capacity-building opportunities and identify options for strengthening and enhancing such opportunities.

The Parties agree to the development of the Information Governance Advisory Committee (IGAC) to provide advisory expertise, as set out in the Terms of Reference document attached to this MoU.

Work Plans

The Parties agree that, in furtherance of the intentions described above, IGAC will develop and approve work plans regarding mentorship, training and capacity-building opportunities in all areas of records management and information governance prior to the delivery of any learning activity, as appropriate.

The Parties further agree that work plans will be implemented through an agreement (or agreements) of the Parties, and will address, among other things:

- a. support for First Nations to maintain cultural protocols for their traditional knowledge,ⁱⁱⁱ and
- b. any rights of use regarding materials developed in accordance with this MoU for the FNPSS and the FNS or its assignee.

Termination

Each Party shall have the right to withdraw from the MoU at any time by giving six months' written notice to the other Parties. If any of the Parties withdraws from the MoU, steps shall be taken to ensure that the withdrawal does not affect any prior obligation, project or activity already in progress.

Review and Amendment

This MoU is subject to review every three years and may be modified or amended at any time by written agreement of the Parties.

Entire Agreement

This MoU replaces the Memorandum of Understanding between the ARMA Canada Region, ARMA Vancouver Chapter, The First Nations Summit Society, and The First Nations Public Service Secretariat signed in 2010.

Effective Date

This MoU will enter into force upon signature by the Parties.

IN WITNESS THEREOF this MoU has been signed on behalf of the Parties listed below dated on the 25 day of April, 2019:

For ARMA Canada Region



Stéphane Bourbonniere
Canada Region Manager

For the First Nations Summit (FNS)



Grand Chief Edward John
FNS Political Executive

For ARMA Vancouver Chapter



Jennifer Borland
Chapter President



Cheryl Casimer
FNS Political Executive

For ARMA Vancouver Island Chapter



Ken Oldenburger
Chapter President



Robert Phillips
FNS Political Executive

For the First Nations Public Service Secretariat (FNPSS)



Jehan Casey
Director

ⁱ As endorsed by the Government of Canada (November 2010) and the Minister of Indigenous and Northern Affairs (May 2016), Articles 3, 4 and 31 of the UN Declaration state that:

Article 3: "Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

Article 4: "Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs..."

Article 31: "Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions."

ⁱⁱ In 2015 the TRC issued 94 Calls to Action in order to redress the legacy of residential schools and advance the process of Canadian reconciliation. On December 15, 2015, the Prime Minister reiterated the Government of Canada's commitment to implement the recommendations of the TRC.

Call to Action 7 states: We call upon the federal government to develop with Aboriginal groups a joint strategy to eliminate educational and employment gaps between Aboriginal and non-Aboriginal Canadians.

Call to Action 92 states: We call upon the corporate sector in Canada to adopt the United Nations Declaration on the Rights of Indigenous Peoples as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources. This would include, but not be limited to, the following:

- i. Commit to meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with economic development projects.
- ii. Ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector, and that Aboriginal communities gain long-term sustainable benefits from economic development projects.
- iii. Provide education for management and staff on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.

ⁱⁱⁱ The World Intellectual Property Organization (WIPO), the self-funding agency of the United Nations, defines Traditional Knowledge as knowledge, know-how, skills and practices that are developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identity. (<https://www.wipo.int/tk/en/tk/>)