

Accepting Self-Government will empower WLFN members by allowing us to govern themselves outside the Indian Act. Authority shifts from federal control to community control, meaning we, as WLFN members, decide how our leaders are chosen, how decisions are made to reflect our traditions and values. We can create laws around citizenship, governance, lands, language, children and families, education, programs and services, etc. taking full responsibility for our decisions. The government becomes accountable, ensuring transparency through more community engagement before making high-level decisions. WLFN members, including those living away from home and future generations, are included in government processes. While self-government brings more freedom, it also requires leaders to act in the people's best interests and allows members to challenge decisions.

Here's an outline that includes (1) the kinds of changes that typically occur when a community transitions out of the Indian Act into a self-government arrangement, and (2) outlines the engagement obligations a government will owe to its people.

The outlined is framed in a way that reflects Secwepemc political traditions, Canadian self-government practices, and UNDRIP principles, to reflect how all three might be considered in a self-government governance model.

### **Core Changes After Transitioning Out of the Indian Act**

- Source of Authority from:
  - Authority delegated by Canada under the Indian Act
  - Ministerial oversight and federal control
- To:
  - Inherent Secwepemc jurisdiction and law-making authority
  - Governance legitimacy grounded in Secwepemc people, laws, and territory
  - Nation-to-nation relationship with Canada and BC
  - Canada will no longer supervise or influence WLFN decisions
  - Decisions made for us will be made by us

#### **Key change:**

- Government authority flows upward from the people, not downward from Canada.

### **Governance Structure**

- From:
  - Chief and Council model defined by federal legislation
  - Election rules set by Canada
  - Limited flexibility in leadership design

**To:**

- Secwepemc-designed governance institutions
- Custom leadership selection or elected as determined by the people.

➤ Self-governance structure could include:

- Hereditary leadership
- Elders' councils
- Youth or family-based representation
- Regional or community-based governance

**Key change:**

➤ Under Self-governance we can adopt and re-instate Secwepemc traditions and values, decision-making practices, and kinship systems, not a one-size-fits-all model.

**Law-Making Powers**

➤ Under the Indian Act:

- Band bylaws with narrow scope (non-enforceable)
- Federal laws overriding most decisions

➤ Under Self-governance, WLFN can make laws on agreed to jurisdictions, such as:

- Citizenship/membership
- Governance and leadership
- Land and resource management
- Language and culture
- Education and child welfare
- Community justice and dispute resolution
- Programs and services
- Clear law-making processes and enforcement mechanisms
- WLFN laws will be recognized by the legal system and enforceable

**Key change:**

- The Nation becomes a law-making government, not just a program administrator.

### **Citizenship and Identity**

- From:

- Indian status determined by federal legislation
- External control of who belongs

- To:

- Secwepemc people defined by Secwepemc laws and customs
- Community-grounded criteria reflecting kinship, ancestry, and belonging
- Protection of collective identity beyond federal “status”

### **Key change:**

- The Nation defines who its people are, consistent with Secwepemc culture and practices.

### **Fiscal and Administrative Authority**

- From:

- Proposal-based federal funding
- Short-term contribution agreements
- Limited financial autonomy

- To:

- Government-to-government fiscal arrangements
- Multi-year, predictable funding
- Own-source revenue authority (as negotiated)
- Secwepemc-controlled financial laws, budgets, and audits

### **Key change:**

- The government gains financial stability and accountability to its people, not just funders.

### **Engagement Obligations to WLFN Members**

- After self-government, engagement is no longer optional or discretionary, it is a constitutional responsibility of the government to its citizens.

### **Foundational Obligation: Accountability to WLFN Members**

- Under self-government, officials must be:
  - Transparent
  - Responsive
  - Culturally grounded
  - Accessible to all WLFN members (on- and off the territory)
  - Engagement replaces federal oversight to the oversight of WLFN members.

## **Law-Making Engagement Obligations**

- Before passing WLFN laws, the government must:
  - Provide clear, plain-language explanations of proposed laws
  - Hold community forums, assemblies, or gatherings
  - Engage Elders, knowledge keepers, and families
  - Ensure space for dissent and alternative views
  - Incorporate Secwepemc decision-making practices such as consensus where possible.
- Minimum standard:
  - People must have a meaningful opportunity to influence outcomes, not just be informed.

## **Constitutional and Governance Changes**

- For major governance decisions such as constitution amendments and building leadership systems:
  - Broad citizen engagement is required
- Special processes such as:
  - Community ratification votes
  - Nation-wide assemblies
  - Extended deliberation periods
  - Clear explanation of risks, benefits, and long-term impacts
  - Higher impact = higher engagement threshold

## **Ongoing Engagement Mechanisms**

- A self-governing community should maintain:
  - Regular community assemblies or Nation gatherings
  - Open council or governing body meetings
  - Citizen advisory bodies (Elders, youth, land users)

- Clear complaint, appeal, and review processes
- Annual reporting on:
  - Laws passed
  - Finances
  - Government priorities
  - Outcomes and challenges

## **Inclusion Obligations**

- Engagement must include:
  - On-reserve and off-reserve members
  - Urban members
  - Youth and future generations
  - Fluent speakers and learners
  - Members who may be critical of leadership
  - Self-government does not mean governing only those who agree.

## **Cultural and Legal Pluralism**

- Engagement should respect:
  - Secwepemc language and oral traditions
  - Story-based and land-based knowledge sharing
  - Non-Western forms of deliberation and decision-making
  - Engagement is not just procedural—it is cultural.

## **What Does Not Change but Becomes More Important:**

- Even after leaving the Indian Act:
  - The government must uphold collective rights
  - Leadership remains bound by fiduciary-like duties to members
  - Abuse of power remains unacceptable
  - Citizens retain the right to challenge government decisions

## **The difference:**

- Accountability is internal, grounded in Secwepemc law and values not enforced by Canada.

### **WHAT Self-government Means:**

Transitioning out of the Indian Act transforms a governing body from a federally regulated administrator into a self-determining government whose legitimacy depends on deep, continuous, and culturally grounded engagement with its people.