

Nishnawbe Aski Nation
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Relationship Accord
between
Nishnawbe Aski Nation (“NAN”)
and
Ornge
(Collectively “the Parties”)

WHEREAS, the Sioux Lookout Area Chiefs Committee on Health (CCOH) and the Nishnawbe Aski Nation (NAN) Chiefs issued a Declaration of Health and Public Health Emergency on February 24, 2016 in order to call attention to the ongoing crises at the community level and across the health care system within NAN Territory.

WHEREAS, NAN communities have issued and developed numerous declarations, recommendations, resolutions and studies providing specific and comprehensive solutions to the ongoing crises.

WHEREAS, First Nations in NAN territory are asserting their jurisdiction and control over health through the development of the NAN Health Transformation process with the goal of developing a new, responsive and system-wide approach to health for the NAN territory.

WHEREAS, the *Charter of Relationship Principles Governing Health System Transformation in the Nishnawbe Aski Nation (NAN) Territory* expresses the commitments of NAN, the Government of Ontario and the Government of Canada to work in a renewed multilateral nation to nation relationship that is intended to result in immediate, medium, and long-term transformative change to the existing health system at the NAN community level.

WHEREAS, NAN and Ornge jointly acknowledge and fully support the health improvement and health access goals inherent in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the 94 Calls to Action of the Truth and Reconciliation Commission’s (TRC), and the Call for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG).

WHEREAS, Ornge is a nonprofit charitable organization which provides air ambulance and associated ground transportation services in Ontario, with a mission of providing Ontario’s patients with safe and timely care, transport and access to health services.

WHEREAS, NAN and Ornge jointly acknowledge that capacity building, cultural awareness and cultural safety for First Nations peoples is essential to the success of Health Transformation and a new health system for NAN territory.

WHEREAS, NAN and Ornge jointly acknowledge that innovative approaches, based on health equity, are required in order to build a NAN health system that provides NAN citizens with excellent and seamless patient care.

WHEREAS, NAN and Ornge jointly acknowledge that an equitable access to health services within a comprehensive NAN health system requires high quality infrastructure, data and equipment to meet the unique needs and operational conditions specific to NAN First Nations.

WHEREAS, NAN Health Transformation is a community led and community driven process whereby communities are engaged at all levels so that their voices are heard and incorporated into community-centered programming.

WHEREAS, NAN and Ornge jointly acknowledge and respect NAN First Nations inherent rights, Aboriginal and Treaty rights and their protection under s.35 of the *Constitution Act, 1982*.

WHEREAS, NAN and Ornge jointly acknowledge and agree, as outlined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) that Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health.

INTENT:

1. The objective of this Relationship Accord is to guide the collaborative relationship between NAN and Ornge as NAN proceeds with the NAN Health Transformation process and the creation of a NAN Health Commission.
2. NAN and Ornge intend to develop mutually supported initiatives within NAN territory to build capacity and transform the experiences of First Nations people within the health system.
3. The NAN Health Transformation process will be led by NAN First Nations.
4. The Parties will work collaboratively to bring meaningful improvement in health care in NAN territory and support communities in reaching their priorities and objectives for improved health and health outcomes.

5. This Relationship Accord is a relationship-strengthening document only, and it is not intended to create or alter legal obligations on the part of ORNGE or NAN.

GUIDING PRINCIPLES:

The principles that shall govern this Relationship Accord are as follows:

- A. The NAN vision and principles for Health Transformation, as outlined in the NAN Charter of Relationship Principles Governing Health System Transformation in NAN territory (Appendix “A”).
- B. The principle of self-determination and respect for the traditions and languages of the people of NAN territory.

THEREFORE THE PARTIES AGREE THAT:

1. Provide leadership and advocate for the improvement of health outcomes and health equity by addressing barriers to safe and effective care in NAN territory.
2. Provide leadership, advocacy and training in order to ensure that NAN First Nations and service providers have access to high quality infrastructure, data and equipment.
3. Support the capacity, skill building, leadership and training of NAN community members in the area of community-based first response.
4. Provide leadership and advocacy in building a foundational system, quality improvement and development tools, data collection and infrastructure that are based on patient-centered innovation and the highest levels of safety and quality care.
5. Provide leadership and advocacy in system change to meet the unique needs and context of NAN First Nations.
6. Foster the development of relationships and partnerships with other entities in support of the mutual objective articulated in this Relationship Accord.
7. Subject to applicable privacy laws including but not limited to Ontario’s *Personal Health Information Protection Act, 2004* and Ontario’s *Freedom of Information and Protection of Privacy Act*, the Parties will work together to assist NAN First Nations to have access to health data related to their community and, to the extent permitted by such applicable law, the parties will work together to ensure that any existing or future data collection or sharing is compliant with the principles of Ownership, Access, Control and Possession (OCAP) whereby First Nations control data collection processes in their communities and own, protect and control how information about their peoples is used.

NON-DEROGATION

For greater certainty, except to the extent that is otherwise agreed by the First Nations concerned, none of the provisions referred to in this Relationship Accord abrogates or derogates from:

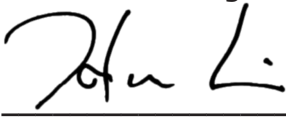
- a. The federal fiduciary responsibility for First Nations; or
- b. The First Nations, treaty or other rights or freedoms that pertain to the First Nations of NAN, including:
 - i. Any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763,
 - ii. Any rights or freedoms that now exist by way of land claims agreements or may be so acquired,
 - iii. Inherent right to self-government referred to in section 35.1 of the *Constitution Act, 1982* and the powers and jurisdictions set out in self-government agreements, and
 - iv. Any rights or freedoms relating to the exercise or protection of their languages, cultures or traditions.

Signed this 23RD day of March, 2021.

On behalf of Nishnawbe Aski Nation


Grand Chief Alvin Fiddler

On behalf of Ornge


Homer Tien, President & CEO