

Nishnawbe Aski Nation
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Relationship Accord

between

Nishnawbe Aski Nation (“NAN”)

and

University Health Network (“UHN”)

(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, the University Health Network (UHN) is a healthcare and medical research organization, consisting of Princess Margaret Hospital, Toronto General Hospital, Toronto Rehabilitation Institute, Toronto Western Hospital and affiliated with the Michener Institute of Education at UHN.

WHEREAS, the purpose of UHN is to transform lives and communities through excellence in care, discovery and learning.

WHEREAS, NAN and the UHN jointly acknowledge that an equitable and 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 and the UHN 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 UHN jointly acknowledge that innovative approaches and technological advances are essential to improving the health care system for NAN territory.

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 UHN 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 partnership between NAN and UHN as NAN proceeds with the NAN Health Transformation process and the creation of a NAN Health Commission.
2. NAN and UHN 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 in partnership to create meaningful improvements in health and health access of First Nations people in NAN territory, including supporting communities in addressing 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 the UHN 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 provisions pertaining to health promotion contained in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), including the right of Indigenous peoples to be actively involved in developing and determining health and social programmes that affect Indigenous peoples.
- C. The principles pertaining to health promotion contained in the 94 Calls to Action of the Truth and Reconciliation Commission (TRC) and the Calls to Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) .
- D. Respect for the principle of self-determination and 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 identifying and working to address barriers to safe and effective care in NAN territory.
2. 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.
3. Foster the development of relationships and partnerships with other entities in support of the mutual objective articulated in this Relationship Accord.
4. 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:

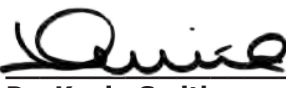
- a. The federal fiduciary responsibility for First Nations; or
- b. The First Nations, treaty or other rights or freedoms that pertain to the First Nations of NAN, including:
 - i. Any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763,
 - ii. Any rights or freedoms 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 University Health Network


Dr. Kevin Smith