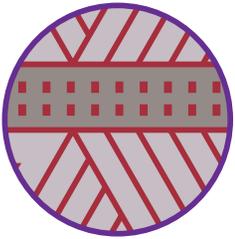


TOOL

Relationship Agreement & Memorandum of Understanding



Purpose of Memorandum of Understanding (MOU) Agreements

A memorandum of understanding (MOU) is a jointly signed (and sometimes jointly phrased) statement of agreement to proceed toward an agreed-upon goal that will be realized as an alliance or partnership. It is a statement of committed intent to communicate, collaborate, and exchange knowledge and information to advance the mutual interests of each partner, and the collective interests of Indigenous communities represented by the Indigenous partner. An MOU is an important instrument that both symbolizes and puts into action the importance of establishing and maintaining respectful, equitable, and reciprocal relationships between municipal governments/civic organizations and Indigenous communities.

Instances when an MOU are likely necessary include: a research project or structural design project agreement between an Indigenous community, organization, or business and an external organization or institute; a partnership agreement to forge new ways to work together in the spirit

of reconciliation and advance the wellbeing of Indigenous residents in urban and rural communities; an access road through band-owned property; or a shared fish processing that would become a joint venture.

Often the MOU is preceded by a letter of intent signed by each partner of the agreement. Questions to consider when structuring an MOU²³

- Who are the partners involved?
- What is the arrangement? (i.e. sub-contracting, joint venture, other)
- What is the project and its purpose?
- How long is the agreement going to be in effect for?
- Who will manage the day-to-day business of carrying out and maintaining the MOU?
- A clear process for how partners can exit from the agreement if things are not working for everyone's benefit.
- Clear definition of each party's risks and responsibilities.
- What will the decision-making process be, and who will be a voting member? Will decisions be by consensus?
- If parties are going to be paid in the venture, what is the schedule and details?
- Where will the project be located and which partner will be housing the staff?

1 - Indigenous Works <<https://indigenousworks.ca/en/resources/articles-reports/mou>>

- Identify a clear plan for marketing the project in terms of logos, websites, and who will get top billing. Ensure that project funders are identified in all publicity.
- What is the process of bringing new partners into the project?
- What process will be used to make changes to the agreement?
- How will you deal with conflicts?
- Is one partner taking on more risk (e.g. funding agreements with government) and how will that be identified?
- A clear process for how partners can adapt the agreement if both parties agree that changes are necessary to reflect a shift in the relationship and/or objectives of the arrangement.

Purpose of Relationship Agreements^{2, 3}

A relationship agreement is an intentional commitment publicly declared between one or more Indigenous communities and one or more municipalities to a long-term relationship based on friendship, mutual respect, and mutual benefit. Relationship agreements are often called Friendship Agreements/Accords or Protocol Agreements, but they can take many forms and names.

2 - Adapted from CANDO: Relationship/Friendship Accords <<http://www.edo.ca/cedi/relationship-friendship-accords>>

3 - Adapted from CANDO: Relationship/Friendship Accords <<http://www.edo.ca/cedi/relationship-friendship-accords>>

Friendship Agreements embody the spirit of reconciliation because they indicate a willingness by non-Indigenous partners to learn from and repair past missteps and shortcomings, renewing the relationship between communities. They present a clear, long-term joint vision for a new/renewed community-to-community relationship.

Also important for the longevity of the relationship, these Agreements create a formal commitment that protects the relationship from a change in leadership, and signals its importance to staff working on behalf of all partner communities. True to their name, Friendship Agreements unite community members in joint celebration and build positive, equitable, and binding relationships. Values embodied by these documents include:

- Strengthen the relationship and provide a framework to undertake joint work
- Providing structure, although not a legal document or a business agreement
- Inspire and guide the long-term relationship
- Celebrate with the broader communities and regional partners
- Formalize the spirit, intent, and cooperative agreement of the partnership and broader commitments toward righting relationships

Structure of a Friendship Accord

While each Agreement should be tailored to the particular context and priorities of each partner, common elements include:

- Preamble
- Purpose statement
- Vision statement
- Set of shared values or principles
- Outline each community's commitment to maintain the relationship (e.g. through regular meetings, joint committees, or working groups)

The following are sample purpose and vision statements and commitment to maintain the relationship agreements extracted from the Friendship Accord between the Opaskwayak Cree Nation - Town of The Pas and Rural Municipality of Kelsey, MB:

- **PURPOSE:** The councils as governing bodies wish to establish stable and effective “government-to-government” relations and a framework that will strengthen, enhance, and honour our historical, political, economic, social and cultural relationships.
- **VISION:** We will share our wisdom to build a better future for our children and generations to follow. Three communities committed to trusting, celebrating and respecting one another, our ancestors and our environment.
- **COMMITMENT:** Each community's council agreed to meet together regularly (at least twice a year), and set up a joint committee to identify ways to address common priorities and establish working groups as required.

ANNEX 1:

Ontario Federation of Indigenous Friendship Centres and Association of Municipalities of Ontario Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING BETWEEN The Association of Municipalities of Ontario (“AMO”) AND The Ontario Federation of Indigenous Friendship Centres (“OFIFC”)

1. PREAMBLE

The Association of Municipalities of Ontario and the Ontario Federation of Indigenous Friendship Centres recognize the importance of continuously establishing and maintaining respectful relationships between municipal governments and Indigenous communities. It is with this understanding that the OFIFC and AMO enter into a partnership agreement to forge new ways of working together in the spirit of reconciliation to advance the wellbeing of Indigenous residents in urban and rural communities.

2. CONTEXT

The OFIFC and AMO began working together in 2018 in the interest of identifying areas of mutual interest and potential collaboration between our member organizations. This relationship-building recognizes the vital role local Indigenous Friendships Centres and municipal governments play in creating strong and diverse communities that celebrate and welcome the contributions of Indigenous people while providing services to meet the unique needs of Indigenous residents.

The OFIFC and AMO are collaborating on initiatives that create tangible opportunities and outcomes for our respective member organizations to engage and work together in local initiatives advancing the well-being of our communities. It is our common objective that this MOU build a foundation for a strong, mutually-beneficial relationship between AMO and the OFIFC for many years to come.

The following guiding principles provide the foundation for this positive and productive relationship as AMO and OFIFC work together to advance the wellbeing of urban and rural Indigenous communities:

- **Equity and Access:** Equitable access requires working to address barriers to ensure all urban and rural Indigenous people are able to receive services, regardless of geographic or physical location.
- **Collaboration and Co-development:** The value of Indigenous expertise and knowledge to design, plan, implement and evaluate public policy and programs that impact the wellbeing of Indigenous people is recognized.
- **Indigenous Leadership:** Urban and rural Indigenous communities have involvement and responsibility over planning and development of policies and services for urban and rural Indigenous people.
- **Responsiveness to Community Priorities:** Community-identified needs and priorities provide the basis for policy and program development.
- **Respect for Indigenous Diversity and Cultures:** The distinctions and diversity of Indigenous people across Ontario are recognized and respected, with additional consideration given to gender, sexual orientation, age, language, ability, religion and socioeconomic difference.

3. BACKGROUND OFIFC

Founded in 1971, OFIFC is a provincial Indigenous organization that represents the collective interests of twenty-nine member Friendship Centres. Its Friendship Centres improve the quality of life of Indigenous people living in an urban and rural environment by supporting self-determined activities which encourage equal access to and participation in Canadian society and which respects Indigenous cultural distinctiveness.

The OFIFC administers several culture-based programs and services which are delivered by local Friendship Centres in areas such as health, poverty reduction, homelessness, ending family violence, justice, family support, and employment and training. OFIFC member Friendship Centres currently deliver culture-based programs and services in most of these areas, which has had a positive impact on Indigenous and non-Indigenous communities across Ontario. Friendship Centres do not operate in a vacuum, and often develop meaningful relationships and innovative partnerships with local municipalities to ensure that urban and rural Indigenous people are receiving equitable access to culturally-based services. As such, Friendship Centres are recognized as Indigenous community hubs in the cities and towns in which they are located, providing services in a self-determining, holistic, and integrated manner to local Indigenous people and communities.

AMO

The Association of Municipalities is a non-partisan non-profit organization representing almost all of Ontario's 444 municipal governments. AMO's mandate is to support and enhance strong and effective municipal government in Ontario by working together on shared goals and common challenges.

AMO promotes the value of the municipal order of government as a vital and essential component of Ontario and Canada's political system.

Strengthening relations with Indigenous partners to promote neighbourly relationships and to better serve Indigenous residents is an AMO priority. AMO recognizes that as service providers, municipal governments must be responsive to the needs of Indigenous residents and those accessing municipal services.

4. STATEMENT OF PURPOSE

This MOU is a statement of intent to communicate, work together, and exchange program and policy information to advance the interests of our collective memberships across Ontario.

5. SCOPE OF AGREEMENT

This MOU does not create any binding legal obligations on the parties or any authorities for one party or another.

6. SPECIFIC ACTIVITIES

a) Relationship-Building and Maintenance

i) OFIFC and AMO policy directors will meet annually to share information about potential partnership opportunities and to update one another on joint initiatives, with further meetings as required.

ii) AMO and OFIFC policy staff will communicate regularly on items of mutual interest or shared concern

b) Information Sharing

i) OFIFC and AMO staff will share information when relevant opportunities arise for joint advocacy in influencing or shaping the policy landscape.

c) Collaboration

i) Policy Development and Implementation: OFIFC will have representation on AMO's social services task forces, and others as deemed fit.

ii) Training and Professional Development: OFIFC and AMO will share educational opportunities on issues of mutual interest and support mutual access to these opportunities as deemed fit by both parties.

iii) Joint Initiatives: OFIFC and AMO will consider opportunities to advance mutually-beneficial joint initiatives, as appropriate.

7. DURATION

This MOU takes effect on the date it is signed by both parties, until it is terminated.

8. TERMINATION

Either the OFIFC or AMO may terminate this agreement with 90 days written notice to the other party.

9. CONCLUSION

In signing this agreement we, the undersigned agree upon the elements set out in our MOU. It is further agreed that should additional activities and areas of collaboration be identified, they will be included in the spirit and intent of this agreement.

ANNEX 2:

Memorandum of Understanding on Cooperation and Communication between BC First Nations and District of Kent



Credit: Memorandum of Understanding on Cooperation and Communication - Cheam First Nation, District of Kent, Scowlitz First Nation, Seabird Island Band, Stó:lo Tribal Council, Sts'ailes First Nation and Village of Harrison Hot Springs, BC

WHEREAS Cheam First Nation, District Of Kent, Scowlitz First Nation, Seabird Island Band, Stó:Lo Tribal Council, Sts'ailes First Nation and the Village Of Harrison Hot Springs (hereafter known as the Parties) have a common interest in developing a collaborative working relationship which will benefit our communities;

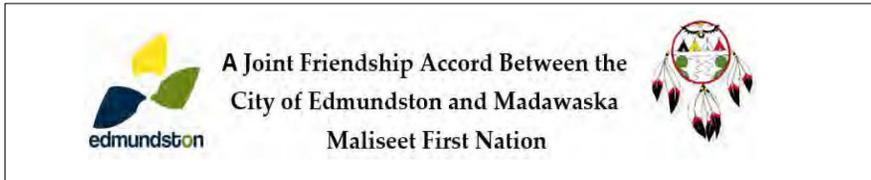
AND WHEREAS the Parties also have shared interests in cooperative intergovernmental relationships, including those between each Party before and after treaties are signed;

AND WHEREAS cooperative working relationships between governments build effective communications and trust. Collaborative actions in areas such as economic development and natural resources management contribute directly to the health and wellbeing of our communities;

NOW THEREFORE LET IT BE RESOLVED that this Memorandum of Understanding represents a commitment by the Parties to work together to promote cooperative relationships between the Parties.

ANNEX 3:

Joint Friendship Accord Between the City of Edmundston and Madawaska Maliseet First Nation



WITH RESPECT THAT:

- The Mayor and the Edmundston city council, and the Chief and council of the Madawaska Maliseet First Nation (“the Communities”) recognize and accept that we share a territory and common interests.
- The Communities wish to close the social, spiritual, and economic gaps that exist between the two and enhance their relationship based upon mutual respect and recognition because this is beneficial to both communities.

PURPOSE of this Agreement:

- The City of Edmundston and Madawaska Maliseet First Nation Friendship Accord provides the framework upon which The Communities, including their respective governments, residents and members, will collaborate with one another; and
- Targets will be set up, with steps and benchmark for progress, to make our communities better places for all the residents and visitors.

- We feel the need to develop mutual protocols and activities that engage First Nations leaders or their representatives on issues of initiatives of community economic development, and other matters that respect the heritage, the provision of services tailored to the culture and inclusive social participation. This may include a range of sectors, including:
 - Recreation
 - Tourism
 - Business
 - Wellness

VISION to guide our work together:

- We share our wisdom to build a better future for our children and generation to follow; two communities committed to trusting, celebrating and respecting one another, our ancestors and our environment.

PRINCIPLES AND VALUES to guide our relationship:

We, The Communities:

- Acknowledge our past and histories but are not governed by them;
- Commit to honesty, mutual sharing and to building and maintaining strong mutual trust and respect, including of each other’s customs and beliefs;
- Share values and culture in spirit and practice;
- Will enhance communication and information sharing by committing to open, frank, honest and straightforward interaction;

- Commit to the importance of implementing solutions to address heritage protection and environmental stewardship;
- Will invest in the youth, the future of our communities, by providing accessible cultural, recreational, educational and professional opportunities;
- Respect the skills, governance authorities and respective community governance practice of the other community; and
- These values strengthen our community; and our collective, spiritual, economic and physical wellness. They also serve our common interests in accordance with the guidelines on accountability, transparency, inclusiveness, responsiveness and joint management.

PROCESS to sustain our relationship:

We, The Communities:

- Will establish a joint council, in consultation on issues of joint interest of both communities. The councils and their designated representatives will meet regularly at times determined to promote an open and constructive dialogue in order to define common priorities.
- Will establish concrete and effective procedures for cooperation on common issues, concerns, prosecution and initiatives based on favorable current opportunities to an open community and meetings in person;
- Will establish protocols to establish open and improved lines of communication;
- Agree that the Joint Council will develop a framework process, with

elders of both communities as members, to address any misunderstandings or disagreements between The Communities;

- Agree that this Friendship Accord will be regarded as a “living document” intended to evolve as The Communities’ relationship evolves;
- Agree that the Council of any of The Communities can initiate a change process to this Friendship Accord at any time, with the understanding that amendments must be mutually agreed by the Councils of each of The Communities; and
- Agree that any of The Communities may withdraw from this Friendship Accord at any time.

COMMITMENT of each signatory community:

We, The Communities:

- Commit to maintaining our relationship as outlined in this Friendship Accord;
- Commit to building and maintaining strong mutual trust and respect with one another.

LIMITATION of the agreement:

- Nothing in this Friendship Accord will be construed:
- To abrogate or derogate from any Aboriginal, constitutional, legal or Treaty rights of The Communities;
- To prejudice or affect any statutory power of decision or discretion of any of The Communities.

ANNEX 4: Sioux Lookout Friendship Accord

SIoux LOOKOUT FRIENDSHIP ACCORD

WHEREAS The Municipality of Sioux Lookout is committed to strengthening its relationships with First Nation governments and people in and around the Sioux Lookout area;

AND WHEREAS the Sioux Lookout Friendship Accord has been drafted to provide the overall framework upon which the Municipality will build agreements and action plans in partnership with First Nation governments and people;

NOW THEREFORE BE IT RESOLVED THAT:

The Municipality of Sioux Lookout, within the traditional area of Lac Seul First Nation, recognizes the significant contributions First Nations people and organizations have made to this community.

Together, we acknowledge and honour our ancestors, traditions and the spirit of Sioux Lookout which first drew First Nations people together. We acknowledge and honour the long history of service to the community that continues to be embodied by the Municipality of Sioux Lookout and its employees. We acknowledge that we reside on Treaty 3 land and play an integral role as a 'service hub' to the Treaty 5 and 9 communities, and together we call upon our traditions and spirit to maintain a respectful and lasting relationship between the Municipality of Sioux Lookout and First Nation peoples.

We believe that all people in the Sioux Lookout Area are served well through positive relationships between the Municipality of Sioux Lookout and the First Nation communities. We have a mutual need for First Nation people to be involved in all aspects of the community to ensure the ongoing development of culturally-sensitive municipal services that meet First Nation needs.

We believe that good relationships must be based upon a foundation of shared values of honesty, respect, mutual sharing and contribution. These values enhance our community as well as our collective social, spiritual, economic and physical well-being. They also serve our shared interests within the guidelines of accountability, transparency, inclusiveness, responsiveness and shared stewardship



This principle-based relationship agreement between First Nation communities, people in the Sioux Lookout Area, and the Municipality of Sioux Lookout, establishes commitments and objectives to be put in place in order to make Sioux Lookout a better place for all residents and visitors. Milestone shall be set and our progress reviewed.

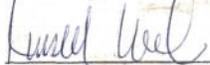
This Accord shall provide the framework for the development of agreements regarding, but not limited to, the following:

- The recognition and respect of the various levels of First Nation government, culture and people;
- Regional leadership, demonstrating how Municipal and First Nation governments can work together;
- The development of protocols to establish open and improved lines of communication;
- Supporting First Nation culture and the development of recreation and leisure activities that are culturally appropriate;
- Encourage First Nation investment in Sioux Lookout including, but not limited to, people, culture, business, community and social participation;
- Increase First Nation participation in our local economy;
- Improve our community by making it more economically vibrant and sustainable;
- Investing in our youth, the future of our community, by ensuring cultural, recreational, educational, and career opportunities are readily available; and,
- Addressing root causes relating to public safety, so that all residents and visitors safe and welcome in the community.


Mayor Dennis Loney


Chief Clifford Bull


Chief Lorraine Crane


Chief Russell Wesley

Signed on this day of 2nd in the month of DEC, 2013