

# Summary of the Teme-Augama Anishnabai Citizenship Law

## Introduction

The Teme-Augama Anishnabai have lived within n'Daki Menan as a distinct nation since time immemorial. The Teme-Augama Anishnabai have always maintained distinct systems of law and governance. An integral aspect of governance is the determination of who is a Teme-Augama Anishnabai citizen.

The Joint TFN/TAA Council decided to create a Citizenship Law in order to:

- promote Teme-Augama Anishnabai self-determination;
- address the divisions created by Canada's arbitrary and discriminatory implementation of the *Indian Act*;
- advance the ongoing negotiations between Temagami and Ontario.

## The Drafting of the Citizenship Law

The Citizenship Law was created by the Citizenship Committee with assistance from the Joint TFN/TAA Council and advice from legal counsel. In drafting the Citizenship Law, the Citizenship Committee was guided by the traditions and customs of the Teme-Augama Anishnabai and the principles of inclusion and fairness.

## Eligibility for Citizenship

Section 3 of the Citizenship Law describes who is entitled to be enrolled as a citizen. Applicants will be eligible if they show that:

- they are a direct descendant of one of the traditional families of n'Daki Menan;
- they appear on one of the official TAA lists described;
- they are a member of the Temagami First Nation; **or**
- they were adopted as a minor by a TAA citizen or an individual entitled to be a TAA citizen.

Children of TAA citizens may register for citizenship by presenting a long-form birth certificate.

## Becoming a TAA Citizen

After the Citizenship Law is ratified, individuals will be able to apply for citizenship. In order to apply, individuals must submit their application to the Enrolment Officer. Applications may be submitted on behalf of children or individuals who are under legal guardianship. Individuals who are members of the Temagami First Nation will be enrolled as citizens automatically.

It is the responsibility of the applicant to provide all information and documentation required to establish eligibility for citizenship. If information is lacking from the application, the Enrolment Officer will attempt to contact the applicant to request the missing information.

### How Applications will be Considered

The Enrolment Committee will be appointed by the Citizenship Committee to review applications and determine whether applications meet the eligibility requirements. The Enrolment Committee will attempt to reach consensus on application decisions. If there is no consensus, the Enrolment Committee will make a majority decision. After the Enrolment Committee determines an applicant's eligibility, the Enrolment Officer will notify the applicant of the decision.

### Appeal Process

If an application is rejected, the applicant may appeal the decision. The appeal will be considered by the Appeals Committee. Individuals who choose to make an appeal will be given a reasonable opportunity to make written or oral submissions to the Appeals Committee. Written reasons will be provided for all decisions of the Appeals Committee. Individuals whose appeals are rejected have a right to further appeal to the Joint TFN/TAA Council.

### Questions and Answers about the Citizenship Law

1. Does the Citizenship Law have anything to do with the *Indian Act*?
  - No. The Citizenship Law is not related to the *Indian Act*. Instead, the Citizenship Law is being created pursuant to the Teme-Augama Anishnabai inherent right to self-government and self-determination.
2. Who created the Citizenship Law?
  - The Citizenship Law was created by the Citizenship Committee with assistance from the Joint TFN/TAA Council and advice from legal counsel.
3. How will the Citizenship Law be voted on?
  - The Citizenship Law will undergo a ratification process that involves two TFN membership votes and one TAA membership vote.
4. Who will be entitled to vote on the Citizenship Law?
  - Members of the TFN and TAA who are 18 years old or over will be entitled to vote in the ratification process.
5. When will the votes take place?
  - The timing and locations of the votes has not yet been determined.