



INDIGENOUS BORDER MOBILITY – POTENTIAL POLICY OPTIONS

Common elements for all options

New legislation and amendments to existing legislation could:

- move Indigenous border mobility out of the *Immigration and Refugees Act (IRPA)* and into a new act
- provide right of entry to members of certain First Nation, Inuit and Métis collectives in Canada
- provide the ability to work and study without a permit
- ensure that Indigenous persons with a right of entry are no longer considered ‘foreign nationals’
 - as a result, inadmissibility provisions under IRPA would no longer apply
 - for persons previously found inadmissible, there would be processes to promptly resolve findings

Variables

(a) Extend right to enter and remain to members of ALL U.S. federally recognized Tribes

or

(b) Extend right to members of U.S. federally recognized Tribes in states along U.S.-Canada border

(a) Continue discussions with Greenland regarding right to enter for Inuit from Greenland

or

(b) seek an immediate right of entry for all Greenlanders, including Inuit and non-Inuit

Whether to specifically refer to members of nations with historic treaties with Canada





INDIGENOUS BORDER MOBILITY – KEY CONSIDERATIONS



U.S. Federally Recognized Tribes

- Seek to ensure those with a connection to Canada gain right to enter and remain
- Acknowledge that connections are not limited to proximity to the border but also include family, community, economic and cultural ties



Greenlanders

- Further discussions required to determine who would be able to access new right to enter and remain:
 - Greenland does not distinguish between Inuit and non-Inuit citizens
 - there is no Greenlandic citizenship and no national ID
- Greenlanders are likely to rely on commercial air transportation to enter Canada
 - Questions regarding process and documents for travel will need to be resolved



Historic Treaties

- Likelihood of challenges in identifying:
 - which treaties apply
 - which Indigenous collectives might be included

