

ASSEMBLY OF FIRST NATIONS



Communiqué

January 16, 2013

*The Assembly of First Nations issues regular updates work underway at the national office.
More information can be found at www.afn.ca.*

The Assembly of First Nations (AFN) is pleased to offer this update regarding recent discussions, strategy sessions, meetings and developments regarding the First Nation-Crown relationship, and the continued priorities of First Nations in achieving change for our peoples, communities and nations.

Meeting of First Nations Leaders and the Prime Minister, January 11, 2013

To further the support and calls for a meeting between First Nations and the Crown, by consensus the AFN National Executive sent an Open letter to the Prime Minister and Governor General on December 16, 2012 requesting a meeting to deal with matters of Treaty implementation and inherent rights. This request took forward and expressed support for the actions of Attawapiskat First Nation Chief Theresa Spence as well as the growing chorus of grassroots members demonstrating and advocating for change.

Further to this letter, on December 31, 2012, during a national conference call, consensus was established to set a specific date and request the presence of the Crown. On January 1, an invitation to the Prime Minister and Governor General was issued by National Chief Atleo on behalf of the AFN National Executive for a meeting on January 24, 2013. Subsequent to this invitation, Chief Spence and her helpers advised and requested that the meeting be pressed for on an urgent basis to happen as soon as possible. This urgency was expressed and a date to meet as soon as possible was advanced.

On January 4, the Prime Minister's office announced that it had agreed to meet with a delegation of First Nation leaders on January 11, 2013. The AFN National Executive Committee immediately began coordination efforts. The Executive agreed to facilitate planning meetings among Treaty leadership (led by Regional Chief Perry Bellegarde) and among leadership working on inherent right and title issues, including the Chiefs Committee on Comprehensive Claims (led by Regional Chief Wilson-Raybould).

Strategy and planning sessions took place in Ottawa January 8-10. During these sessions, First Nation leadership, Chiefs and advisors came together and agreed on eight key points to bring to the meeting with the Prime Minister. These eight points are outlined below:

1. Commitment to an **immediate high level working process with Treaty Nation leadership** for establishing frameworks with necessary mandates for the implementation

and enforcement of Treaties on a Treaty by Treaty basis, between the Treaty parties Nation-to-Nation.

2. Facilitating **fair, expeditious resolution of land claims** through reforming the comprehensive claims policy based on recognition and affirmation of inherent rights rather than extinguishment.
3. **Resource Equity, Benefit and Revenue Sharing** – building on treaty implementation and enforcement and comprehensive claims resolution there must be a framework that addresses shared governance of resource development and the fair sharing of all forms of revenues and benefits generated from resource development.
4. **All legislation must be unquestionably consistent with s.35 of the Canadian Constitution and the UNDRIP.** Legislation and provisions of legislation as in C-38 and C-45 that contravene our Treaty and inherent rights must be reconsidered and implementation of these provisions be put to a halt. We must have an environmental regulatory regime in this country that respects our rights. Legislation that tinkers around the edges of the Indian Act must stop and be replaced with support for First Nation government and nation re-building including a mechanism for our Nations to push away from the Indian Act as they determine. To fulfill the original relationship, Canada must put in place an ongoing process that all new bills and policies of the federal government must be in full compliance with section 35 and consistent with international human rights standards.
5. **Fundamentally transformed fiscal relationship** guaranteeing fairness and sustainability and removing all arbitrary caps and burdens on the current inefficient, ineffective and unfair funding relationship for First Nation programs and services.
6. Immediate Commitment to the establishment of a **National Public Commission of Inquiry on Violence Against Indigenous Women and Girls**, including special focus on murdered and missing Indigenous women, and the broader factors that lead to increased vulnerability among Indigenous peoples.
7. A **guarantee**, as in Shannen's Dream, of First Nation schools in every First Nation that each and every First Nations parent and child can be proud of, that fully reflects our languages and cultures and provides a safe and supportive place to learn.
8. In order to be effective, progress on these areas will require **fundamental change in the machinery of government** including direct political oversight, a dedicated Cabinet Committee with a secretariat within the Privy Council Office with specific responsibility for the First Nation-Crown relationship to oversee implementation.

These were the considerations and direct points, the National Chief brought into the meeting with the Prime Minister on January 11, 2013.

During the meeting, First Nation leaders brought forward tough messages, and noted the demand for change expressed by First Nation citizens all across the country. We also made it clear we would not be drawn into a programmatic discussion and did not want to waste time going over rhetorical ground or listening to a number of statements from Ministers.

The Prime Minister was present for the entire meeting and listened carefully to what was presented. At the conclusion of the meeting the Prime Minister committed to a process for high-level talks on Treaty Implementation and discussions on comprehensive claims, as well as conceding the need for highest level political oversight out of his office and PCO oversight of matters related to the relationship with First Nations.

As National Chief Atleo also commented:

I maintained – as I always do – that the role of the Assembly of First Nations and National Chief is to open the door for First Nations, as signatories to Treaties and rights holders, to engage directly on these matters. That is the outcome of the meeting on January 11, 2013.

This is not the end of a discussion, but rather an opportunity. We have achieved movement and it seems the door has been opened for some progress in implementing Treaties and breaking the impasse on comprehensive claims. However, we need to do the hard work on our side to make this progress happen. Work will need to start immediately with Treaty leadership on how they wish to move forward on these high-level talks now that a clear mandate has been expressed. Similarly, a process needs to be put in place on comprehensive claims.

We will not always agree, but we remain united in our common purpose to work to uphold the commitments of our ancestors and to improve lives for our children and those yet unborn. I respect all voices and will continue to fulfill the duties of the office that First Nations leadership have elected me to.

We are diverse and we must continue in respect of one another to drive forward the work of implementing our rights and protecting our lands, waters and achieve change for our peoples. It is absolutely certain that the voices of our people will not be silenced

Ceremonial Meeting with the Governor General, January 11, 2013

As a response to calls from First Nations leadership, Governor General David Johnston hosted a ceremonial meeting during the evening of January 11, 2013. Over 120 Chiefs, Elders and First Nation citizens attended, including Chief Theresa Spence.

The Governor General expressed his direct concern for the hunger strikers and his hopes that dialogue could continue and that a balance can be struck “between diversity and unity that will strengthen us as nations and as a nation.”

Tobacco was exchanged and First Nation leaders spoke to the Governor General, reflecting on the Crown’s original and continued role in Treaties, and seeking a full meeting of First Nations, the Prime Minister and a representative of the Crown.

Continued Direct Action: Chief Theresa Spence and Idle No More

The actions and activities of First Nation peoples and leaders across Turtle Island continue. This energy, motivation and common purpose are being recognized in Indigenous and non-Indigenous communities alike and are creating new awareness and commitment to change. This is truly a tipping point – a common spark – one that we must all rally around.

Chief Theresa Spence and Elder Raymond Robinson continue their fasts on Victoria Island and have communicated that they are resolute in their actions. Jean Sock has ended his fast and returned to his home territory to care for his ailing mother.

Yesterday, on the 36th day of her hunger strike, Chief Spence issued a letter to First Nations leadership reiterating a call for unity and focus on the urgent work ahead, reiterating that she and others have taken this action to bring urgent attention to the immediate needs of First Nations and the requirement to implement Treaties. Chief Spence also echoed support for direct action and Idle No More, stating: “Our fights may be different, but our dreams and hopes for our people are common.”

The National Chief and the AFN Executive, continue to support Chief Spence and have maintained calls on the Prime Minister and Governor General to meet with First Nations leadership together, as Chief Spence has requested.

Moving Forward: Stronger Together

National Chief Atleo in conclusion:

We are stronger together and we will achieve success by standing firmly on our rights and our responsibilities and continuing all efforts to drive change now!

As I noted in a memo to the AFN National Executive on January 14th, my doctor has ordered that I take a short time off to recover from a norovirus I contracted in December. All efforts of the Assembly of First Nations and National Executive will continue during this time and I look forward to returning to work with renewed energy in a matter of days.

I particularly look forward to continuing to support the hard work of First Nations in advancing priority areas to achieve the fundamental change we deserve and need for all our peoples.

Kleco, kleco.