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**TITLE:** **Status for Constitutional and Customary Indigenous Governments at the United Nations World Conference on Indigenous Peoples 2014, UNDRIP and Indigenous Peoples' Priorities**

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**SUBJECT:** International Relations

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**MOVED BY:** Ed John, Proxy, Tl'azt'en First Nation, BC

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**SECONDED BY:** Chief Ron Ignace, Skeetchestn First Nation, BC

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**DECISION:** Carried by Consensus

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**WHEREAS:**

- A. The United Nations adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007.
- B. Canada endorsed the UNDRIP in November of 2010.
- C. The United Nations General Assembly, through its resolution A/RES/65/198, decided to organize a high-level plenary meeting of the General Assembly in September 2014, to be known as the World Conference on Indigenous Peoples (WCIP), to discuss the implementation of the UNDRIP.
- D. Chiefs-in-Assembly passed Resolution 62/2012 to encourage Indigenous Nations' leaders and their representatives to become informed about this process and opportunities to participate in the WCIP in 2014.
- E. The Assembly of First Nations (AFN) believes that implementation of the UNDRIP both by the United Nations as well as by the government of Canada is a critical next step in protecting and furthering the rights of Indigenous peoples both domestically and internationally.
- F. The AFN has worked to identify critical first steps to achieve full implementation and realization of the principles, rights, and protections provided for in the UNDRIP.
- G. A unified statement of support from the Chiefs-in-Assembly and First Nation governments will serve to underscore and emphasize support for these fundamental first steps to implementation of the UNDRIP.

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**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Support a specialized UN body to monitor the implementation of the UNDRIP both within the United Nations itself and by States.
2. Endorse the Outcome Document, with a strong emphasis on the renewal of Indigenous languages, adopted at the Global Indigenous Preparatory Conference for the WCIP in Alta, Norway in June 2013.
3. Call on the UN WCIP to provide Indigenous peoples, through their representative governments and institutions, with an appropriate status for participating regularly in UN activities to achieve full and effective participation in UN fora and processes appropriate with their status and consistent with the right of self-determination held by Indigenous peoples as recognized and affirmed by the UNDRIP.
4. Urge the UN to immediately take the following steps to address violence against Indigenous women and girls:
  - a. Convene a high-level expert conference to examine challenges to the safety and well-being of Indigenous women and girls and share perspectives and best practices on the realization of the rights of Indigenous women and girls;
  - b. Establish a UN mechanism or body for monitoring and implementing the UNDRIP at the global level and explicitly mandate that the mechanism or body pay particular attention, on at least an annual basis, “to the rights and special needs of indigenous ... women, youth, and children ... in the implementation of the Declaration.”; and
  - c. Create a Special Rapporteur to focus exclusively on the human rights issues of Indigenous women and girls, including, but not limited to, violence against Indigenous women and girls and on changing state laws that discriminate against them.

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**TITLE:** Support for the Kitselas First Nation and for the Union of BC Indian Chiefs in their Joint Application to Intervene in the Judicial Review of the Kitselas Specific Claims Tribunal Decision

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**SUBJECT:** Specific Claims

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**MOVED BY:** Chief Dan Manuel, Upper Nicola Indian Band, BC

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**SECONDED BY:** Chief Maureen Chapman, Skawahlook First Nation, BC

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**DECISION:** Carried by Consensus

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**WHEREAS:**

- A. On October 16, 2008, the Kitselas First Nation filed a specific claim with the Minister of Aboriginal and Northern Development Canada regarding its unreserved (10 acre) village site adjacent to Kitselas Indian Reserve No. 1.
- B. On October 21, 2009, Canada rejected the specific claim for negotiation, and on September 29, 2011, the Kitselas First Nation filed its rejected specific claim with the Specific Claims Tribunal.
- C. In the interest of Crown-First Nations reconciliation, the Specific Claims Tribunal ("Tribunal") was established by the *Specific Claims Tribunal Act* as an independent body mandated to make binding decisions to resolve specific claims in a timely manner where claims are rejected for negotiation or where negotiations fail.
- D. In February 2013, the Tribunal found that Canada had a fiduciary duty to ensure the village site was allotted as a reserve in 1891 and the Kitselas First Nation successfully established that Canada breached the legal obligations of the Crown.
- E. On March 22, 2013, Canada challenged the Tribunal's decision at the Federal Court of Appeal by applying for judicial review of the Tribunal's decision.
- F. The Kitselas First Nation will receive no financial support from Canada for its necessary participation in this judicial review.

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- G.** The outcome of this review will profoundly impact First Nations across Canada, and the prospects for a meaningful and lasting reconciliation with the Crown since the Court's decision will be binding on the Tribunal in its consideration of all future claims by First Nations. If Canada is able to minimize its responsibilities as a fiduciary, it could succeed in limiting the scope and level of redress and compensation it owes First Nations with specific claims across Canada.
- H.** Canada is entirely and unequivocally undermining the stated objectives of resolving specific claims in an impartial, fair and timely manner to promote meaningful reconciliation between First Nations and the Crown by challenging the legislated authority of the Tribunal to determine questions of law and fact and make binding decisions in accordance with principles of justice.
- I.** The United Nations Declaration on the Rights of Indigenous Peoples affirms:
- Article 8(2): States shall provide effective mechanisms for prevention of, and redress for... (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
- Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which then have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent;
- Article 26(2) Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Fully support the Kitselas First Nation in its efforts to reach a fair, just and timely resolution of its village site specific claim.
2. Recognize the extreme importance of this proceeding in setting a precedent in the law and defining the authority and relevance of the Specific Claims Tribunal of Canada.
3. Fully support the Union of BC Indian Chiefs and its partners, including seeking resources to provide financial support, in their application to intervene in the judicial review of the Tribunal's decision in the Kitselas village site specific claim.

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**TITLE:** **Support for the creation of an Association of First Nations Administrative Commissions, Tribunals and Boards**

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**SUBJECT:** Administrative Law

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**MOVED BY:** Chief William Montour, Six Nations of the Grand River Territory, ON

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**SECONDED BY:** Grand Chief Konrad Sioui, Conseil de la Nation Huronne-Wendat Nation, QC

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**DECISION:** Carried by Consensus

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**WHEREAS:**

- A. The existing body of "administrative law" governing administrative tribunals, commissions and boards is not, in certain circumstances, consistent with the full exercise of Aboriginal and Treaty Rights of First Nations, including the inherent right of self-government and the application of traditional laws and customs.
- B. Resolution 13-2011, passed by the Chiefs-in-Assembly at Moncton, on July 13, 2011, called on the National Chief, within two years, to make recommendations to the Chiefs-in-Assembly as to specific steps that could be taken to help protect the exercise by First Nations of their inherent right to self-government in the areas of the establishment, jurisdiction, operations and processes of such regulatory, dispute resolution and advisory bodies as they see fit to create.
- C. The AFN Secretariat, in collaboration with various First Nation Commissions, Tribunals and Boards has considered options to give full effect to Resolution 13-2011 and it appears necessary that the objectives of the original resolution would be best pursued, on a long-term basis, by a working level body or organization that is dedicated specifically to achieving those objectives.
- D. Article 5 of the UN Declaration on the Rights of Indigenous Peoples states: "Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State".

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**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Direct the National Chief to actively support the creation of an Association of First Nations Administrative Commissions, Tribunals and Boards (or equivalent) to advance the interests of First Nations in their exercise of self-determination and self-government, and creating distinct political and legal institutions consistent with their traditional practices, customs and procedures.

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<b>TITLE:</b>	<b>Advancing a National Action Plan to End Violence Against Indigenous Women and Girls</b>
<b>SUBJECT:</b>	Community Safety, Justice
<b>MOVED BY:</b>	Chief Glenda Campbell, Tzeachten First Nation, BC
<b>SECONDED BY:</b>	Chief Maureen Chapman, Skawahlook First Nation, BC
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Article 22 (2) states: “States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.”
- B. At the July 2012 Annual General Assembly, Chiefs and First Nation citizens made a personal commitment and pledged “to live violence free and to personally work to achieve safety and security for all Indigenous peoples – women and men, girls and boys”.
- C. There continues to be unacceptable levels of violence against Indigenous peoples, particularly women and girls.
- D. Chiefs-in-Assembly have passed Resolutions 61-2010, 02-2011, 01-2012 and 55-2012 regarding murdered and missing Indigenous women demanding that the federal government establish a Royal Commission or National Public Commission of Inquiry.
- E. The AFN declared a National Day of Action on Violence Against Women on October 18, 2012 with a campaign directed to the Prime Minister to call a National Public Commission of Inquiry on Missing and Murdered Indigenous Women and Girls.
- F. There continues to be growing support for a National Public Commission of Inquiry into violence against Indigenous women and girls – including cases of murdered and missing women – across all sectors, including provincial and territorial Ministers of Aboriginal Affairs.

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- G. National Chief Atleo and First Nations leadership advanced the need for a National Public Commission of Inquiry directly to the Prime Minister and Cabinet Ministers on January 11, 2013. At that time, the Prime Minister agreed with the need for action.
- H. In February 2013 all parties agreed to create a special Parliamentary Committee to study Violence Against Indigenous Women and Girls, and propose specific action to address this.
- I. In April 2013, as directed by Resolution 01-2012, the AFN co-hosted the National Forum on Community Safety and Ending Violence with the Native Women's Association of Canada (NWAC) Key areas of discussion included addressing structural violence and systemic racism; building strong and healthy communities; cultural connections and resiliency; strengthening partnership and awareness; intergovernmental relationships, coordination and accountability.
- J. Leadership, women's organizations and families of murdered and missing women and girls continue to work to raise awareness across Canada and internationally and have called for a commitment to action from all governments and police agencies.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Re-affirm their personal commitment to take all action needed to ensure the safety and security of all First Nation citizens, in particular women and girls, wherever they reside, and oppose and eradicate all forms of violence in the community, including lateral violence, sexual harassment, and disrespectful language.
2. Respect and honour the traditional role of women as life givers and keepers of our people.
3. Commit to raising awareness of the high levels of violence against Indigenous women and girls and support the efforts of the families of murdered and missing women as they seek to ensure their mothers, sisters, daughters and friends are not forgotten, including supporting their efforts to have a dedicated national symposium.
4. Call upon all governments to commit to action, as outlined in the Draft National Action Plan to End Violence Against Indigenous Women and Girls, including calling a National Public Commission of Inquiry.

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<b>TITLE:</b>	<b>Impact of the Employment Insurance Reform on First Nations</b>
<b>SUBJECT:</b>	Employment and Financial Security
<b>MOVED BY:</b>	Chief Terence McBride, Timiskaming First Nation, QC
<b>SECONDED BY:</b>	Chief Maureen Chapman, Skawahlook First Nation, BC
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A.** Under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) “states shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them” (Article 19); and “1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security. 2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities” (Article 21).
- B.** In May 2011, the North American Indigenous Peoples’ Caucus (NAIPC), which includes the AFN, made important recommendations to the Tenth Session of the United Nations Permanent Forum on Indigenous Issues (UNPFII), some of which correspond to our present concerns:
- a. that the United Nations – through its various bodies, including the UNPFII – remind Canada that it does not have the right to unilaterally define, rewrite or interpret the UNDRIP, and that they encourage Canada to express its full, unqualified support for the UNDRIP;
  - b. that a mechanism be established to conduct an annual review on the manner in which the UNDRIP is being interpreted, represented and implemented by the member States; and

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- c. that the recommendations of the *Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples* on the “minimum steps that he considers to be required to move forward with implementation of the Declaration beyond its formal endorsement by States” be implemented – in particular that States, in conjunction with indigenous peoples, review their existing laws and policies to ensure compliance with the standards set forth by the UNDRIP.
- C. Contrary to the provisions of articles 19 and 21 of the UNDRIP, the changes to the Employment Insurance program announced by the federal government during the adoption of Budget 2012, which were defined and progressively implemented with the adoption of Bill C-38, will hinder the improvement of the economic and social situation of many First Nation citizens and communities. Their particular socio-economic conditions were not given adequate consideration in the development and application of the changes – thus perpetuating discrimination by omission on the part of the federal government towards First Nations.
- D. The following changes to the Employment Insurance program are particularly adverse to improving socio-economic outcomes for First Nation citizens and communities:
- a. Seasonal workers (fishing, forestry, construction, tourism, etc.) will be categorized as frequent claimants and, consequently, they will be forced to accept lower-paying jobs farther away from home and outside their usual occupation which will have a greater effect on First Nations since employment opportunities and the economy of many communities are heavily dependent on seasonal work. According to the 2006 Census, the portion of First Nation community members working in agriculture, forestry, fishing or hunting was more than two times greater than that of the non-Aboriginal population of Canada. Also according to the Census, 58% of First Nation community members work part of the year or on a part-time basis, compared to 45% of the non-Aboriginal population of Canada.
  - b. The new way of calculating the amount of benefits based on the highest weeks of earnings will disadvantage a large number of First Nation communities whose number of best weeks of earnings will increase from 14 to 18, 19 or even 20 weeks, thus reducing the amount of benefits – a situation that will affect the claimants as much as their communities, where the unemployment rate largely exceeds that of their respective regions and where the median salary is well below the national median salary. According to the 2006 Census, the unemployment rate of First Nation communities (24.9%) was four times higher than that of the non-Aboriginal population of Canada (6.3%). Also according to the Census, the median employment income of First Nation community members (\$13,705) was half the median employment income of the non-Aboriginal population of Canada (\$27,097).
  - c. In addition, the new way of calculating the amount that can be earned while on claim will also significantly disadvantage claimants who live in First Nation communities, the median employment income in First Nation communities being – as mentioned above – well below the median employment income of the non-Aboriginal population of Canada. For insurable earnings of \$340 or less, the new “Working While on Claim” pilot project will only be advantageous for a claimant who works for a salary of more than \$150. For insurable earnings of \$341 or more, a claimant will have to work for a salary that is more than 80% of the amount of his/her benefits in order for the new formula to be advantageous. For insurable earnings of less than \$167, the new formula is never more advantageous than the old formula. This incentive to accept

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work therefore is only intended for the portion of the Canadian population with higher insurable earnings and higher-paying employment opportunities than those that usually exist in First Nation communities.

- E. As the socio-economic conditions of First Nation communities are already more precarious than those of other types of Canadian communities, the changes to the employment insurance program will gradually force claimants to turn to income security, cause further impoverishment in First Nation communities and widen the financial security gap between First Nation citizens and the non-Aboriginal population of Canada.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Urge the Minister of Employment and Social Development to cancel all changes brought to the employment insurance program as defined in the 2012 Budget and Bill C-38, which are particularly detrimental to First Nation people, and therefore clearly discriminatory.
2. Urge the Minister of Employment and Social Development to extend or reinstate the transitional measures and pilot projects that were in effect prior to these changes in order to foster the financial security of First Nation people, for these measures and pilot projects took better account of the particular socio-economic conditions of First Nations; otherwise the Chiefs-in-Assembly.
3. Direct the Assembly of First Nations (AFN) to organize and coordinate – in collaboration with the Assembly of First Nations of Quebec and Labrador's Commission on Employment and Training – a protest campaign to disseminate the detrimental and discriminatory nature of the changes that were made to the employment insurance program.
4. Direct the AFN to ensure that appropriate actions have been taken by the United Nations Permanent Forum on Indigenous Issues (UNPFII) on the recommendations that were made by the North American Indigenous Peoples' Caucus.
5. Direct the AFN to ensure that all Statements that are made by the Observer Delegation of Canada to the regular sessions of the United Nations Permanent Forum on Indigenous Issues (UNPFII) are consistent – without error or omission – with what is actually experienced by First Nations; otherwise, the Chiefs-in-Assembly.
6. Direct the AFN to expose, denounce and correct the way in which Canada represents its relations with First Nations before the UNPFII and the international community.

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<b>TITLE:</b>	<b>Establishment of a First Nation Leaders Committee on Investment</b>
<b>SUBJECT:</b>	Economic Development
<b>MOVED BY:</b>	Councillor Nelson W. Toulouse, Proxy, Sagamok Anishnawbek First Nation, ON
<b>SECONDED BY:</b>	Chief Norm Hardisty Jr., Moose Cree First Nation, ON
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. Article 32 of the United Nations Declaration on the Rights of Indigenous Peoples states that: “1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources”.
- B. First Nation communities and organizations in pursuit of long-term sustainable economies require financial resources, in order to identify priorities, and develop and implement economic plans.
- C. First Nation communities and organizations are more frequently being targeted by federal cutbacks.
- D. The federal government is often denying requests for business funding and/or is ill-equipped to respond to economic priorities articulated by First Nations and its ability to facilitate appropriate levels of funding.
- E. First Nation communities need more appropriate financial and funding instruments that are not centralized or managed within a federal program.
- F. In the *2012 Plan for Responsible Resource Development*, the Government of Canada has estimated more than \$500 billion of new investments will occur across Canada over the next ten years in the mining, energy and forest sectors alone. All of this development will occur on or near First Nation lands and traditional territories.
- G. The Chiefs Committees mandated for First Nation economic and employment supports need to be brought together for more coordinated discussions and strategic planning.

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**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Support the establishment of a First Nation Leaders Committee on Investment (LCI) to promote new investment options available to assist First Nations economic opportunity, prosperity, and security based on First Nation principles and priorities.
2. The proposed objective of the LCI would involve, but not be limited to:
  - a. identifying options for seeking and coordinating potential investors and investor groups interested in the long-term potential of economic development and employment projects with First Nations;
  - b. identifying funding pool options and mechanisms to grow a national fund;
  - c. establishing a principles framework to guide domestic and foreign investment options and begin developing new relationships with the investment community broadly;
  - d. planning Sustainability, Management, Reporting and Transparency, Professional Codes of Ethics, and other investment management expectations; and,
  - e. coordinating and bringing together advice among other Assembly of First Nations (AFN) economic and employment Chiefs Committees.
3. Direct the AFN Executive Committee to:
  - a. establish a terms of reference to mandate and guide the LCI; and
  - b. appoint members to the LCI and ensure the search for members include a cross-section of leaders, experts with business, international, foundations, gaming, revenue sharing and other forms of investment proficiencies and accomplishments.
4. Provide an update on the establishment of the LCI for the December 2013 Special Chiefs Assembly in Ottawa/Gatineau.

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<b>TITLE:</b>	<b>Increase in Funding for Palliative Care in First Nations Communities</b>
<b>SUBJECT:</b>	Health, Home and Community Care
<b>MOVED BY:</b>	Chief William Montour, Six Nations of the Grand River Territory, ON
<b>SECONDED BY:</b>	Grand Chief Konrad Sioui, Conseil de la Nation Huronne-Wendat, QC
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. Articles 21 and 22 of the United Nations Declaration on the Rights of Indigenous Peoples state that Indigenous peoples have the right, without discrimination to the improvement of their economic and social conditions, including health and social security and particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.
- B. The First Nations and Inuit Home and Community Care Program (FNIHCCP) was founded in 1999 to assist First Nations communities in meeting the increasing home care demands of community members living with illnesses and to enable people with disabilities, chronic or acute illnesses and the elderly to receive the care they need in their home communities.
- C. The funding formula is based on population data from 1997.
- D. The FNIHCCP has the funding and authority to provide *essential service elements*; however, palliative care is not considered an essential service element.
- E. The FNIHCCP has the authority but no accompanying funding to provide palliative care as a *supportive service element*; and this gap in service is putting pressure on the Home and Community Care nurses as the expectations for palliative care in First Nations increase with the aging population and drastically increasing cancer and HIV/AIDS rates.
- F. First Nations have the right to culturally appropriate health services and the right to pass on to the spirit world within their First Nation community if they so choose.

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- G.** The need for palliative care is even more crucial in rural and remote First Nations communities with extremely high travel costs and where individuals requiring palliative/end of life care face isolation at the end of their life.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Mandate the Assembly of First Nations (AFN) to write to the Minister of Health to have palliative care prioritized in order to recognize the aging population and changing demographics in First Nations communities.
2. Mandate the AFN to work with the federal government to have palliative care deemed an essential service element in First Nations communities provided that sustainable funding is included in the funding formula.
3. Mandate the AFN to explore collaborations with other organizations such as, but not limited to, the Canadian Hospice Palliative Care Association (CHPCA) and The Way Forward Initiative, the Canadian Partnership Against Cancer (CPAC) and other organizations with an interest in palliative care in order to raise awareness of First Nations palliative care needs at the national level.

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<b>TITLE:</b>	<b>Pay Equity Renewal Opportunities for the National Native Alcohol and Drug Abuse Program (NNADAP) workforce in <i>Honouring our Strengths</i></b>
<b>SUBJECT:</b>	Pay Equity Strategy for NNADAP Workforce
<b>MOVED BY:</b>	Quinn Meawasige, Proxy, Serpent River First Nation, ON
<b>SECONDED BY:</b>	Chief Rufus Copage, Shubenacadie (Indian Brook) First Nation, NS
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. Article 21 of the United Nations Declaration on the Rights of Indigenous Peoples notes that Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, etc.
- B. The Chiefs have unanimously endorsed *Honouring our Strengths: A Renewed Framework to Address Substance Use Issues among First Nations People in Canada* on November 11, 2011 at the AFN National Health Forum.
- C. The *Honouring our Strengths* framework addresses workforce development issues which include wages and benefits for the NNADAP workforce.
- D. There have been significant advancements in the accreditation of NNADAP treatment centres (100%) and the ongoing certification of NNADAP treatment and community workers in addictions specialization.
- E. Increases in cost-of-living, coupled with chronic salary shortages, have resulted in higher staff turnover in the NNADAP workforce.
- F. Increasing demands are being placed on the workforce due to emerging awareness of the impacts of the Indian Residential School legacy, intergenerational trauma, and the increasingly complex needs of our First Nations clients.

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**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Support the pay equity initiatives being championed by the Treatment Centre Directors of Ontario and the Ontario Regional Addictions Partnership Committee.
2. Mandate the Assembly of First Nations to map out current wage trends and inequities across Canada, with a particular focus or comparison on NNADAP workers and general addiction workers, i.e., independent or provincial workers.
3. Support other regions in the development of pay equity initiatives.
4. Urge the First Nations and Inuit Health Branch to provide ample resources to support regionally-driven pay equity initiatives for the NNADAP community based workers and the NNADAP Treatment Centres nation-wide.
5. Support seeking funding from corporations, in addition to seeking funding from the federal government.

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**TITLE:** Federal Response to implications of registration of new registrants under Bill C-3 amendments to the *Indian Act*

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**SUBJECT:** Fiscal Relations, Funding to First Nations

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**MOVED BY:** Grand Chief Konrad Sioui, Conseil de la Nation Huronne-Wendat, QC

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**SECONDED BY:** Chief Rufus Copage, Shubenacadie (Indian Brook) First Nation, NS

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**DECISION:** Carried by Consensus

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**WHEREAS:**

- A. The Department of Aboriginal Affairs and Northern Development Canada (AANDC) has still not confirmed the results of the Working Group tasked with examining at the national level, the financial implications of the new registrations following the entry into force of Bill C-3: *Gender Equity in Indian Registration Act* and the subsequent changes to the *Indian Act*.
- B. The funding allocated by the federal government is already inadequate.
- C. The lands reserved for the First Nations and the facilities made available to them are clearly insufficient and do not allow to house adequately all the families and citizens of First Nations.
- D. The federal government has not yet been able to provide clear answers to First Nations in terms of how it will tackle the above-mentioned challenges following the changes to the *Indian Act* as a result of Bill C-3.
- E. The new registrants, as First Nation members, have the right to be welcomed in their communities with respect, and to benefit from the same rights and services that are offered.
- F. The federal government has a fiduciary obligation towards the First Nations, and that as such, it must take all appropriate steps so that all First Nation members can live in dignity and honour, to which they are entitled.
- G. All Treaties signed, before and after the Confederation, between the First Nations and the Federal Crown, including Treaties of peace and alliance, must all be honoured, protected and applied to the full extent, by the Federal Crown.

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- H. Under these Treaties, First Nations and the Federal Crown must cultivate ongoing partnering relationships, and as such, they owe each other mutual assistance, alliance to combat common threats, economic and commercial cooperation and equitable sharing of the territory and its resources.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Call on the Assembly of First Nations (AFN) to urge the federal government to put in place a specific and concrete action plan in order to properly address the needs of the new members, which plan shall include in particular:
  - a. Realistic budget confirmations which allow the First Nations to cope with the arrival of their brothers and sisters registered since the changes made to the *Indian Act* as a result of Bill C-3, in order to offer them the services to which they are entitled along with decent housing within their community;
  - b. The elaboration of a calculation method similar to the one found in several treaties, which could help ensure that the total area of each reserve corresponds to the size of its population and that adequate resources are provided to meet the needs of the population; and,
  - c. Mandate the AFN Executive Committee to work with First Nations to take all the necessary measures to implement the said action plan, including judicial proceedings as appropriate.

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<b>TITLE:</b>	<b>Indigenous Protected Areas</b>
<b>SUBJECT:</b>	Resource Development
<b>MOVED BY:</b>	Victor Kisoun, Proxy, Lower Post First Nation, BC
<b>SECONDED BY:</b>	Chief Sharleen Wildeman, Fort Nelson First Nation, BC
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. Indigenous Peoples possess the rights of self-determination as recognized in the United Nations (UN) Declaration on the Rights of Indigenous Peoples, which includes the rights to maintain and strengthen their own distinct political, legal, economic, social and cultural institutions and to own, use develop and control their lands, territories and resources.
- B. The UN Declaration also requires states to cooperate in good faith with the Indigenous Peoples through their own representative institutions in order to obtain their free, prior and informed consent prior to the approval of any project affecting their lands or territories and other resources.
- C. International resolutions of the World Parks Congress, the International Union for Conservation of Nature (IUCN), and the Parties to the Convention on Biodiversity call on states and other parties to recognize and promote protected area governance to achieve the full and effective participation of Indigenous and local communities in the management of existing protected areas and the establishment and management of new protected areas.
- D. Canada continues to lag behind other developed nations in the establishment of effective partnerships with Indigenous Peoples to enable their full and effective participation in the management of protected areas and the stewardship of lands and waters. In contrast, Australia's federal government has committed over \$500 million to support Indigenous land and sea managers to protect and conserve their lands and waters, and is supporting an international network of Indigenous Peoples to advance these goals.
- E. Many First Nations are taking action to protect their lands and waters without adequate resources or recognition.

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- F. Resolution 63/2011 adopted by the Chiefs in Assembly on December 8, 2011 for the Protection and Conservation of Lands and Waters mandated the National Chief and Assembly of First Nations to communicate to the federal, provincial, territorial and municipal governments the urgent need for the specific recognition of First Nations laws, customs and institutions for the protection and conservation of lands in legislation and policy.
- G. Resolution 63/2011 also mandated the National Chief and Assembly of First Nations to work in support of the designation and establishment of new Indigenous protected areas in Canada, and for true partnerships on a government-to-government basis for existing protected areas.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Reaffirm the urgent need for the specific recognition of First Nations laws, customs and institutions for the protection and conservation of lands and waters in legislation and policy.
2. Mandate the National Chief and Assembly of First Nations to work in support of the designation and establishment of new Indigenous protected areas in Canada and the establishment of programs on a government-to-government basis to enable the full and effective participation of First Nations in the management of protected areas and the stewardship of lands and waters.

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**TITLE:** Support for Ross River Dena Council Court Case Condemning Free Entry Mining

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**SUBJECT:** Resource Development

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**MOVED BY:** Chief Brian Ladue, Ross River Dena Council, YK

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**SECONDED BY:** Victor Kisoun, Proxy, Lower Post First Nation, BC

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**DECISION:** Carried by Consensus

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**WHEREAS:**

- A. The United Nation Declaration on the Rights of Indigenous Peoples (UNDRIP) requires states to consult and cooperate in good faith with Indigenous Peoples concerning through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.
- B. Mining projects across Canada are often the source of great conflict with First Nations on whose territories most of the ore and minerals are found.
- C. Mineral tenure is granted under a system often referred to as the free entry system which allows prospectors to freely enter onto public lands to explore for minerals and acquire right to these minerals. The free entry system has been used for centuries in Canada.
- D. "Free-entry" is a pivotal feature of laws, policies and legislation related to mining in Canada and completely contrary to the UNDRIP principle of "free, prior and informed consent".
- E. The Kaska Nation and many other First Nations across the country are working to influence governments that if there is to be peace and partnerships to encourage mining development then mining laws must be reformed and "free entry mining" must come to and end.
- F. In December 2012, the Yukon Court of Appeal in the Ross River Dena Council case , affirmed that there was a duty to consult on mining claims and agreed with the Kaska that the constitutional doctrines as set out in *Haida* require the Crown to consult and where appropriate accommodate *before* granting the mining claims.

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- G.** This ruling has implications for mining across the country; and the Government of Yukon has sought leave to appeal the ruling to the Supreme Court of Canada.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Support the Ross River Dena Council and the Kaska Nation in their ongoing struggle to ensure the ruling condemning the free entry system continues to be respected.
2. Direct the National Chief and Executive of the AFN to support and actively advocate for a joint reform process of provincial and territorial mining legislation across the country.

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<b>TITLE:</b>	<b>AFN Trapping and Harvesters Committee</b>
<b>SUBJECT:</b>	Harvesting
<b>MOVED BY:</b>	Chief Arthur Noskey, Loon River Cree Indian Band, AB
<b>SECONDED BY:</b>	Doug Kelly, Proxy, Soowahlie First Nation, BC
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. First Nations have inherent Aboriginal and Treaty rights to hunt, trap and harvest for traditional occupation and modern livelihood activities.
- B. First Nations continue to exercise their rights by harvesting animals, fish, plants and medicines that sustain their economies, traditions, spirituality and cultures.
- C. First Nations hold responsibilities to protect all natural resources, that includes maintaining their health practices, the conservation of vital medicines, food, plants, and habitats.
- D. First Nations governments are concerned that harvesters' rights are not being protected or addressed in an adequate manner and that greater advocacy is needed at the national level.
- E. The Fur Institute of Canada is a fur industry group that has operated an ad hoc Aboriginal Harvesters Committee that does not effectively address First Nations interests, including Aboriginal and Treaty rights to harvest.
- F. Articles 18, 20 and 28 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) recognize the rights of Indigenous peoples to participate in decision-making in matters that would affect their rights through representatives chosen by themselves, to maintain and develop their own Indigenous decision-making institutions, and to engage freely in their traditional and other economic activities.
- G. Article 37(1) of the UNDRIP states that Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States of their

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successors and to have States honour and respect such treaties, agreements and other constructive arrangements.

- H. First Nations trappers' and harvesters' livelihood has been altered by new rules and regulations established under the Agreement on International Humane Trapping Standards (AIHTS) since 1999, which requires Canada to adhere to European standards on humane trapping methods, compliance measures, and newly established processes for certifying traps in accordance with the AIHTS standards.
- I. Under the terms of the AIHTS, Canada has established a Joint Management Committee (JMC) that has two seats reserved for Aboriginal representatives, who are tasked to report on the implementation of the trapping standards and to share information.
- J. The JMC Aboriginal representative must be revisited to ensure First Nations perspectives are represented nationally.
- K. The Assembly of First Nations (AFN) Harvester's Committee has been a mandated body since 1983 but has been inactive since 2001 when funding was terminated from the Department of Indian and Northern Affairs Canada (INAC) and awarded to the Fur Institute of Canada to undertake an ad hoc pan-Aboriginal process.
- L. Trapping and harvesting is interconnected to the inherent Aboriginal and Treaty rights, and directly linked to the social, economic, and cultural activities related to supporting traditional economies, the environmental protection and harvesting of traditional medicines and plants, impacts of climate change, food security, and the preservation of harvesting sites and critical habitat on land and water.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Direct the AFN to re-new the mandated AFN Harvesters Committee to establish a new AFN Trappers and Harvesters Committee that is regionally representative and accountable to address the issues of First Nations harvesting rights and to provide advocacy support for trappers and harvesters to exercise their Aboriginal and Treaty rights for their traditional economies.
2. Direct the AFN to seek resources to support the creation and coordination of an AFN Trapping and Harvesters Committee for sharing information and developing cohesive strategies to resolve issues of concern to First Nations trappers and harvesters.
3. Mandate the AFN to develop a new terms of reference and workplan for the AFN Trappers and Harvesters Committee that will support regional priority issues as raised by harvesters at the national level.
4. Call upon the AFN Executive Committee to revisit the appointment of a First Nation JMC representative and an alternate in order to incorporate First Nation perspectives on the Agreement on International Humane Trapping Standards, who will report back to the AFN Trappers and Harvesters Committee.

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**TITLE:** Condemnation of Human Biomedical Experimentation in Indigenous Communities and Residential Schools

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**SUBJECT:** Health, Indian Residential Schools, Reconciliation

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**MOVED BY:** Cliff Atleo, Proxy, Ehattesaht First Nation, BC

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**SECONDED BY:** Ken Watts, Proxy, Tseshah First Nation, BC

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**DECISION:** Carried by Consensus

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**WHEREAS:**

- A. The recently published historical research article by Ian Mosby, *Administering Colonial Science: Nutrition Research and Human Biomedical Experimentation in Aboriginal Communities and Residential Schools, 1942–1952*, revealed that Indigenous communities and Indigenous children in residential schools were historically used as subjects in various “nutritional experiments” by some of Canada’s leading nutritional experts at the time, in cooperation with the Canadian government.
- B. According to Mosby’s research, these disturbing experiments involved at least 1,300 Indigenous children. Government tests began in 1942 in a number of remote Indigenous communities in northern Manitoba. Following this, the initiative spread across the country. In 1947, research continued on at least 1,000 malnourished Indigenous children in at least six residential schools in Port Alberni, British Columbia; Kenora, Ontario; Schubencadie, Nova Scotia, and Lethbridge, Alberta.
- C. In his research, Mosby identified that Paulette Regan, the director of research for the Truth and Reconciliation Commission of Canada, has forcefully argued real truth and reconciliation can only occur when settlers genuinely begin to understand and take responsibility for the legacy of systematic violence and oppression that characterized the residential school system and Indigenous-settler relations in Canada more generally.
- D. These experiments, as described in Mosby’s research, are one example of a larger institutionalized and dehumanizing colonialist racial ideology which has plagued Canada’s policies towards Indigenous peoples.

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- E. The Crown's historic attitude towards Indigenous peoples, which persists in more subtle forms today, is evidenced in the June 2008 apology issued by Prime Minister Harper in the House of Commons to survivors of Indian residential schools in BC and across Canada (the "Apology"). Although this Apology was an acknowledgement of the historic wrongs, it is important to note that it was only agreed-to after protracted litigation and appeals to the Supreme Court of Canada throughout which the Canadian government denied it had any responsibilities to the survivors.
- F. In particular, the Apology fully acknowledges that "two primary objectives of the Residential Schools system were to remove and isolate children from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant culture. These objectives were based on the assumption Aboriginal cultures and spiritual beliefs were inferior and unequal. Indeed, some sought, as it was infamously said, 'to kill the Indian in the child'."
- G. The Apology included a commitment by Parliament and all of Canada to join Indigenous peoples on a shared journey toward healing and reconciliation. There is mounting frustration across the country with the lack of tangible action and lack of sincere commitment on the part of the Canadian Government to work in real partnership with our peoples and governments. To date, in the spirit and intent of the Apology, there is an outstanding commitment for all governments and all Canadians to commit to reconciliation.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

- 1. Condemn the action of the federal government for condoning, allowing and being involved in these deeply disturbing and shocking experiments involving Indigenous children.
- 2. Confirm that these experiments reveal Crown conduct reflecting a pattern of genocide against Indigenous peoples.
- 3. Will not accept the Apology as catch-all recognition for all federal policy past, present and on-going which have and continue to negatively impact Indigenous peoples.
- 4. Consider it imperative that residential school survivors, Indigenous peoples, and all Canadians need to know the truth and call on the federal government to work immediately to provide Indian Residential Schools Survivors, First Nations and the Truth and Reconciliation Commission full and complete access to all records held by the federal government on experiments conducted on Indigenous communities and Indigenous children in residential schools and Indian Hospitals.
- 5. Call on the federal government to develop a system for fair and just restitution for those persons and communities who suffered emotional and physical effects as a result of these experiments and to examine the extent of the residual impacts and intergenerational trauma caused by these experiments.
- 6. Call on the federal and provincial governments to initiate a strategic plan created in partnership with Indigenous Peoples, to ensure information regarding scientific experimentation on Indigenous peoples is made public and is reflected in the public education curriculum so that all Canadians can understand and be aware of the whole truth behind these and other similar experiments involving our communities and children in residential schools.

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7. Call on the federal, provincial and territorial governments to recognize First Nation jurisdiction over research and data collection processes involving our people and communities and that the First Nation principles of Ownership, Control, Access, and Possession (OCAP), as defined in this forum, be respected and adhered to in the development of any future partnerships involving research.

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<b>TITLE:</b>	<b>National Advocacy to Assert First Nations Control of First Nations Education</b>
<b>SUBJECT:</b>	Education
<b>MOVED BY:</b>	Chief Steve Miller, Atikameksheng Anishnawbek, ON
<b>SECONDED BY:</b>	Ken Watts, Proxy, Tseshah First Nation, BC
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) recognizes the right of First Nations to develop our own education institutions and systems, reflecting our languages, cultures and identities, including language immersion initiatives and institutions, and requires state governments to seek the free, prior and informed consent of First Nations governments prior to enacting measures which impact our rights.
- B. First Nations education is a key foundation for strengthening our cultural identity, ensuring the transmission of our languages, and ultimately strengthening our families, our clans, our communities, and our nations.
- C. *First Nations Control of First Nations Education* 2010, which incorporates the original *Indian Control of Indian Education* 1972 paper, is the official education policy for the Assembly of First Nations.
- D. The government of Canada is continuing to pursue the development of a First Nations Education Act, first announced in Budget 2012, without the free, prior and informed consent of First Nations.
- E. On July 12, 2013, the government of Canada released “A Blueprint for Legislation” which, among other issues, will perpetuate federal oversight of First Nations education, including setting mandatory standards, inspecting First Nations schools, and reserving the right to intervene if “minimum standards” are not met.
- F. The “Blueprint”
  - fails to affirm First Nations control of First Nations education;
  - fails to provide guarantees for First Nations languages, cultures, and ways of teaching and learning;

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- fails to recognize and build on the successes created by First Nations;
  - fails to address the necessary linkages to early childhood development, adult education, vocational training, e-learning, and post-secondary education and the institutions created by First Nations at all levels of education, including language immersion schools;
  - fails to address historic funding shortfalls and the elimination of the 2% funding cap on annual expenditure increases;
  - fails to provide capital funding to provide sufficient access to primary, secondary and post-secondary schools; and,
  - fails to provide funding guarantees to ensure First Nations schools and systems will be able to address the actual costs of providing high quality, culturally and linguistically relevant education similar to principles provided in funding to schools providing services in official languages outside Quebec.
- G.** The inadequate special education funding provided for First Nations learners perpetuates disadvantage and exclusion, and fails to uphold the Crown's obligation to implement inherent and Treaty rights and the internationally recognized human rights of First Nations learners.
- H.** On June 11, 2008, Prime Minister Stephen Harper, on behalf of all Canadians, issued an apology for residential schools and noted that "this policy of assimilation was wrong, has caused great harm, and has no place in our country", yet five years later continues to advance an approach to First Nations education which denies the primary importance of First Nations languages and cultures.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Affirm the priority of language immersion initiatives and institutions, and demand that they be recognized and funded equitably to programs and institutions for French immersion outside Quebec.
2. Affirm the need for inclusive education and the principle that funding for First Nations learners with special needs should be at a level to cover costs and ensure that First Nations children, to the extent possible, can continue to reside and attend school in their home communities, a struggle for justice currently being led by the Mississaugas of the New Credit First Nation in filing a complaint with the Canadian Human Rights Commission.
3. Affirm that the federal role in First Nations education is to recognize the right of First Nations to fully implement the inherent and Treaty right to education through the provision of predictable, sustainable and needs-based funding, which includes annual escalators which account for the rise in annual education costs, inflation, population increase, geographic considerations and capital needs.
4. Mandate the Assembly of First Nations (AFN) Chiefs Committee on Education (CCOE), supported by the AFN Secretariat, to develop a template letter for First Nations across the country to reaffirm their support for the

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principles of First Nations control of First Nations education, and fully reject the proposal for federal oversight of First Nations education.

5. Mandate the CCOE, supported by the AFN Secretariat, to develop supports for First Nations to develop their own education legislation as a step in moving forward on First Nations Control of First Nations education.
6. Direct the CCOE to advise the AFN National Chief and National Executive on other measures, including legal and direct action, which should be undertaken to facilitate a national First Nations movement for First Nations education and to reject any federal approach which maintains a federal oversight role.
7. Call upon all First Nations and First Nations organizations, including the AFN, to continue to actively advance First Nations control of First Nations education, consistent with the implementation of our inherent and Treaty rights, consistent with the First Nations Control of First Nations Education Coordinated National Implementation Strategy, 2010, and as recognized and affirmed by the UNDRIP, the United Nations Convention of the Rights of the Child, and s. 35 of the *Constitution Act* 1982.
8. Direct the AFN to develop and implement a public education strategy to educate Canadians on the funding disparity for First Nations schools.
9. Direct the AFN to develop a communications plan to educate the international community about the inequities in First Nations education.

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<b>TITLE:</b>	<b>Implementation of a National First Nations Housing Strategy</b>
<b>SUBJECT:</b>	Housing
<b>MOVED BY:</b>	Chief William Montour, Six Nations of the Grand River Territory, ON
<b>SECONDED BY:</b>	Chief Terence McBride, Timiskaming First Nation, QC
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. Article 23 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) states: “Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous people have the right to be actively involved in developing and determining health, housing and other economic and social programs affecting them and, as far as possible, to administer such programs through their own institutions.”
- B. As defined by the first UN Special Rapporteur on Housing, “the human right to adequate housing is the right of every woman, man, youth and child to gain and sustain a safe and secure home and community in which to live in peace and dignity”.
- C. There is an identified need for 131,000 homes in First Nation communities between 2010 and 2031, including 11,855 new units to replace units which are lost to the stock or deteriorated to the point where they cannot be economically renovated. An additional 8,300 to 11,000 units require major repairs.
- D. Federal programs are not meeting the need for new housing units, as illustrated by the following facts:
  - a. In 2012, Canada Mortgage and Housing Corporation (CMHC) Section 95, a commonly used social housing program through which the majority of units constructed on reserve are built, contributed 603 new units to addressing the need;
  - b. Aboriginal Affairs and Northern Development (AANDC) reports that over the past five years, they have supported the construction of approximately 1,750 new units and renovations to 3,100 existing units;

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- c. The First Nations Market Housing Fund reported 51 loans in their first five years of operation.
- E. Resolution 19-2012 directs the AFN to further the development of a National First Nations Housing Strategy for presentation to and ratification of the Chiefs-in-Assembly.
- F. A draft National First Nations Housing Strategy has been developed for discussion and direction, including the identification of actions, communications, and research to further critical work. The draft strategy is a work in progress and will require significant input from all First Nation citizens, inclusive of women, Elders and youth, and technical working groups to develop a comprehensive National First Nations Housing Strategy.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Accept the draft National First Nations Housing Strategy as a basis for dialogue.
2. Direct the AFN to continue to actively facilitate discussion and seek input from First Nations, regional technical working groups and other organizations to further refine the development of a comprehensive National First Nations Housing Strategy, to be overseen by the Chiefs Committee on Housing and Infrastructure.

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<b>TITLE:</b>	<b>Transition of the First Nations Market Housing Fund to First Nations Control</b>
<b>SUBJECT:</b>	Housing
<b>MOVED BY:</b>	Chief William Montour, Six Nations of the Grand River Territory, ON
<b>SECONDED BY:</b>	Chief Terence McBride, Timiskaming First Nation, QC
<b>DECISION:</b>	Carried; 1 Abstention

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**WHEREAS:**

- A. Article 23 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) states: "Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous people have the right to be actively involved in developing and determining health, housing and other economic and social programs affecting them and, as far as possible, to administer such programs through their own institutions."
- B. As defined by the first UN Special Rapporteur on Housing, "the human right to adequate housing is the right of every woman, man, youth and child to gain and sustain a safe and secure home and community in which to live in peace and dignity".
- C. On April 20, 2007, Minister Jim Prentice and Minister Monte Solberg announced that the Government of Canada would create a \$300 million First Nations Market Housing Fund (Fund) to facilitate and broaden the range of housing options for residents of First Nations communities so that they may have the same housing choices and opportunities as people in non-First Nation Communities.
- D. It was further announced that the "Government of Canada expects that the Fund will assist with the generation of 25,000 housing units over ten years."
- E. The Fund, during its First Nation community engagement and consultation process, publically stated to Chiefs, Councils and First Nations technical groups, that it was the intent of the Government of Canada to transfer the First Nation Market Housing Fund to First Nation control.

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- F. A federal study released in March 2102 found that there is an identified need for 131,000 homes in First Nation Communities between 2010 and 2031, including 11,855 new units to replace units which are lost to the stock or deteriorated to the point where they cannot be economically renovated. An additional 8,300 to 11,000 units require major repairs.
- G. Federal programs are not meeting the need for new housing units in First Nation communities:
- a. In 2012, Canada Mortgage and Housing Corporation (CMHC) Section 95, a commonly used social housing program through which the majority of units constructed on reserve are built, contributed 603 new units to addressing the need.
  - b. Aboriginal Affairs and Northern Development Canada (AANDC) reports that over the past five years, they have supported the construction of approximately 1,750 new units, renovations to 3,100 existing units, capacity development and a number of other housing initiatives.
  - c. The First Nations Market Housing Fund reported 51 loans in their first five years of operation.
- H. On March 28, 2008 an Indenture of Trust was signed by the Fund's Board of Directors and CMHC. The Indenture of Trust clearly states: "The Settlor, the Government of Canada and the Original Trustees envision that there will be evaluation of the performance and management of the Fund with a view to the transfer to the First Nations community or responsibility for the mandate and accountability of the Fund."
- I. Subsequently, CMHC, as directed by Treasury Board, conducted an evaluation of the Fund targeting the first three years of implementation, which was released in November of 2012..
- J. The evaluation completed by CMHC did not acknowledge or address Article XX, Section 20.9 of the Indenture of Trust which states: "The Parties anticipate that, based on the Evaluation and any other evaluations, studies, reports or information the CMHC Minister considers relevant, the CMHC Minister will consider and make recommendations on the potential transfer to the First Nations community of responsibility for the mandate and accountability of the Fund, and how this may be achieved."
- K. There is a need to have studies conducted to develop options and recommendations for the transfer of the Fund to First Nations control.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Support the concept of the First Nations Market Housing Fund (FNMHF) and the need for alternatives to social housing programs.
2. Direct the AFN to urge the federal government to honor its intent of the transition of the First Nations Market Housing Fund to First Nation control.

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3. Direct the AFN to work with First Nation Governments and the Trustees of the FNMHF to explore alternative First Nation mechanisms to manage the First Nations Market Housing Fund and report on progress at the 2013 Special Chiefs Assembly.
4. Direct the AFN to work with the Trustees of the FNMHF to seek funds for the purposes of engaging in First Nations data collection to develop recommendations on options to transfer the Fund to First Nations control, including recommendations on innovative ways to make the Fund more accessible to First Nations for building and renovating homes.

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**TITLE:** **Support for Aboriginal Financial Officers Association of Canada (AFOA)  
Canada's Certified Aboriginal Professional Administrator (CAPA) Designation**

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**SUBJECT:** Financial Management

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**MOVED BY:** Chief Sharleen Wildeman, Fort Nelson First Nation, BC

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**SECONDED BY:** Chief William Montour, Six Nations of the Grand River Territory, ON

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**DECISION:** Carried by Consensus

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**WHEREAS:**

- A.** In 1998, the Assembly of First Nations - Certified General Accountants Working Group identified the creation of a national association of Aboriginal financial officers as essential to the capacity development of First Nations. In the same year, the Chiefs in Assembly adopted Resolution 70-1998 supporting the incorporation of a national association of Aboriginal financial officers and affiliated provincial chapters of the association.
- B.** In 1999, the Aboriginal Financial Officers Association of Canada (AFOA Canada) was incorporated as a not-for-profit association to enhance Aboriginal financial policies and management skills. AFOA Canada's premise is that improving the management skills of those responsible for the stewardship of Aboriginal resources is key to successful self-determination and creating a better life for Canada's Aboriginal peoples.
- C.** In July 2008, the Chiefs-in-Assembly passed Resolution 32-2008 at the AFN Annual General Assembly that provided their support for the Certified Aboriginal Financial Manager (CAFM) as the preferred credential when hiring personnel in finance and management positions.
- D.** In 2009, AFOA Canada began developing the Certified Aboriginal Professional Administrator (CAPA) program and designation. It was specifically designed for First Nation senior administrators. The first set of courses was offered in the fall of 2012.

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**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Support the professional designation of the Certified Aboriginal Professional Administrator (CAPA) as the recommended credential when First Nations are hiring personnel in First Nation Government administration and senior management positions.
2. Request Aboriginal Affairs and Northern Development Canada to make funding available to First Nations to get adequate financial and management training to improve skills and build capacity within First Nations communities.

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<b>TITLE:</b>	<b>Support for Aboriginal Broadcasting</b>
<b>SUBJECT:</b>	Communications
<b>MOVED BY:</b>	Chief James Allen, Champagne-Aishihik First Nation, YT
<b>SECONDED BY:</b>	Chief Ernest Betsina, Yellowknives Dene First Nation, NWT
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A.** In 1979, responding to a groundswell of concern that Indigenous languages and cultures and lifestyles were not reflected on Canadian radio and television programs, the Canadian Radio-Television and Telecommunications Commission (CRTC) recommended that the federal government provide funding to develop Aboriginal broadcasting networks to meet Canada's obligation to provide Indigenous peoples with opportunities to preserve Indigenous languages and cultures.
- B.** The Caplan-Sauvageau Task Force report stated, "Native people have special rights by virtue of their Aboriginal status. These rights, now enshrined in the Canadian Constitution, are a part of the laws, customs, and treaties of the land. Although not fully defined, Aboriginal rights are certain to include a protection and enhancement of native languages and culture".
- C.** In 1983, the federal government introduced a policy on northern broadcasting and created the Northern Native Broadcast Access Program (NNBAP) to provide funding to Aboriginal communications organizations for the production and broadcast of radio and television programs to Aboriginal audiences in the Yukon, Northwest Territories, Nunavut, and the northern regions of Newfoundland, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia.
- D.** From peak funding in 1988, funding from the Department of Canadian Heritage for the Aboriginal broadcasting program has been reduced dramatically, including by approximately 60 percent in the last fiscal year.

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**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Support Aboriginal and Northern broadcasters as key broadcasters for First Nations of Canada.
2. Call upon the federal government, in particular the Department of Canadian Heritage, to provide adequate, multi-year funding to Aboriginal and Northern broadcasters.

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<b>TITLE:</b>	<b>Support for the Regina 2014 North American Indigenous Games</b>
<b>SUBJECT:</b>	Sport, Youth
<b>MOVED BY:</b>	Alvin Fiddler, Proxy, Kashechewan First Nation, ON
<b>SECONDED BY:</b>	Clayton Sewap, Proxy, Peter Ballantyne Cree Nation, SK
<b>DECISION:</b>	Carried by Consensus

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**WHEREAS:**

- A. The 2014 North American Indigenous Games (NAIG) will be held in Regina, Saskatchewan from July 20-27, 2014.
- B. The Games Host Society is striving to offer an amazing experience in athletics, culture, friendship, health and wellness to over 5,000 athletes from Canada and the United States.
- C. The Games Host Society does not receive adequate operational and infrastructure funding to host the NAIG and must identify sponsors for many elements of the Games.
- D. The Games Host Society is responsible for providing athlete accommodations during the Games for all teams as part of the Hosting Standards.
- E. The Regina Public and Catholic Schools have passed an accommodations policy that does not allow them to provide accommodations to the athletes, to stay overnight within their classrooms.
- F. The Games Host Society had to identify alternative accommodations and will now house athletes at the University of Regina and hotels within the City of Regina at a significantly higher cost in order to meet Hosting Standards.
- G. The Games Host Society has developed a Friends of the Games sponsorship package specifically for First Nation communities to support the Games.

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**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Call on the Regina Public and Catholic School Division Boards to consider exempting the NAIG from their accommodations policy or to assist in the identification of other options aimed at providing more affordable accommodations.
2. Support the 2014 North American Indigenous Games by considering the promotion of the Friends of the Games sponsorship package.

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**Certified copy of a resolution adopted on the 18th day of July, 2013 in Whitehorse, Yukon**

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<b>TITLE:</b>	<b>AFN Transition to Nation-Building Structures and Processes</b>
<b>SUBJECT:</b>	Restructuring AFN to Reflect Indigenous Nations
<b>MOVED BY:</b>	Chief Bill Montour, Six Nations of the Grand River, ON
<b>SECONDED BY:</b>	Richard Nerysoo, Proxy, Acho Dene Koe First Nation, NWT
<b>DECISION:</b>	Passed by the AFN Executive Committee

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples calls for respect for the inherent rights of Indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, including the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions.
- B. The role of the AFN is to advocate and facilitate based on the direction and mandates provided by First Nations through the Chiefs-in-Assembly. The AFN is not a rights holder and not a signatory to Treaty. As such, the AFN is not a decision-making body nor a consultative body for the purposes of discharging the Crown's duty to consult.
- C. Such Consultations must occur on a nation-to-nation basis.
- D. The current structure of the AFN is based on one that mirrors Canadian federal and provincial models, and it should be based on First Nations structures and processes.
- E. The current Charter of the AFN provides for a Confederacy of Nations, which is still based on Provincial and territorial populations and structure, but could serve as a starting point for restructuring.
- F. As reflected in the AFN Renewal Commission Report, to become a more effective organization the AFN should realign and restructure itself based on First Nations structures and processes, and thereby move toward Nations rebuilding and reassertion.

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- G. Such a re-alignment and restructuring will not happen overnight and will take some study, research and consultation with member First Nations.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

1. Recognize that some member First Nations have begun to restructure themselves toward nation rebuilding and wish to attend AFN meetings as Nations.
2. The AFN should accommodate such a move and allow for, and move toward Nation-based caucuses, rather than regional Provincial – Territorial Organizations caucuses.
3. Direct the AFN Executive to strike a Task Group with national representation to study how the AFN could move toward Nation re-building by restructuring itself and its processes, with such study to include consultation within each region of the AFN.
4. The Task Group should start by reviewing and examine if and how the AFN Confederacy of Nations could be rehabilitated to serve as a true Confederacy of Nations based on First Nations nation building concepts.
5. Such work would begin immediately following this Assembly with the Nation Rebuilding Task Group to report back their progress to the Special Chiefs Assembly in December, with a view to have final recommendation for approval at the next Annual AFN Assembly in 2014.
6. It is understood that participation in this Task Group will be self-funded by member First Nations who may participate as regions, Treaty groups or original First Nations structures.

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