SPECIAL CHIEFS ASSEMBLY
DECEMBER 6, 7 & 8, 2011, OTTAWA, ON

Resolution no.54/2011

TITLE:	Support for the Blood Tribe and the Protection of the Rights of Former Indian Residential School (IRS) Students in the Independent Assessment Process (IAP) of the Indian Residential Schools Settlement Agreement (IRSSA)
SUBJECT:	Indian Residential Schools
MOVED BY:	Chief Charles Weaselhead, Blood Tribe, AB
SECONDED BY:	Chief Gayle Strikes with a Gun, Piikani Nation, AB
DECISION:	Carried by Consensus

WHEREAS:

A. The Indian Residential Schools Settlement Agreement (IRSSA) is a legally binding agreement approved in nine court jurisdictions that was meant to be a fair, just and comprehensive resolution to the Indian Residential School (IRS) legacy and that the court orders that the courts shall supervise the implementation of the IRSSA and as necessary to implement and enforce provisions of the IRSSA.

B. The purpose of the courts' ongoing supervision of the IRSSA and judgment awards is to protect the interests of absent class members, to ensure the overarching principle that those to whom the settlement is intended to apply are treated fairly and equitably in the distribution of the award and to ensure the timely and effective distribution of the benefits of the award by the Administrator of the Settlement.

C. The courts appointed Court Counsel Randy Bennett to assist the courts in the supervision and administration of the IRSSA as well as outline a protocol to file disputes with the courts and process to address relief sought.

D. The AFN Chiefs in Assembly passed a comprehensive resolution to protect the rights of former IRS in the IRSSA by requesting an audit be done of existing IAP files to ensure the rights of former IRS are protected in the compensation process.

E. September 19, 2012 is the deadline for submission to the IAP and there are many outstanding issues and concerns regarding whether former IRS students are being treated fairly and equally.

Certified copy of a resolution adopted on the 7th day of December, 2011 in Ottawa, Ontario

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

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

1. Direct the AFN to request a three year extension to the deadline for applications to the Independent Assessment Process (IAP) of the Indian Residential School Settlement Agreement (IRSSA) to protect the interests of former IRS students in the IAP process and ensure that those to whom the settlement is intended to apply are treated fairly and equitably in the distribution of the award and to ensure the timely and effective distribution of the benefits of the award by the Administrator of the Settlement.
2. Direct the AFN to advocate for the court monitor and administrator of the IRSSA to, where necessary, investigate allegations where any IAP applicants are being treated unfairly and inequitably and the benefits are not distributed in a timely and effective manner to the IAP claimants.
3. Direct the AFN to request that, where necessary, the court monitor and administrator utilize protocols established in the IRSSA to file a Request for Directions to resolve disputes and direction from the courts for relief sought.
4. Direct the AFN to request that the National Administration Committee and Independent Assessment Oversight Committee continue to ensure fair and equitable treatment of IAP claimants by lawyers in the IAP process.
5. Support the Blood Tribe in efforts to ensure all IAP claimants are treated fairly and equitably, including adequate preparation for hearings and appropriate health supports.
6. Support the Blood Tribe to engage the proper authorities should there be any indication of criminal wrongdoing in the handling of IAP settlements.

Certified copy of a resolution adopted on the 7th day of December, 2011 in Ottawa, Ontario

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF