



**ASSEMBLY OF FIRST NATIONS**  
**2017 SPECIAL CHIEFS ASSEMBLY— OTTAWA, ON**  
**DRAFT RESOLUTIONS**

Following the AFN Resolutions Procedures revised by Executive in October 2013, resolutions to be considered at Chiefs Assemblies are required the Friday a full two weeks prior to the first day of the Assembly. Notices of this deadline and related procedures are distributed to all First Nations via broadcast fax and posted on the AFN website.

Resolutions are provided in this package for review by Chiefs-in-Assembly. The Resolutions Committee will receive late resolutions until 12:00 pm ET on Wednesday, December 6, 2017.

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#	Title
DR-1	Federal Engagement on Health Transformation
DR-2	Increase trauma-informed mental wellness funding to First Nation communities
DR-3	Exploring a Legislative Base for First Nations Health
DR-4	Support for Silent Genomes Project
DR-5	New Funding Approach for First Nation Education Funding
DR-6	Supporting Early Literacy through Dolly Parton's Imagination Library
DR-7	Regional Specific Fiscal Relations Tables and Working Groups
DR-8	Environmental and Regulatory Reviews – Phase 3
DR-9	Fisheries Legislative Amendments and the Ten Principles Respecting the Government of Canada's Relationship with Indigenous Peoples
DR-10	National Day of First Nations Fishing Rights
DR-11	Establishment of a National Secretariat for the Negotiation and Implementation of Supreme Court Decisions regarding Fisheries
DR-12	Indigenous Protected and Conserved Areas
DR-13	Support for Review of Canada's Operations and Maintenance Policy
DR-14	Support for a National Housing and Infrastructure Policy Reform Framework
DR-15	First Nations led Engagement process for Safe Drinking Water
DR-16	Support for the Creation of the Indigenous Fire Marshal Office
DR-17	Support for continued co-development work on the Indigenous Languages Act
DR-18	Support for a Cannabis Working Group
DR-19	Reaffirming Commitments to Action for First Nations Veterans
DR-20	Support the inclusion of Lacrosse as a sport in the Canada Summer Games
DR-21	Support for a fully independent Specific Claims process
DR-22	Support the Spirit Bear Plan to End Inequities in all Federally Funded Public Services for First Nations Children, Youth and Families.
DR-23	Support for the National First Nations Early Learning and Child Care Policy Framework
DR-24	Support for the Indigenous peoples of Ecuador
DR-25	Support for research into implementation of the United Nations Declaration on the Rights of Indigenous Peoples
DR-26	AFN support for the Alberta class action lawsuit
DR-27	Indigenous Watchdog
DR-28	INAC Dissolution

# DRAFT RESOLUTION # 0 1 / 2 0 1 7

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Federal Engagement on Health Transformation
SUBJECT:	Health
MOVED BY:	Chief Stan Beardy, Muskrat Dam First Nation, Ontario
SECONDED BY:	Chief Dean Sayers, Batchewana First Nation, Ontario

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
  - i. Article 21 (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.
  - ii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- B. Call to Action # 18 of the Truth and Reconciliation Commission of Canada calls upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of First Nations health in Canada is a direct result of previous Canadian government policies, including Indian Residential Schools, and to recognize and implement the health-care rights of First Nations people as identified in international law and constitutional law, and under the Treaties.
- C. There are Treaty obligations to provide adequate and equitable health care to First Nations communities that are outstanding and unfulfilled by the Crown. The nation-to-nation and Treaty relationship requires these outstanding obligations be met.
- D. The First Nations and Inuit Health Branch (FNIHB) is being moved to the new Department of Indigenous Services, a move that requires extensive engagement with First Nations rights holders.
- E. Via the Prime Ministers' mandate letter, Minister Philpott has been tasked with innovating FNIHB in a manner which supports health and wellness models that are patient-centred, community wellness oriented, and holistic, through mechanisms which bring control and jurisdiction to First Nations themselves.
- F. These important innovations in how FNIHB operates must be directed by First Nations through engagement with First Nations rights-holders.

**D R A F T   R E S O L U T I O N   # 0 1 / 2 0 1 7**

**AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

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

1. Call on the Minister of Indigenous Services to commit to fully and meaningfully engaging with First Nations aimed at innovating health system, program and service delivery for First Nations.
2. Call on the Minister of Indigenous Services to work with the Assembly of First Nations to develop an engagement framework, utilizing the First Nations Health Transformation Agenda as a guide, in order to effectively and meaningfully seek community and regional level input on how the First Nations and Inuit Health Branch can organize itself to meet First Nations priorities and needs.

# DRAFT RESOLUTION #02/2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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<b>TITLE:</b>	Increase trauma-informed mental wellness funding to First Nation communities
<b>SUBJECT:</b>	Health, Mental Wellness, Social Justice
<b>MOVED BY:</b>	Chief George Ginnish, Natoaganeg (Eel Ground) First Nation, NB
<b>SECONDED BY:</b>	Chief Brian Francis, Abegweit First Nation, PEI

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. Article 24 (2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
  - ii. Article 21 (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.
- B. The Truth and Reconciliation Commission of Canada Calls to Action state:
- i. Call to Action (18): We call upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including Indian Residential Schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law and constitutional law, and under the Treaties.
  - ii. Call to Action (66): We call upon the federal government to establish multi-year funding for community-based organizations to deliver programs on reconciliation, and establish a national network to share information and best practices.
- C. First Nation communities across Canada are declaring states of emergency in relation to mental health and addictions, including the emerging opioid epidemic.
- D. Significant gaps exist between federal, provincial, territorial and community mental wellness programs and services. Many provincial/territorial services are inaccessible to those living on reserve due to remote locations or other systemic barriers. Many systemic barriers have created gaps in the continuum of mental wellness services and prevent the delivery of and continuity of care.
- E. Funding for First Nations mental wellness is time limited and siloed within several federal and provincial/territorial departments, preventing the development of comprehensive approaches to mental wellness across the determinants of health.

## **D R A F T   R E S O L U T I O N   # 0 2 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- F. The combination of limited access to services and the high need in northern, remote and rural communities is not sufficiently recognized in the current funding provided to support mental health services.
- G. Populations with specific, distinct needs (i.e. residential school survivors, men and boys, youth, individuals in transition/away from the reserve, individuals with co-occurring mental health and addiction issues) must have access to essential services through a continuum of care across the lifespan.
- H. Self-determination over health program governance and other forms of increased community capacity and control is a key component of a healthy community.

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

- 1. Direct the National Chief to call upon the federal, provincial/ territorial governments and their partners to increase funding and access to trauma-informed mental wellness programs and services for men and boys, their families and/or caregivers, in order to:
  - a. Support communities' use of trauma-informed mental wellness funding in a more holistic way, informed by an essential continuum of services that recognizes the impact of the social determinants of health on mental wellness for men and boys, and their families and/or caregivers.
  - b. Support a shift away from fragmented, siloed programming toward a comprehensive system based on a continuum of trauma-informed care across the lifespan.
  - c. Support First Nations control of services and the self-determination of communities to design, deliver and evaluate their own culturally relevant, culturally safe, trauma-informed mental wellness programs that address their most pressing needs.
- 2. Direct the AFN to advocate for increased funding to address trauma-informed mental wellness for men and boys, their families and/or caregivers, through a continuum of care across the lifespan, using the First Nation Mental Wellness Continuum framework as a lens, to ensure First Nations communities have access to trauma-informed resources to develop or expand life promotion, health and well-being initiatives.

# DRAFT RESOLUTION # 03 / 2017

## AFN Special Chiefs Assembly, December 5 - 7, 2017, Ottawa, ON

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TITLE:	Exploring a Legislative Base for First Nations Health
SUBJECT:	Health
MOVED BY:	Chief Stan Beardy, Muskrat Dam First Nation, ON
SECONDED BY:	Chief Irvin Bull, Maskwacis Cree Nation, ON

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
  - i. Article 21 (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.
  - ii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- B. Call to Action #18 of the Truth and Reconciliation Commission of Canada calls upon the federal, provincial, territorial and First Nations governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.
- C. The Crown holds an obligation to First Nations health as a result of Treaties including the Medicine Chest clause in Treaty Six, as well as section 35 of the *Constitution Act, 1982*.
- D. The Canadian government has never formally acknowledged its legal and Treaty obligations to First Nations health.
- E. The lack of a legislative base outlining the federal government's obligation towards First Nations health leaves health services vulnerable to the political will of the government of the day.

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

1. Direct the AFN to examine options related to federal First Nations health legislation that would articulate federal obligations towards First Nations health, reflective of inherent, Treaty and international legal obligations, as well as the nation-to-nation relationship.
2. Direct the AFN to develop tools to aid interested First Nations communities in developing their own positions related to federal legislation on First Nations health.

# DRAFT RESOLUTION #04/2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Support for Silent Genomes Project
SUBJECT:	Support for "Silent Genomes: Reducing health care disparities and improving diagnostic success for children with genetic diseases from Indigenous populations", a proposal to Genome Canada
MOVED BY:	Chief Stan Beardy, Muskrat Dam First Nation, ON
SECONDED BY:	Chief Tom Bressette, Kettle and Stony Point First Nation, ON

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### WHEREAS:

- A. The United Nations Declaration on Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 4: Indigenous peoples have the right to self-determination.
  - ii. Article 24.1: Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
  - iii. Article 24.2: Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health.
- B. Genome Canada in partnership with the Canadian Institutes for Health Research, has announced that \$70 million dollars will be put forth for genomics research over four years, with another \$70 million in matching funds. In total \$140 million research dollars will be used to advance genomic science with a focus in translating into 'precision health care'.
- C. Genomics (the study of the complete set of human genes) has advanced health care by allowing medical treatments to be tailored to the specific needs of individual patients ('precision medicine').
- D. While this 'genomics revolution' is becoming routinely available to other Canadians, Indigenous populations often have little or no access to genomic technologies and the research that drives them. A key problem is the lack of background genetic variation data for Indigenous populations, which prevents accurate diagnosis.
- E. *"Silent Genomes: Reducing health care disparities and improving diagnostic success for children with genetic diseases from Indigenous populations: is a proposal that is being submitted to the Large-Scale Applied Research Project Competition and will address the genomic divide by reducing access barriers to diagnosis of genetic disease in Indigenous children.*
- F. In keeping with OCAP™ principles-of First Nations ownership, control, access and possession -and in partnership with First Nations, Inuit and Métis, the research team (Laura Arbour, Nadine Caron, and Jeff Reading and others) will:
- i. *Establish processes, through an Indigenous lens, for safe governance of biological samples and genome data in the Silent Genomes project.*

## **D R A F T   R E S O L U T I O N   # 0 4 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- ii. Address barriers to accessing genetic/genomic health care and bring genomic testing to at least 200 Indigenous children across Canada with suspected genetic disorders.*
- iii. Develop an Indigenous Background Variant Library (IBVL) and assess improvement in diagnosis for referred children.*
- iv. Assess effectiveness of the IBVL to lower health care costs and plan for long term use of IBVL for Canadian Indigenous children and adults needing genetic/genomic health care.*

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

1. Reaffirm a commitment to the principles of OCAP™.
2. Support the Silent Genomes: Reducing health care disparities and improving diagnostic success for children with genetic diseases from Indigenous populations, a health research proposal that is being submitted to Genome Canada.
3. Support the AFN in directly participating in the project governance.

# DRAFT RESOLUTION #05/2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	New Funding Approach for First Nation Education Funding
SUBJECT:	Education
MOVED BY:	Chief Stanley Grier, Piikani Nation, AB
SECONDED BY:	Tyrone McNeil, Proxy, Seabird Island Band, BC

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
  - ii. Article 19: 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.
  - iii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- B. First Nations have inherent and Treaty rights with regard to education and the Government of Canada must uphold and honour the inherent authority of First Nations to exercise control over education.
- C. Education is a fundamental human right. For First Nations, this right is uniquely situated within a framework of inherent rights as Indigenous people that are constitutionally protected under section 35 of the *Constitution Act, 1982*, and supported by international mechanisms and instruments, including the UN Declaration.
- D. In 1972 First Nations in Canada endorsed the policy of *Indian Control of Indian Education*, advancing an education approach premised on parental and local control. In 2010, through Assembly of First Nations (AFN) Resolution 12/2010, First Nations endorsed the updated AFN "First Nations Control of First Nations Education" document as a core policy position on First Nations education.
- E. In ministerial mandate letters to all Cabinet Ministers, Prime Minister Trudeau states that, "No relationship is more important to me and to Canada than the one with Indigenous Peoples. It is time for a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation, and partnership."
- F. Minister of Indigenous Services is mandated to "Ensure the successful delivery of the significant investments made in Indigenous services through Budget 2016 and Budget 2017. This includes... ensuring First Nations children on reserve receive a quality education."

## DRAFT RESOLUTION #05/2017

### AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

- G. The Government of Canada committed \$2.6 billion for First Nations elementary-secondary education in Budget 2016, which is considered by First Nations as a first step to address the historic funding shortfall between First Nations education and the rest of Canada.
- H. Indigenous and Northern Affairs Canada's (INAC) current education programs are based on an outdated funding approach developed over thirty years ago, with additional funding that has been added using predominantly proposal-based programs that do not provide any predictable or sustained funding for First Nations. This funding approach has created a chronic underfunding overall for First Nations elementary and secondary education.
- I. In accordance with AFN Resolution 16/2016, *Honourable Process to Develop Recommendations to support First Nations Education Reform*, the AFN and the Chiefs Committee on Education (CCOE) established a 'Terms of Reference (v17)' to engage in the development of new funding mechanisms for First Nations elementary-secondary education. This process included the creation of nationally-representative task teams that have discussed and provided recommendations on key priorities, including education funding reform.
- J. The Minister of Indigenous Services will return to Cabinet early in 2018 with a Memorandum to Cabinet (MC) related to First Nation education. The process under the 'Terms of Reference (v17)' between INAC, AFN and CCOE has been an attempt to guide the co-development of a policy proposal to implement a new approach to funding First Nations elementary-secondary education ("Policy Proposal (v15)"), which would inform and be reflected in the new MC.
- K. The CCOE identified a 'Drafting Team' to engage in the co-development of the MC on elementary-secondary education funding that would be brought back to CCOE, AFN Executive and ultimately Chiefs-in-Assembly.
- L. This new funding approach for First Nations education is not federal legislation. The approach is a policy and programmatic change for INAC's existing education programming.
- M. Federal process requires that MC's include three options to be presented to Cabinet, however, the CCOE has advised Canada that only one option, which represents the First Nation option, be presented. The First Nation option is represented in the final draft Policy Proposal (v15).
- N. Overall, the First Nation version of the draft Policy Proposal (v15) identifies a new funding approach for First Nations elementary-secondary education that:
  - i. Supports First Nations, through funded regional tables, to negotiate and conclude regional "First Nation Education Agreements" that will include their own education funding model that provides funding for the unique needs of First Nation students, communities and schools (starting in 2018-19). (Note: First Nations will determine what constitutes a 'region' for the purposes of their First Nation Education Agreement).
  - ii. Unlock the remaining "Transforming First Nation Education" funding commitments (approximately \$665M) from Budget 2016 (currently limited to the development of First Nation school boards) and combine with total federal commitments to allocate education funding equitably to First Nations across Canada.

## **D R A F T   R E S O L U T I O N   # 0 5 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- iii. Provides core funding directly to First Nation governments, education organizations and schools to ensure First Nations Control of First Nations Education.
  - iv. Replaces INAC's outdated, education funding policies and programs with regional education approaches and funding models that provide predictable and sustained funding (starting 2019-20).
  - v. Provides significant increases to First Nation communities and includes funding protection to ensure no First Nations will realize a decrease in funding with this new funding approach.
  - vi. Identifies the need for a supplementary budget ask for the federal Budget 2019 that will identify the funding required (over and above the \$2.6 billion committed in Budget 2016) for First Nations to conclude regional "First Nation Education Agreements" that meet the needs of their learners.
- O. The draft Policy Proposal (v15) on First Nation education funding is being presented to the AFN Chiefs-in-Assembly for consideration and direction at the December 2017 Special Chiefs Assembly.

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

1. Support policy or program changes in regards to First Nations education that:
  - a. Respects First Nations' inherent and Treaty rights to education, honours and advances First Nations control of First Nations education, and upholds Canada's obligation to First Nations.
  - b. Does not impose any criteria or requirements on First Nations to implement provincial-style school boards.
2. Support a new funding approach to First Nations education that:
  - a. Requires the Government of Canada to work directly with First Nations to ensure the regional education funding approaches (when implemented in 2019-20) are agreed upon and adequately reflect the diverse needs and circumstances of First Nation learners, schools, communities, and education organizations.
  - b. Supports each First Nation to advance and implement their vision of First Nation control of First Nation education through sufficient, predictable and sustained funding.
  - c. Does not give any authority to provinces/territories with regard to First Nations education.
3. Support the First Nations recommended option for a new funding approach for First Nations elementary-secondary education as represented in Policy Proposal (v15) to be presented to Cabinet through Indigenous Services' Memorandum to Cabinet.

## DRAFT RESOLUTION #06/2017

### AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Supporting Early Literacy through Dolly Parton's Imagination Library
SUBJECT:	Education, Health
MOVED BY:	Chief Ava Hill, Six Nations of the Grand River, Ontario
SECONDED BY:	Chief Arlen Dumas, Mathias Colomb Cree Nation, Manitoba

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#### WHEREAS:

- A. The United Nations Declaration on Rights of Indigenous Peoples states:
- i. Article 14(2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
  - ii. Article 21: 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.
  - iii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples 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. The mission of Dolly Parton's Imagination Library is to promote early literacy, to improve kindergarten readiness and to increase caregiver-to-child bonding via reading. Since 2006, the Imagination Library has mailed more than 1 million age-appropriate books to children in Canada. 52 per cent of the children in Canada's program are from First Nations, Metis and Inuit communities, which is a result of their own initiative.
- C. By working together with First Nations communities, the goal of Dolly Parton's Imagination Library is to make a scalable impact on increasing positive attitudes about reading during the early years. This is especially important because 85-90 per cent of one's brain is developed by age three or four. This impact can be accomplished in three ways: by enhancing the home-literacy environment via providing age-appropriate books in the home; by encouraging opportunities to read with one's child; and by increasing the interactions with caregiver-to-child during book-reading.
- D. Presently, Dolly Parton's Imagination Library is collaborating with more than 1,535 communities worldwide and mailing books to homes in a child's name, aged 0-5 years old, once every month. In Canada, there are a total of 221 affiliate communities and currently 161 are First Nation, Metis and Inuit communities.

**D R A F T   R E S O L U T I O N   # 0 6 / 2 0 1 7**

**AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

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

1. Direct the Assembly of First Nations (AFN) to support First Nations seeking to collaborate with Dolly Parton's Imagination Library and ensure First Nation children have access to the early learning and book-gifting program.
2. Direct the AFN to work with the Chiefs Committee on Education to write a letter supporting First Nation access to Dolly Parton's Imagination Library.

# DRAFT RESOLUTION #07/2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Regional Specific Fiscal Relations Tables and Working Groups
SUBJECT:	Fiscal Relations
MOVED BY:	Chief Jim Bear, Brokenhead Ojibway First Nation
SECONDED BY:	Chief Derrick Henderson, Sagkeeng First Nation

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### WHEREAS:

- A. Article 4 of the United Nations Declaration on the Rights of Indigenous Peoples states that:
  - i. Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
- B. Notwithstanding the work undertaken by Manitoba First Nations over the decades in the area of fiscal relations, including work done under *The Dismantling of the Department of Indian Affairs and Northern Development, the Restoration of Jurisdictions to First Nations Peoples in Manitoba and Recognition of First Nations Governments in Manitoba* (the "Framework Agreement Initiative"), there continues to be a fundamental difference in views between First Nations and the Crown on what the terms of a fiscal relationship should encompass.
- C. Under the Framework Agreement Initiative (1994–2006), principles were developed to guide discussions for an improved fiscal relationship including: clear jurisdiction and authorities; incentives for economic development; revenues related to service responsibilities; comparability; and, improved socio-economic status of First Nation citizens. Unfortunately, these discussions were not successful in creating an improved fiscal relationship that could be endorsed by both Canada and First Nations in Manitoba.
- D. The current political climate in Canada provides another opportunity for First Nations to engage in a dialogue and put forth terms for a new fiscal relationship with the Crown which led to the signing of a Memorandum of Understanding in July 2016, between the Assembly of First Nations (AFN) and Indigenous and Northern Affairs Canada (INAC) to "examine the current fiscal arrangement(s) to identify areas/elements of the existing relationship that are impeding progress in moving towards a government to-government relationship."
- E. The Assembly of Manitoba Chiefs held a regional engagement session on fiscal relations on November 14 and 15, 2017 in Winnipeg, Manitoba to ensure our regional voice was heard as part of this process.
- F. Manitoba First Nations leadership in attendance noted a number of issues and concerns with respect to the AFN and Canada developing fiscal frameworks. The prime concern is that they will not take into consideration the unique challenges in the Manitoba Region which includes the highest number of First Nations in some form of intervention under INAC Default Prevention and Management Policy.

## **D R A F T   R E S O L U T I O N   # 0 7 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- G. These federally imposed interventions are due to decades of inadequate funding and unilaterally imposed legislative/policy frameworks and funding mechanisms that inhibit First Nation leadership to address the socio-economic gaps that exist in their First Nations and develop community based solutions with equitable funding.

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

1. Inform Canada that the fundamental basis of the relationship between First Nations and Canada is our prior occupation and the Treaties.
2. Inform Canada that Regional Specific Fiscal Relations Tables and Working Groups be established including a Manitoba Specific Fiscal Relations Table and Technical Working Group in order for Manitoba First Nations to articulate an approach that will work in their Region and one that is based on a sovereign Nation to Nation approach and the recognition and affirmation of our Treaty, Inherent and Aboriginal rights.
3. Direct the Assembly of First Nations, to call upon Canada to fully fund and provide adequate timelines for the Manitoba First Nation Fiscal Relations Table and Technical Working Group to be established between Manitoba First Nations and Canada in order for both parties to work together to create a different path to a new fiscal relationship in Manitoba.
4. Inform Canada that the new fiscal relationship must address the socio-economic gap between First Nations and non-First Nation citizens as this gap is the largest for Manitoba First Nations for all socio-economic indicators.

# DRAFT RESOLUTION #08/2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE: Environmental and Regulatory Reviews

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SUBJECT: Environment

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MOVED BY: *Kukpi7 Ron Ignace, Skeetchestn Indian Band, BC*

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SECONDED BY: *Chief Lance Haymond, Kebaowek First Nations, QC*

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters, and coastal seas and other resources and to uphold their responsibilities.
  - ii. Article 32 (2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
  - iii. Article 32 (3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measure shall be taken to mitigate adverse environmental, economic, social, cultural, or spiritual impact.
- B. The Assembly of First Nations (AFN) has passed six resolutions concerning the environmental and regulatory reviews: 19/2017: *Resetting the Role of First Nations in Environmental and Regulatory Review*; 86/2016: *Meaningful Consultation and Engagement with First Nations in the Environment and Regulatory Review*; 64/2016: *Support for Stk'emlupsemc te Secwepemc Nation Project Assessment Process*; 12/2016: *Moving Beyond Federal Legislation to Establish a Nation-to-Nation Relationship*; 35/2016: *First Nations' inclusion in the review of Environmental and Regulatory processes*; 24/2012: *Consultation and Engagement on Amendments to the Fisheries Act*; and 47/2012: *Opposition to Unilateral Changes in Fisheries Management in Canada*.
- C. Prime Minister Justin Trudeau has publicly committed "to a renewed nation-to-nation relationship with First Nations (...) one that is based on recognition of rights, respect, cooperation and partnership" and to "conduct a full review of the legislation unilaterally imposed on Indigenous peoples by the previous government."
- D. Instead of engaging First Nations in the review of "legislation unilaterally imposed on Indigenous Peoples by the previous government", on June 20, 2016, the Government of Canada announced a broad public review of various environmental and regulatory processes that includes:
- i. Reviewing federal environmental assessment processes.
  - ii. Modernizing the National Energy Board.

## DRAFT RESOLUTION #08/2017

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- iii. Restoring lost protections and introducing modern safeguards to the *Fisheries Act* and the *Navigation Protection Act*.
- E. The modernization of the National Energy Board (NEB) and review of the *Canadian Environmental Assessment Act* (CEAA 2012) went through expert panel processes, and the *Fisheries Act* and *Navigation Protection Act* went through Standing Committee processes.
- F. Despite calls for full-inclusion of First Nations in drafting processes, on June 29, 2017, the Government of Canada unilaterally released a Discussion Paper pertaining to all four Environmental and Regulatory Reviews with a 60-day window for comment, and in included some opportunities for additional funding for Indigenous nations.
- G. It remains unclear whether the Minister of Fisheries and Oceans, and the Minister of Transport will use the Ministerial Working Group as set out to ensure the Crown is meeting its Constitutional obligations with respect to Aboriginal and Treaty Rights.
- H. First Nations cannot, only rely on “common law” or the *Navigation Protection Act* for the protection of our waterways.
- I. Given this challenge, the AFN has taken the initiative to prepare its own, First Nations-specific discussion paper that draws on the hundreds of submissions from First Nations and their representative organizations made to Canada, and included information from technical sessions.
- J. The Government of Canada has since submitted a Memorandum to Cabinet on the environmental and regulatory processes, looking to have a Draft Bill tabled either at the end of this December sitting of Parliament or during the beginning of the January sitting of Parliament.
- K. Following the tabling of this legislation, Canada appears willing to engage in a joint process of reviewing legislative amendments, policies, regulations and guidelines relating to the four environmental and regulatory processes. This process is expected to take between twelve and eighteen months.
- L. The Chiefs-in-Assembly resolved in Resolution 20/2017 “... *that the current engagement process cannot be construed as “consultation” and fails to meet the free, prior and informed consent standard and that additional time must be afforded to consult directly with rights holders in a manner that is respectful of their unique protocols, processes, and elements*”.

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

1. Direct the Assembly of First Nations to pursue a commitment from Canada for co-development of legislative amendments, policies, regulations, and guidelines for the environmental and regulatory processes, and the creation of a body which combines technical discussions, political oversight, and regional representation.
2. Direct the AFN to continue supporting and coordinating, where possible, the interventions and participation of First Nations, regional organizations, and provincial/territorial organizations in the co-development process mentioned above, including creating regionally specific processes for specific concerns including support provisions as part of nation-to-nation relationships.

**D R A F T   R E S O L U T I O N   # 0 8 / 2 0 1 7**

**AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

3. Call on all responsible Ministers to provide adequate funding directly to individual First Nations for their full and effective participation in the environmental and regulatory reviews.
4. Mandate the AFN to conduct regional information-sessions to support First Nations, regional organizations, and provincial/territorial organizations in the process.

# DRAFT RESOLUTION #09/2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Fisheries Legislative Amendments and the Ten Principles Respecting the Government of Canada's Relationship with Indigenous Peoples
SUBJECT:	Fisheries
MOVED BY:	Chief Dalton Silver, Sumas First Nation, BC
SECONDED BY:	Chief Bob Chamberlin, Kwikwasut'inuxw Haxwa'mis First Nation, BC

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### WHEREAS:

#### A. The United Nations Declaration on the Rights of Indigenous People states:

- i. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities.
- ii. Article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
- iii. Article 32(3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

#### B. The Principles Respecting the Government of Canada's Relationship with Indigenous Peoples states:

- i. Principle 1: All relations with Indigenous peoples need to be based on the recognition and implementation of their right to self-determination, including the inherent right of self-government.
- ii. Principle 2: Reconciliation is a fundamental purpose of section 35 of the *Constitution Act*, 1982.
- iii. Principle 3: The honour of the Crown guides the conduct of the Crown in all of its dealings with Indigenous Peoples.
- iv. Principle 6: Meaningful engagement with Indigenous peoples aims to secure their free, prior, and informed consent when Canada proposes to take actions which impact them and their rights on their lands, territories, and resources.
- v. Principle 7: Respecting and implementing rights is essential and that any infringement of section 35 rights must by law meet a high threshold of justification which includes Indigenous perspectives and satisfies the Crown's fiduciary obligations.

## **D R A F T   R E S O L U T I O N   # 0 9 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- C. The Prime Minister mandated a Working Group of Ministers to examine relevant federal laws, policies, and operational practices to help ensure the Crown is meeting its constitutional obligations with respect to Aboriginal and Treaty rights; adhering to international human rights standards, including the United Nations Declaration on the Rights of Indigenous Peoples; and supporting the implementation of the Truth and Reconciliation Commission's Calls to Action.
- D. The Government of Canada made a strong statement when releasing its Ten Principles; it was done at the same time as the move to amend legislation however the legislation and amendment process has been done contrary to ten principles.
- E. First Nations are aware of legislative amendments such as the Fisheries Act, the Navigation Protection Act, the Oceans Act (Bill C-55), and the proposed Aquaculture Act and accompanying regulations moving forward without proper consultation with First Nations, and in contradiction of the ten principles and the mandate of the Ministerial Law & Policy Working Group.

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

1. Direct the AFN to call on the Government of Canada, to respect its own ten principles within the context of legislative and regulatory reform that impacts First Nations generally, and as it relates to amendments to the Fisheries Act, the Navigation Protection Act, the Oceans Act, and the proposed Aquaculture Act and accompanying regulations.

# DRAFT RESOLUTION # 10 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	National Day of First Nations Fishing Rights
SUBJECT:	Environment / Fisheries
MOVED BY:	Chief, Scott McLeod, Nipissing First Nation, ON
SECONDED BY:	Chief, Dalton Silver, Sumas First Nation, BC

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous People states:
- i. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities.
  - ii. Article 32 (2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
  - iii. Article 32 (3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.
- B. Indigenous peoples of Canada have constitutionally protected Aboriginal and Treaty rights, which include the right to traditional and customary governance of traditional lands, waters and resources, including fisheries.
- C. License-free family sport fishing weekends are already planned by all provincial governments in 2018.
- D. Significant Supreme Court of Canada decisions such as *Gladstone*, *Marshall*, *Ahousaht*, *Delgamuukw*, *Haida*, and *Sparrow* (among many others) have recognized the rights of First Nations to fish and exercise governance over their traditional fisheries.
- E. The Canadian *Holidays Act* has already proclaimed a statutory holiday in Canada on the first Monday immediately preceding May 25 under the name of "Victoria Day" that commemorates a period in British history when many Treaties were signed.
- F. On October 3, 2017, on the traditional territory of the Nipissing First Nation, the National Fisheries Committee reached consensus and recommended to the Assembly of First Nations that a day to honour the inherent rights of First Nations fishermen should be declared.

**D R A F T   R E S O L U T I O N   # 1 0 / 2 0 1 7**

**AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

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

1. Recognize a National Day of First Nation Fishing Rights to acknowledge our inherent rights to fish and manage our own resources on the first Monday immediately preceding May 25.

# DRAFT RESOLUTION # 11 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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**TITLE:** Establishment of a National Secretariat for the Negotiation and Implementation of Supreme Court Decisions regarding Fisheries

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**SUBJECT:** Fisheries

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**MOVED BY:** William Gladstone Sr., Proxy for Heiltsuk Nation, BC

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**SECONDED BY:** Chief Dalton Silver, Sumas First Nation, BC

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### WHEREAS:

- A. The United Nations *Declaration on the Rights of Indigenous Peoples* (UNDRIP), states:
- i. Article 19: 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.
  - ii. Article 20: Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities; Indigenous peoples deprived of their means of subsistence are entitled to just and fair redress.
  - iii. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
  - iv. Article 29: Indigenous peoples have the right to the conservation and protection of the environment and productive capacity of their lands or territories and resources. States shall establish and implement assistance programs for indigenous peoples for such conservation and protection, without discrimination.
  - v. Article 32 (2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

## DRAFT RESOLUTION # 11 / 2017

### AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

- vi. Article 32 (3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.
- vii. Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.
- B. Indigenous peoples have constitutionally protected Aboriginal and Treaty rights, which include the right to traditional and customary governance of traditional lands, waters, and resources including fisheries.
- C. There have been significant Supreme Court of Canada ("SCC") decisions such as *Gladstone*, *Marshall*, *Ahousaht*, *Delgamuukw*, *Haida Nation*, and *Sparrow* that have recognized First Nations' right to participate and exercise governance over traditional fisheries.
- D. The Government of Canada has not honourably upheld, implemented, or acted in good faith to fulfill its legal duties to fully implement SCC court decisions with respect to First Nations' fisheries.
- E. The 2015 mandate letter to the Minister of Justice states:
  - i. As Minister of Justice and Attorney General of Canada, your overarching goal will be to ensure our legislation meets the highest standards of equity, fairness and respect for the rule of law;
  - ii. Review our litigation strategy. This should include early decisions to end appeals or positions that are not consistent with our commitments, the Charter, or our values.
- F. In July 2017, the Justice Minister announced the 10 Principles respecting the Government of Canada's relationship with Indigenous peoples, and include:
  - i. The Government of Canada recognizes that the honour of the Crown guides the conduct of the Crown in all of its dealing with Indigenous peoples.
  - ii. The Government of Canada recognizes that respecting and implementing rights is essential and that any infringement of section 35 rights must by law meet a high threshold of justification which includes Indigenous perspectives and satisfies the Crown's fiduciary obligations.
  - iii. The Government of Canada recognizes that reconciliation is an on-going process that occurs in the context of evolving Indigenous-Crown relationships.
  - iv. The Government of Canada recognizes that a distinctions-based approach is needed to ensure that the unique rights, interests and circumstances of the First Nations, the Metis Nation and Inuit are acknowledged, affirmed, and implemented.
- G. The AFN has passed AFN Resolution 83-2008 *Strengthened and Renewed Mandate for the National Fisheries Strategy to Fully Share in Economic Opportunities*, and AFN Resolution 67-2010 *Establishment of a National Mechanism for the Negotiation and Implementation of Supreme Court*

## **D R A F T   R E S O L U T I O N   # 1 1 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

*Decisions regarding Fisheries* , both direct the AFN with a strengthened mandate to examine new initiatives, including the support for the development of new supportive bodies and undertake a review and assessment of First Nations court decisions.

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

1. Direct the AFN to call on the Minister of Fisheries and Oceans, the Ministerial Working Group on Law & Policy, to ensure that any new or reformed federal legislation regarding fisheries respects and advances SCC fisheries decisions that uphold Aboriginal and Treaty rights.
2. Call on the Assembly of First Nations to support discussions amongst First Nations who wish to participate in the development of a mandate, and framework for a National Secretariat to promote the implementation of all successful SCC decisions related to fisheries.
3. Call on the Assembly of First Nations to provide political and technical support to the National Secretariat to assist its work in integrating strategies for the benefit of First Nations at negotiation tables on fisheries management, including increased economic access.
4. Call on the Assembly of First Nations to support a national strategy to assess, facilitate, and promote the development and enactment of federal legislation to implement Aboriginal Title, Rights and Treaty Rights confirmed by successful Supreme Court of Canada decisions.
5. Call on the AFN to support the development of First Nations mechanisms that can bridge the gaps between SCC decisions, First Nations negotiation, and Crown implementation processes to ensure that SCC decisions are honored and implemented effectively.

# DRAFT RESOLUTION # 12 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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<b>TITLE:</b>	Indigenous Protected and Conserved Areas
<b>SUBJECT:</b>	Environment
<b>MOVED BY:</b>	Chief Gordon Planes, T'Sou-Ke First Nation, BC
<b>SECONDED BY:</b>	Chief Russell Chipps, Beecher Bay First Nation, BC

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous People (UN Declaration) states:
- i. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
  - ii. Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
  - iii. 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.
  - iv. Article 26(3): States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the Indigenous peoples concerned.
  - v. Article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
  - vi. Article 32(3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.
- B. The unique relationship between First Nations and the environment is recognized as an essential role within the UN Declaration, including the importance of traditional knowledge in the protection and conservation of the environment and its species.
- C. The ability of First Nations to responsibly manage and protect the environment, species and associated habitat is unmatched, invaluable and critical to address growing challenges to conservation and threats to biodiversity.

## **D R A F T   R E S O L U T I O N   # 1 2 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- D. First Nations are the stewards of the environment and are rightfully positioned to lead the establishment of Indigenous Protected and Conserved Areas (IPCA) and manage the lands and territories within such designations based on the application of their own jurisdiction, laws and ways of knowing.
- E. First Nations have experienced infringements of their rights due to unilateral conservation efforts by the Government of Canada and the Provinces and Territories. While the Government of Canada recognizes the potential for extraordinary impacts of conservation activities on the environment, species and habitat on federal lands, there is a need for similar recognition of these impacts on the inherent Rights and Title of First Nations and the need for fair and reasonable compensation as a result of these impacts.
- F. First Nations are seeking a more formal relationship with all levels of government as it relates to environmental protection and conservation as we move forward in building the important nation-to-nation relationship referenced by the current federal government and supported in AFN resolution *63-2011 Protection and Conservation of Lands and Waters*.
- G. The T'Sou-ke First Nation is seeking to establish its own IPCA.

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

1. Support the T'Sou-ke First Nation in its efforts to lead in the development of Indigenous Protected and Conserved Areas (IPCA), including the establishment of its own IPCA.
2. Direct the Assembly of First Nations (AFN) to engage with the Minister of Environment and Climate Change Canada and the Chief Executive Officer of Parks Canada to ensure the critical leadership role of First Nations in discussing the process for establishing IPCAs nationally.
3. Urge the Minister of Environment and Climate Change Canada and the Chief Executive Officer of Parks Canada to ensure that the development of IPCAs is not limited to achieving Canada's conservation goals/targets, but also aims to achieve broader conservation and protection objectives consistent with the United Nations' Declaration on the Rights of Indigenous Peoples and the interests of respective First Nations.
4. Urge the Minister of Environment and Climate Change Canada and the Chief Executive Officer of Parks Canada to ensure the full and effective participation of traditional knowledge holders in all aspects of conservation, with equal weight given to that of western science.
5. Urge the responsible minister(s) and their respective departments/agencies to meaningfully engage, consult and accommodate First Nations interests and concerns in all legislative, regulatory, policy and program decisions, including the creation of opportunities for dialogue with all levels of government.
6. Urge the responsible minister(s) and their respective departments/agencies to support the full and effective participation of First Nations in the development and implementation of all conservation activities relating to the environment, species and habitat located on federal lands.

# DRAFT RESOLUTION # 13 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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**TITLE:** Support for Review of Canada's Operations and Maintenance Policy

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**SUBJECT:** Housing and Infrastructure

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**MOVED BY:** Chief Dan George, Burns Lake Indian Band/Ts'il Kaz Koh, BC

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**SECONDED BY:** Chief Lance Haymond, Kebaowek First Nations, QC

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 19: 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.
  - ii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- B. The federal government only funds a portion of the estimated costs for the operations and maintenance (O&M) of on-reserve community infrastructure such as buildings, roads and bridges, etc.
- C. The current funding formulas and cost indices as identified in Indigenous and Northern Affairs Canada's (INAC) O&M Policy are outdated, inadequate and do not provide sufficient funding for First Nations to protect and prolong the life of their community assets.
- D. The AFN is committed to working with INAC to identify options for the implementation of a new O&M policy framework and formula that will reflect new infrastructure technologies as well as economic and environmental factors that will contribute to addressing the socio-economic gap in First Nations.
- E. A joint work plan will need to be developed that will identify options for the co-development of a new O&M Policy Framework.
- F. INAC will be requested to commit the necessary resources to undertake engagement sessions with First Nations and regional organizations, and the Chiefs Committee on Housing and Infrastructure and Regional Technicians.

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

1. Support the co-development of new O&M Policy Framework with full involvement of First Nations and/or their organizations, the Assembly of First Nations and the Chiefs Committee on Housing and Infrastructure.

**D R A F T   R E S O L U T I O N   # 1 3 / 2 0 1 7**

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2. Direct the AFN to jointly develop a Draft Joint Work Plan with INAC and report on progress to the Chiefs Committee on Housing and Infrastructure.
3. Direct the AFN to urge INAC to provide funding to support the Joint Work Plan and the development and implementation the O&M Policy Framework.

# DRAFT RESOLUTION # 14 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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<b>TITLE:</b>	Support for a National Housing and Infrastructure Policy Reform Framework
<b>SUBJECT:</b>	Housing
<b>MOVED BY:</b>	Chief Lance Haymond, Kebaowek First Nation, QC
<b>SECONDED BY:</b>	Chief Sidney Peters, Glooscap First Nation, NS

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 19: 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.
  - ii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- B. The AFN and Chiefs Committee on Housing and Infrastructure (CCoHI) are working towards implementing AFN resolutions 98/2016 and 27/2017 to develop a National Housing and Infrastructure Strategy.
- C. In accordance with AFN Resolution 27/2017, the AFN and CCoHI have established a joint Working Group with Indigenous and Northern Affairs Canada (INAC), Canada Mortgage and Housing Corporation and Health Canada.
- D. AFN resolution 27/2017 further directs the AFN to call upon the Government of Canada to ensure that any drafting of policy instruments (such as Memorandum to Cabinet) related to the proposed First Nations National Housing and Infrastructure Strategy be co-developed with the AFN and the CCoHI.
- E. INAC is leading the development of a Memorandum to Cabinet (MC) related to an Indigenous National Housing Strategy that will present three separate strategies including First Nations, Inuit and Metis.
- F. The Working Group co-developed a Policy Reform Framework Toward a First Nations Housing and Infrastructure Strategy (Policy Reform Framework) that can be inserted as an Annex to the MC. This is an opportunity to tell and share our version of the story to Cabinet.
- G. The Working Group developed draft options for consideration to ensure that the Policy Reform Framework reflects First Nations perspectives and vision on transitioning First Nations care and control of housing and infrastructure.

## **D R A F T   R E S O L U T I O N   # 1 4 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- H. The Policy Reform Framework will lay the ground work for fundamental reform to federal housing and infrastructure programming and is supportive of continued engagement with First Nations communities and leadership to discuss needs, plans and strategies.
- I. This transformative change must be envisioned from a First Nations perspective in order to transition to true First Nations care, control and management of housing and infrastructure.

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

- 1.** Support the Policy Reform Framework Toward a First Nations Housing and Infrastructure Strategy (Policy Reform Framework) which includes key considerations and recommended approaches that will support the development of a First Nations Housing and Infrastructure Strategy.
- 2.** Support for the Policy Reform Framework to be included as an Annex to Indigenous and Northern Affairs Canada's Memorandum to Cabinet.
- 3.** Direct the AFN to urge the Federal Government to provide new, additional and sufficient funding to support the transition process to First Nations care, control and management of housing and infrastructure, including dedicated financial resources to support engagement with First Nations on the development and implementation of the First Nations Housing and Infrastructure Strategy, regional strategies, and plans.

# DRAFT RESOLUTION # 15 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	First Nations led Engagement Process for Safe Drinking Water Legislation
SUBJECT:	Water
MOVED BY:	Chief Dan George, Burns Lake Indian Band/Ts'il Kaz Koh, BC
SECONDED BY:	Chief Lance Haymond, Kebaowek First Nation, QC

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### WHEREAS:

- A. The United Nations Declaration on Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 19: 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.
  - ii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- B. In 2013, the Safe Drinking Water for First Nations Act (SDWFNA) came into force despite numerous objections by First Nations.
- C. First Nations have repeatedly called for the repeal of the SDWFNA.
- D. AFN Resolution 74/2015 directs the AFN to develop a framework for a First Nations Water, Infrastructure and Housing Commission.
- E. AFN Resolution 26/2017 directs the AFN to continue the call for the repeal of the SDWFNA and for the federal government to work directly with First Nations to determine appropriate next steps, developed in full partnership with First Nations, and respecting First Nations rights.
- F. AFN Resolution 26/2017 further calls upon the government to develop, in partnership with First Nations, appropriate outcomes for the provision of safe drinking water that is respectful of First Nations rights.
- G. As a result of the advocacy efforts by First Nations and the AFN, the federal government is responding to the calls for repeal of the SDWFNA.
- H. Indian and Northern Affairs Canada (INAC) proposed that the AFN take the lead in conceptualizing, elaborating, designing and implementing, a re-envisioned engagement process for the review of the current Act, with support from INAC.
- I. INAC proposed that the AFN lead an engagement process with First Nations and work in partnership with the Department to develop elements of a revised or replacement act.

## **D R A F T   R E S O L U T I O N   # 1 5 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- J. The development of a framework for a First Nations Water Commission and a new legislation act must be First Nations led, must ensure the provision of safe drinking water to First Nations communities, and must include the identification of necessary funds for capital investments, operations and maintenance funding, and personnel and training for all First Nations communities.

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

1. Direct the Assembly of First Nations (AFN) to establish a Joint Working Group comprised of AFN, Chiefs Committee on Housing and Infrastructure and their Regional Technicians, federal representatives, legal counsel for AFN and the federal government, and other experts, as necessary to co-develop a draft framework for new legislation.
2. Direct the AFN to call upon the federal government to commit to adequate multi-year funding for the co-development of a draft framework for new legislation and to support First Nations engagement sessions.
3. Direct the AFN to co-develop a framework for a First Nations Water Commission with First Nations and Indian and Northern Affairs Canada, and to call on the federal government to secure funding for the design and implementation of a Water Commission.
4. Direct the AFN to ensure that the co-development of a draft framework for new legislation respects the following principles:
  - a. Is respectful of First Nations rights; and
  - b. Meets the spirit and intent of the United Nations Declaration on the Rights of Indigenous Peoples.

# DRAFT RESOLUTION # 16 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Support for the Creation of the Indigenous Fire Marshal Office
SUBJECT:	Fire Prevention/Emergency Protection
MOVED BY:	Chief, Peter A Beatty Peter Ballantyne Cree Nation, Saskatchewan
SECONDED BY:	Chief, Tammy Cook-Searson Lac La Ronge Indian Band, Saskatchewan

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
  - i. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples 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. The Assembly of First Nations (AFN) through the resolution process has mandated the Aboriginal Firefighters Association of Canada (AFAC) as the national body to improve conditions of fire prevention, fire suppression training and all aspects of fire department organization to reduce fire and emergency related loss of life and property to First Nations.
- C. The fire death rate on reserve is ten times the national mainstream average.
- D. No national standard for fire protection exists on reserve.
- E. Fire and emergency data is not being collected in a systematic and comprehensive manner that would allow First Nations to use it to determine how to make their communities safer.
- F. No fire protection standards, including mandated building codes and life safety codes, apply to First applicable building and fire codes.
- G. First Nations have no established fire marshal support, services or programs while mainstream jurisdictions have provincial fire marshal offices that provide support, services and programs to enhance provincial jurisdiction for community fire safety.
- H. AFAC's fire protection strategy of 2016 advocates for the implementation of an Indigenous Fire Marshal that would work towards building safer First Nation communities.

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

1. Direct the AFN to support AFAC in the creation and implementation of an Indigenous Fire Marshal Office with the intent of creating safer communities without putting any new financial burdens on the First Nation communities.
2. Recommend that the Aboriginal Firefighters Association of Canada continue to develop and implement the Indigenous Fire Marshal Office

## **D R A F T   R E S O L U T I O N   # 1 6 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

3. Recommend that the Indigenous Fire Marshal Office shall be independent of Indigenous and Northern Affairs Canada and would report to a governance body comprised of fire specialists and First Nation leadership as determined by Canada's First Nations.
4. Recommend that the Indigenous Fire Marshal Office shall be operational and provide services to First Nations community as soon as feasible.
5. Recommend that the Indigenous Fire Marshal Office shall be funded with new federal funds and no existing fire or emergency service programs that meet the standards set by the Indigenous Fire Marshal's Office be devolved as a result of this initiative.

# DRAFT RESOLUTION # 17 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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<b>TITLE:</b>	Support for continued co-development work on the Indigenous Languages Act
<b>SUBJECT:</b>	First Nations Languages
<b>MOVED BY:</b>	Chief Ron Ignace, Skeetchestn First Nation, British Columbia
<b>SECONDED BY:</b>	Chief Duke Peltier, Wikwemikong First Nation, Ontario

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (the UN Declaration) states:
- i. Article 13(1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
  - ii. Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- B. The Truth and Reconciliation Commission's Calls to Action include specific calls (13, 14, 15 & 16) about Indigenous peoples' language revitalization and was fully supported by the Chiefs-in-Assembly through resolution no. 01/2015.
- C. In 1998, a state of emergency on First Nations languages was declared by the Chiefs-in-Assembly, resolution no. 35/1998 which states:
- i. "That the government of Canada act immediately to recognize, officially and legally, the First Nation languages of Canada, and to make a commitment to provide the resources necessary to reverse First Nation language loss and to prevent the extinction of our languages..."
- D. On December 6, 2016, Prime Minister Justin Trudeau announced to the AFN Special Chiefs Assembly that the federal government will "enact an Indigenous Languages Act, co-developed with Indigenous Peoples, with the goal of ensuring the preservation, protection, and revitalization of First Nations, Métis, and Inuit languages in this country."
- E. On June 15, 2017, a Joint Statement was issued by Canadian Heritage, the Assembly of First Nations, Inuit Tapiriit Kanatami and the Métis National Council which includes that the parties will:
- i. Co-develop legislation in a way that supports the full and meaningful implementation of the Truth and Reconciliation Commission Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples and the federal government's commitment to a nation-to-nation, government-to-government, or Inuit-Crown relationship.

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- ii. Co-develop legislation that recognizes First Nations, Inuit and Métis language rights and jurisdictions, and that recognizes that Indigenous languages are fundamental to Indigenous self-determination. Such legislation would, among other things, further affirm and address the right of Indigenous peoples to revitalize, use, develop and transmit their languages to future generations, including through the control of their educational systems and institutions. The recruitment of new speakers is imperative to the work of Indigenous languages revitalization and should begin with early childcare and continue in elementary schools, high schools and adulthood. Language revitalization should be inclusive of all community members both in and out of communities.
- F. The Assembly of First Nations hosted engagement sessions from June-October 2017 with more than five hundred (500) participants—Regional Chiefs, Chiefs, AFN Chiefs Committee on Languages members, language champions and activists, fluent speakers, knowledge keepers, Elders, Indigenous scholars and linguists— from all regions.

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

1. Adopt the *Assembly of First Nations First Nations Indigenous Languages Initiative National Engagement Sessions Report*;
2. Adopt the principles below, drawn from the Report referred to in paragraph 1. These principles shall inform the framework and approach that the Government of Canada must employ, together with First Nations governments to co-develop legislation, regulations and policies regarding the protection, promotion, preservation, revitalization, recovery and maintenance of First Nations languages.
  1. Recognition of the importance of Indigenous language to land, culture, traditional knowledge, worldview, participation in the economy, and domestic and global relations.
  2. Acknowledgement of the need and importance of redress of harm by colonization, destructive policies and laws.
  3. Affirmation of commitment to Truth and Reconciliation Commission Calls to Action, UN Declaration of Rights of Indigenous Peoples, and other key human rights instruments and principles.
  4. Affirmation of the various approaches to languages recovery, revitalization and maintenance and the critical role of education/lifelong learning in the opportunities for language learning.
  5. Articulation of objectives for the protection and support of Indigenous languages and related rights, including intellectual property rights, cultural appropriation, etc.
  6. Affirmation of First Nations jurisdiction over Indigenous languages.
  7. Articulation of enforceable individual and collective rights.
  8. Articulation of specific federal obligations, duties and authorities to protect and support Indigenous languages including funding.
  9. Acknowledge of the need for proficient indigenous controlled systems and capacities for the archiving of, and for the provision of access to, language data.
  10. Authorities to establish suitable institutions to advance Indigenous languages objectives and rights, that such institutions will not displace existing First Nations institutions.
  11. Establishing annual reporting and a five year review requirements.

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3. Direct the AFN to remind the Government of Canada of its Constitutional obligation to the requirement for extensive consultation based on the standard of Free, Prior and Informed Consent on the proposed languages bill upon its availability.

# DRAFT RESOLUTION # 18 / 2017

## AFN Special Chiefs Assembly, Ottawa, ON, December 5-7, 2017

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TITLE:	Support for a Cannabis Working Task Force
SUBJECT:	Health
MOVED BY:	Chief Rodney Noganosh, Chippewas of Rama First Nation
SECONDED BY:	Chief Laurie Carr, Hiawatha Nation of the Mississaugas of Rice Lake

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous People states:
  - i. Article 21(1): Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the area of education, employment vocational training and retraining, housing, sanitation, health and social security.
- B. Call to Action #18 of the Truth and Reconciliation Commission of Canada to calls upon the federal, provincial, territorial, and Indigenous governments to acknowledge that the current state of unfavourable Indigenous health in Canada is a direct result of previous Canadian government policies, including Indian Residential Schools, and to recognize and implement the health-care rights of Indigenous people as identified in International law and constitutional law, and under the Treaties.
- C. The Government of Canada will be legalizing Cannabis via Bills C-45 and C-46 in July 2018.
- D. The Government of Canada implemented the Marijuana for Medical Purposes Regulations and more recently the Access to Cannabis for Medical Purposes Regulations for the purpose of ensuring access to quality-controlled cannabis products by individuals with medical needs.
- E. That as self-determining Indigenous Nations, which is a corner stone of the United Nations Declaration on the Rights of Indigenous People, First Nations people across Canada require the appropriate time and capacity to determine a response and action plan to the legalization of cannabis.

### THEREFORE BE IT RESOLVED that we, the Chiefs in Assembly:

- 1. Support the establishment of an AFN Cannabis Task Force comprised of leadership, technicians and knowledge keepers to undertake the work required to formalize a response and position on the legalization of cannabis and implementation of new laws.
- 2. Direct that as a priority, the Task Force begin their work immediately.
- 3. Direct the working group to hold their inaugural meeting at the Rama First Nation.

# DRAFT RESOLUTION # 19 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Reaffirming Commitments to Action for First Nation Veterans
SUBJECT:	Assembly of First Nations Support for First Nations Veterans
MOVED BY:	Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek
SECONDED BY:	Chief Thomas Bressette, Chippewas of Kettle and Stony Point

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples speaks to this call for equal recognition and supports:
  - i. Article 21 (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.
  - ii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples 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. First Nations veterans have seen a steady decline in programs and services, coordination, support and recognition provided by Veterans Affairs Canada.
- C. The historic unequal treatment and compensation for First Nations veterans compared to other Canadian veterans remains a significant concern and to date, despite advocacy and support from National Chief and the Assembly of First Nations, real compensation to these veterans in a way that truly respects the equality of their service and sacrifices, remains an outstanding issue.
- D. Anishinabek Nation Grand Council Assembly resolution #2002/26 declares Anishinabek Nation support for the equal treatment of all First Nation Veterans.
- E. On November 10, 2016, the National Chief convened a gathering in Ottawa with First Nations veterans from across the country to set priorities and establish a new Assembly of First Nations Working Group on First Nations Veterans Affairs tasked to, "...push for fairness, recognition and respect for every First Nations Veteran, young or old, and for their families."
- F. On October 25, 2017 during a Chiefs of Ontario Special Assembly, Chiefs in Assembly supported Resolution 24/2017 – Assembly of First Nations Support for First Nations Veterans calling on the Assembly of First Nations to address the outstanding unequal recognition and support for our First Nation veterans.

## **D R A F T   R E S O L U T I O N   # 1 9 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

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

1. Call upon the Assembly of First Nations and the National Chief's Office to action its November 10, 2016 statement to reinvigorate commitments to First Nation Veterans.
2. Call upon the Assembly of First Nations and the National Chief's Office to support the Working Group on First Nations Veterans Affairs by strongly advocating for the following:
  - Ensuring the inclusion of all First Nations Veterans, survivors, and their families in National Remembrance Day ceremonies including those in active services;
  - An substantial increase in the provision of services, coordination and financial support by Veterans Affairs Canada through direct engagement with the Minister; and
  - Continue work towards the re-establishment of the First Nations Veterans Association.

# DRAFT RESOLUTION # 20 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Support the inclusion of Lacrosse as a sport in the Canada Summer Games
SUBJECT:	Health, Sport
MOVED BY:	Chief Ava Hill, Six Nations of the Grand River, Ontario
SECONDED BY:	Chief Byron Louis, Okanagan, British Columbia

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### WHEREAS:

- A. The United Nations Declaration on Rights of Indigenous Peoples states:
- i. Article 24 (2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
  - ii. Article 31 (1): Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
  - iii. Article 31 (2): In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.
- B. Lacrosse is the official Canadian National Summer Sport; *National Sport Act of Canada* – S. C. 1994, c. 16. Assented to 1994-05-12:
- i. This Act may be cited as the National Sports of Canada Act:  
"The game commonly known as ice hockey is hereby recognized and declared to be the national winter sport of Canada and the game commonly known as lacrosse is hereby recognized and declared to be the national summer sport of Canada."
- C. Truth and Reconciliation Commission of Canada: Calls to Action: Sports and Reconciliation:
- i. Call to Action 87: We call upon all levels of government, in collaboration with Aboriginal peoples, sports hall of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.
  - ii. Call to Action 90: We call upon the federal government to ensure national sports policies, programs, and initiatives are inclusive of Aboriginal peoples, including, but not limited to, establishing:

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### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- i. In collaboration with provincial and territorial governments, stable funding for, and access to, community sports programs that reflect the diverse cultures and traditional sporting activities of Aboriginal peoples.
- iii. Call to Action 91: We call upon the officials and host countries of international sporting events such as the Olympics, Pan Am, and Commonwealth games to ensure that Indigenous peoples' territorial protocols are respected, and local Indigenous communities are engaged in all aspects of planning and participating in such events.

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

1. Direct the Assembly of First Nations to work with Canada Games host committees to support the inclusion of Lacrosse prominently in the 2021 Canada Summer Games and all future Canada Summer Games going forward.
2. Direct the Assembly of First Nations to call upon Federal and Provincial Governments to include increased funding to accommodate the inclusion of Lacrosse in the 2021 Canada Summer Games and provide stable future funding for Lacrosse to be included in future Canada Summer Games.

## DRAFT RESOLUTION # 21 / 2017

### AFN Special Chiefs Assembly, December 5 - 7, 2017, Gatineau, QC

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TITLE: Support for a fully independent Specific Claims process

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SUBJECT: Specific Claims

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MOVED BY: Kukpi7 Judy Wilson, Neskonlith Indian Band, BC

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SECONDED BY: Chief Calvin Sanderson, Chakastaypasin First Nation, SK

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#### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples affirms:
- i. Article 8 (2b): States shall provide effective mechanisms for prevention of, and redress for any action which has the aim or effect of dispossessing them of their lands, territories or resources.
  - ii. Article 27: States shall establish and implement, in conjunction with Indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to Indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of Indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.
  - iii. Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.
- B. First Nations have consistently expressed concern with Canada's specific claims policy and process.
- C. In 2008, Canada announced *Justice at Last: A Specific Claims Action Plan (JAL)*. The *Specific Claims Tribunal Act (SCTA)*, a key component of JAL, was a critical step towards a more independent specific claims process. Despite this, First Nations have continued to express frustration with Canada's implementation and management of JAL.
- D. In 2016, Canada released its Five-Year Review of the SCTA. In addition, the Office of the Auditor General released a report on specific claims. Both documents highlighted Canada's failure to adequately implement JAL, and the need for comprehensive reform.
- E. In fall 2016, Canada agreed to work with the Assembly of First Nations (AFN) to reform the specific claims policy and process, forming an AFN – Canada Joint Technical Working Group on Specific Claims (JTWG) with a mandate to review Canada's specific claims policy and process and make recommendations for change. The JTWG is comprised of the AFN, First Nation technical experts, and the Specific Claims Branch.
- F. AFN hosted two dialogue sessions on specific claims in 2017, one in eastern Canada (Ottawa) and one in western Canada (Vancouver). In addition, the AFN and First Nations have participated to numerous

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### **AFN Special Chiefs Assembly, December 5 - 7, 2017, Gatineau, QC**

reviews on specific claims over the years. These include the Joint Task Force Report, the 2006 Senate Standing Committee, JAL and the Five-Year Review, AFN Expert Panel Parallel Process Review, the 2016 Auditor General's Report, and the JTWG process.

- G. First Nations have been consistent: Canada's management of the specific claims process constitutes a conflict of interest and the just resolution of specific claims requires a fully independent process. All past attempts to reform the process have failed because the conflict has never been fully addressed.
- H. AFN Executive Committee passed a motion on September 24, 2017, supporting the work of the JTWG and calling for a truly independent specific claims process.

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

1. Support the work of the AFN – Canada Joint Technical Working Group and call on Canada to commit to jointly develop a fully independent specific claims process with the goal of achieving the just resolution of Canada's outstanding lawful obligations through good faith negotiation.

## DRAFT RESOLUTION # 22 / 2017

### AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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**TITLE:** Support the Spirit Bear Plan to End Inequities in all Federally Funded Public Services for First Nations Children, Youth and Families.

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**SUBJECT:** Child Welfare

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**MOVED BY:** Chief Stacey Laforme, Mississaugas of New Credit First Nation, Ontario

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**SECONDED BY:** Chief Cheryl Casimer, ?aqam First Nation, British Columbia

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#### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.
  - ii. Article 22 (2): 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. The Chiefs in Assembly have passed Resolutions 40/2017, 83/2016 and 62/2016 requiring Canada to fully and immediately comply with the Canadian Human Rights Tribunal (CHRT) rulings to end discriminatory funding of child and family services and to properly implement Jordan's Principle.
- C. There is longstanding, credible evidence of inequities in federally funded public services available to First Nations children, youth and families and these inequities have never been fully addressed.
- D. The Spirit Bear Plan, as developed by the First Nations Child and Family Caring Society of Canada, is designed to address all inequities in federally funded public services by:
- i. Calling on Canada to immediately comply with all rulings by the CHRT ordering it to immediately cease its discriminatory funding of First Nations child and family services and to fully and properly comply with Jordan's Principle;
  - ii. Calling on Parliament to ask the Parliamentary Budget Officer to remedy with public funds the shortfalls in all federally funded public services provided to First Nations children, youth and families (i.e.: early childhood education, K-12 education, health, water, child welfare, etc.);
  - iii. Ensure that government departments providing services to First Nations children and families undergo a thorough and independent evaluation to identify any ongoing discriminatory ideologies, policies and practices and address them, which must be made public upon completion; and
  - iv. Ensure that all Public Servants, including those at a senior level, receive mandatory training to identify and address government ideology, policies and practices that fetter the implementation of the Truth and Reconciliation Commission's Calls to Action.

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**AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

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

1. Support the Spirit Bear Plan as developed by the First Nations Child and Family Caring Society of Canada.
2. Direct the AFN to write a letter of support for the implementation of the Spirit Bear Plan to the Prime Minister of Canada, the Minister of Indigenous Services, the Minister of Health and the Minister of Indigenous and Crown Relations.

# DRAFT RESOLUTION # 23 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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**TITLE:** Support for the National First Nations Early Learning and Child Care Policy Framework

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**SUBJECT:** Early Learning and Child Care

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

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**SECONDED BY:** Chief Cathy Merrick, Cross Lake Band of Indians, Manitoba

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### WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples (the Declaration) states:

- i. Article 5: 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.
- ii. Article 14 (1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- iii. Article 14 (2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
- iv. Article 14 (3): States shall, in conjunction with Indigenous peoples, take effective measures, in order for Indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.
- v. Article 17 (2): States shall in consultation and cooperation with Indigenous peoples take special measures to protect Indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.
- vi. Article 22 (1): Particular attention shall be paid to the rights and special needs of Indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration;
- vii. Article 22 (2): 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.

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- B. The articles of the Declaration support a mandate for First Nations control, direction and governance of First Nations early learning and child care (ELCC) within an Indigenous right to strengthen and maintain distinct social and cultural institutions (Article. 2(a); 5; 14; 20; 23) which is an integral part of Indigenous cultural revitalization (Article. 13.1) and a part of Indigenous educational systems, for which there exists a right of Indigenous establishment and control (Article 14).
- C. AFN Resolution 39/2016 endorsed the establishment of a First Nations national working group on ELCC from across disciplines of health, education, child and family services and early childhood with a mandate to oversee a 4-6 month community engagement process that would confirm and identify the key principles, priorities and an action plan for First Nations ELCC. ELCC regional engagement reports have since been received and form the basis for the development of the draft national First Nations ELCC Policy Framework to make possible transformative systemic change—at First Nations' direction—in the governance and service delivery structures that provide for early learning and child care supports for First Nations children and families and will be considered by the federal cabinet for implementation starting in fiscal 2018-2019.
- D. First Nations ELCC programs and services have been developed and delivered by a patchwork of disjointed federal and provincial programs since their inception in the mid-1990s. They are unevenly distributed, subject to systemic funding neglect, uncoordinated and typically without the direction of First Nations leadership in the legitimacy of First Nations governance.
- E. A National First Nations ELCC Policy Framework will provide for First Nations ELCC in organized, legitimate and systemic First Nations coordination and control (at local, regional and national levels) that will promote and enable stronger supports for First Nations children and families within a governance context accountable to them and their communities.
- F. The Framework will provide for First Nations governance locally, regionally and nationally in ELCC, subject to First Nations jurisdiction pursuant to inherent rights and title and will facilitate First Nations and governments in constructive relations of reciprocal accountability following from a basis in the strengths of existing programs;
- G. The Framework will be a means for the expression and direction of First Nations aspirations and priorities for their children and families over the short and long terms.

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

1. Endorse the National First Nations ELCC Policy Framework as drafted as the First Nation submission to the National Indigenous Early Learning and Child Care Framework.
2. Support the continuing co-development and pending implementation of the Framework, subject to continuing First Nations' direction and leadership.
3. Direct the National Experts ELCC Working Group to continue its Framework development work through Framework implementation, reporting nationally to the Assembly of First Nations and regionally to regional leadership.

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4. Call on the AFN to work with the government of Canada to obtain adequate capacity development funding separate from ELCC program funding to support ongoing Framework development and implementation at all levels (local, regional and national).

# DRAFT RESOLUTION # 24 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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**TITLE:** Support for the Indigenous peoples of Ecuador

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**SUBJECT:** Treaty Rights, United Nations Declaration on the Rights of Indigenous Peoples, Sacred Sites, Environment

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**MOVED BY:** Chief/Proxy, First name and last name, community, province

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**SECONDED BY:** Chief/Proxy, First name and last name, community, province

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples includes the following articles:
- i. Article 26(3): States shall give legal recognition and protection to these lands, territories, and resources. Such recognition shall be conducted with due respect to the customs, traditions, and land tenure systems of the Indigenous peoples concerned.
  - ii. Article 29(2): States shall also take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Indigenous peoples without their free, prior, and informed consent.
  - iii. Article 32(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.
  - iv. Article 32(2): States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization, or exploitation of mineral, water, or other resources.
- B. Tribes in the Lago Agrio region in Ecuador have been fighting Chevron in court for more than 20 years over environmental and social damages from hundreds of abandoned, unlined waste pits and the dumping of billions of gallons of oil waste into local waterways. The plaintiffs in the case represent over 30,000 Indigenous people living in the region who estimate that a 50,000 sq km area of land has been poisoned by disregarded oil and toxic waste.
- C. Chevron was ordered to pay an \$18 billion judgement that was reduced to \$9.5 billion by an Ecuadorian court in 2011 for the environmental damage due to crude oil production in the region. Chevron refused to pay this amount and fought this settlement in the United States, which rendered the Ecuadorian judgement unenforceable for fraud and racketeering.
- D. The Indigenous peoples in Ecuador have turned to the Canadian court system to seek an order by Canada that Chevron is to pay the \$9.5 billion - which, after accrued interest is now worth \$12 billion - with its Canadian-held assets.
- E. The Ecuadorian Indigenous peoples have met with Canadian Indigenous leaders this past year to seek support and show the devastation in Ecuador.

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

1. Fully support the Indigenous peoples of Ecuador through the signing of a cooperation protocol to address issues of mutual concern regarding protection of the environment and corporate social responsibility.
2. Call on the Government of Canada to table legislation to enable Indigenous peoples from other countries to enforce awards and compensation orders of foreign courts in Canada.

## DRAFT RESOLUTION # 25 / 2017

### AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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<b>TITLE:</b>	Support for research into implementation of the United Nations Declaration on the Rights of Indigenous Peoples
<b>SUBJECT:</b>	United Nations Declaration on the Rights of Indigenous Peoples
<b>MOVED BY:</b>	Chief Jackie Thomas, Saik'uz First Nation, BC
<b>SECONDED BY:</b>	Chief Dan George, Ts'il Kaz Koh First Nation, BC

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#### WHEREAS:

- A. On February 23, 2012, Canada highlighted to the UN Committee on the Elimination of Racial Discrimination the relevance of the *UN Declaration on the Rights of Indigenous Peoples* ("the Declaration") "While it had no direct legal effect in Canada, Canadian courts could consult international law sources when interpreting Canadian laws, including the Constitution."
- B. Canadian courts and legislators have international tools to assist them in the timely implementation of the Declaration into Canadian case law and legislation, including on provincial, territorial, and municipal policies, acts, and regulations that continue have negative colonial impacts on Indigenous peoples in Canada.
- C. Canada has ratified the International Convention on the Elimination of all forms of Racial Discrimination and the International Convention on the Elimination of all forms of Discrimination Against Women, and is in violation of both with its continued treatment of Indigenous people in Canada.
- D. the Declaration is the most comprehensive international human rights instrument to specifically address economic, environmental, social, cultural, political, civil, spiritual and inherent rights, and sets out the minimum standards necessary for the dignity, survival and well-being of Indigenous peoples.
- E. On May 10, 2016 at the UN Permanent Forum on Indigenous Issues, Minister Carolyn Bennett stated Canada will uphold its commitment to implement the unqualified endorsement of the Declaration.
- F. Canada has not fulfilled its commitments to act on the Declaration with an articulated, concrete plan with measured deliverables to move forward with implementation.
- G. The Canada Research Chairs Program is intended to ensure that Canadian research and development is globally competitive. It is the objective of the federal government to help universities become centres of leading-edge research and research training. Chairs aim to achieve research excellence in a variety of studies including sciences, health, humanities and social sciences.

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**AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

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

1. Direct the AFN to call on the federal government to support Canada Research Chairs which focus on research related to Indigenous governance, law, reconciliation and other related matters to ensure that Indigenous communities, Indigenous organizations and other institutions and organizations have access to research related to international best practices for the implementation of the Declaration throughout the world.

# DRAFT RESOLUTION # 26 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	AFN support for the Alberta Sixties Scoop class action lawsuit
SUBJECT:	Legal - Litigation
MOVED BY:	Regional Chief Kevin Hart (Proxy), MB
SECONDED BY:	Chief Tammy Cook-Searson, Lac La Ronge Indian Band, SK

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### WHEREAS

- A. The February 14, 2017 Ontario Superior Court of Justice decision in *Brown v. Canada* established the Federal Government's liability for loss of culture with respect to sixties scoop survivors.
- B. The October 6, 2017 announcement by Minister Bennett on a proposed Settlement Agreement may require survivors to waive their right to sue the Federal Government for physical and/or sexual abuse, in order to receive compensation.
- C. The proposed Settlement Agreement only deals with First Nation class members and Inuit, but not Métis, or non-status First Nations.
- D. Compensation provided in the proposed Settlement Agreement is capped at \$750 million and will be prorated in an amount which depends upon the number of survivors who make a claim.
- E. The proposed Settlement Agreement does not provide compensation for deceased victims of the sixties scoop or their next of kin.
- F. The proposed Settlement Agreement appears to have been negotiated by four law firms without first properly consulting survivors, against the spirit of the 94 Calls to Action of the Truth and Reconciliation Commission and these law firms will receive \$75 million in legal fees. They have divided the provinces between them for the purposes of dealing with survivors in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario and the Yukon.
- G. There is a class action which was filed in Alberta by DD West LLP which is all inclusive and is supported by extensive consultation with survivors.
- H. There has been a settlement announced on the 60s scoop class action lawsuit in Ontario which addresses loss of language and culture for the class members. However, other abuses experienced by class members such as physical, sexual and psychological abuse are not covered.

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

- 1. Fully support the Alberta class action lawsuit which will deal with all issues of abuse experienced by all aboriginal people which are identified in s. 35 of the Constitution Act. 1982.
- 2. Fully support the DD West LLP Alberta class action lawsuit and DD West LLP in negotiating with the Federal Government for a more fair and inclusive compensation package for survivors, which will deal with all issues of abuse experienced by all aboriginal people which are identified in s. 35 of the Constitution Act. 1982.

# DRAFT RESOLUTION # 27 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE:	Support for Indigenous Watchdog
SUBJECT:	Research & Policy
MOVED BY:	Chief Don Maracle, Mohawks of the Bay of Quinte
SECONDED BY:	TBD

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. Article 5: 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.
  - ii. Article 16 (1): Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
- B. The Truth and Reconciliation Commission of Canada Calls to Action state:
- i. Calls to Action (53): We call upon the Parliament of Canada, in consultation and collaboration with Aboriginal peoples, to enact legislation to establish a National Council for Reconciliation. The legislation would establish the council as an independent, national, oversight body with membership jointly appointed by the Government of Canada and national Aboriginal organizations, and consisting of Aboriginal and non-Aboriginal members.
- C. A December 2016 Statement by the Prime Minister of Canada on advancing reconciliation with Indigenous people saw the federal government announce their commitment to establishing an Interim Board of Directors to make recommendations on the creation of a National Council for Reconciliation. The Interim Board will begin an engagement process to develop recommendations on the scope and mandate of the National Council.
- D. Indigenous Watchdog is an Indigenous-led organization funded entirely by the private sector and foundations with no dependence on any government or Indigenous funding sources to deliver a free service to the Canadian public. As a completely independent non-profit business, Indigenous Watchdog complements the National Council for Reconciliation mandate of monitoring and tracking progress on reconciliation commitments by:
- i. Delivering a more dynamic web portal with multiple views of the underlying data by theme, jurisdiction and stakeholder. This allows users quick and easy answers to any of their questions.
  - ii. Offering more substantive, actionable data across all stakeholders, jurisdictions and themes to identify who is doing what, when and how by identifying as much as possible: dates, budgets, timelines, actions, commitments.

## **D R A F T   R E S O L U T I O N   # 2 7 / 2 0 1 7**

### **AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario**

- iii. Identifying specific “Roadblocks to Reconciliation” for each theme and identifying issues with the built-in protocols for potential solutions.
- iv. Integrating “monitoring and reporting” frameworks beyond the core TRC Calls to Action: Political and Financial commitments to reconciliation by jurisdiction; Treaties and Land Claims; Environmental issues; Economic Development; Urban Programming for Indigenous Peoples; Indigenous reports, white papers and studies, etc.
- v. Giving an active and very public voice to the AFN nationally and regionally on how reconciliation is advancing – or not – that is available 24/7, is consolidated and delivers multiple years of information at the click of a mouse.
- vi. Promoting Indigenous Watchdog extensively to build up a large user base premised on the foundational principles of research, education and investigation.

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

1. Acknowledge the value of the programming provided through Indigenous Watchdog to ensure that First Nations have comprehensive accessible information on federal, provincial, and municipal government commitments and specific actions and follow-up timelines on reconciliation.
2. Direct the AFN to support the operationalization of Indigenous Watchdog by participating in an advisory board. The advisory board is expected to guide the development of reporting and monitoring protocols and performance metrics as well as the overall scope of the website.
3. Direct the AFN to update the Chiefs-in-Assembly annually to ensure AFN's participation in the advisory board is contingent on Indigenous Watchdog's success in providing comprehensive information on reconciliation commitments.
4. Direct the AFN to call upon the Federal Government to develop the engagement process whereby First Nations will jointly develop the mandate and scope of the National Council of Reconciliation as set out in the Truth and Reconciliation Commission's Call to Action (53).

# DRAFT RESOLUTION # 28 / 2017

## AFN Special Chiefs Assembly, December 5-7, 2017, Ottawa, Ontario

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TITLE: INAC Dissolution

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SUBJECT: Reconciliation

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MOVED BY: Chief/Proxy, First name and last name, community, province

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SECONDED BY: Chief/Proxy, First name and last name, community, province

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples affirms:
- i. Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
  - ii. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well to maintain and develop their own Indigenous decision-making institutions.
  - iii. Article 19: 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.
- B. The Assembly of First Nations (AFN) has a mandate to support First Nations in implementing and enforcing the inherent right to self-determination and treaty rights of First Nations across Canada.
- C. On August 28, 2017 the Government of Canada announced the dissolution of Indigenous and Northern Affairs Canada and committed to creating two new ministerial roles: a Department of Crown-Indigenous Relations and Northern Affairs, and a Department of Indigenous Services.
- D. At this announcement Prime Minister Justin Trudeau stated the changes are modelled on the recommendations on the Royal Commission on Aboriginal Peoples and will be finalized in cooperation with Indigenous Peoples.
- E. The Government of Canada will lead six months of consultations with Indigenous stakeholders on how to structure the new Departments before tabling legislation amendments to formalize the process.

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

1. Direct the AFN to call on Canada to develop, in partnership with First Nations, a comprehensive engagement and consultation process to structuring the new Departments that clearly defines the nation-to-nation relationship between the Crown and First Nations.

**D R A F T   R E S O L U T I O N   # 2 8 / 2 0 1 7**

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2. Direct the AFN to call on Canada to ensure this process is consistent with the United Nations Declaration on the Rights of Indigenous Peoples and be committed to the full implementation of First Nations Treaty rights.