



ASSEMBLY OF FIRST NATIONS
2015 Annual General Assembly – Montréal, QC
Final Resolutions

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TITLE: Support for the Full Implementation of the Truth and Reconciliation Commission of Canada's Calls to Action

SUBJECT: Indian Residential Schools

MOVED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

SECONDED BY: Chief Ronald Ignace, Skeetchestn Indian Band, BC

DECISION Carried by Consensus

WHEREAS:

- A. The work of the Truth and Reconciliation Commission of Canada (TRC) has played a vital and necessary role in beginning the lengthy process of reconciliation. Collectively, we must also stand up together to recognize and celebrate the courage of all of the Survivors who have stepped out of the dark to share their stories, their histories, their truths of the depths and consequences of the multi-layered and intergenerational impacts of the Indian Residential School system. The release of this report is an important opportunity now for Canada and the Provinces, in partnership with First Nations, to jointly commit to change.
- B. It is because of the courage of these survivors that justice was achieved through the 2007 Indian Residential Schools Settlement Agreement, and that the TRC was established under the terms of the 2007 Indian Residential Schools Settlement Agreement.
- C. The TRC has organized 7 national events and gathered more than 7,000 statements from Survivors. The TRC's 6-year mandate was to create awareness about and document the history and ongoing legacy of the Indian Residential School system as well as guide and inspire a process of truth, healing and reconciliation.
- D. On June 2, 2015, Justice Murray Sinclair released the TRC's document titled, *Honoring the Truth, Reconciling for the Future: A Summary of the Final Report of the Truth and Reconciliation Commission of Canada*, during the TRC closing events in Ottawa, ON. The summary report contained 94 Calls to Action to all levels of government and must be implemented as the bare minimum to respect, recognize and reconcile for the sake of our future generations.

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- E. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. Article 8 (2): States shall provide effective mechanisms for prevention of, and redress for:
 - a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities.
 - d) Any form of forced assimilation or integration.
- F. Reconciliation must be supported by a legislative, regulatory, policy and administrative framework that not only encompasses the TRC's Calls to Action, but supports mechanisms for ongoing reconciliation between First Nations and the Crown.
- G. As a show of genuine commitment to reconciliation and in recognition of its responsibility to uphold the Honour of the Crown, the Federal Government, as well as Provincial, Territorial and Municipal Governments, should take immediate steps to fully implement all Calls to Action contained within the summary of the Final Report of the TRC.

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

1. Call upon the Federal, Provincial, Territorial and Municipal Governments to take immediate steps to fully implement all of the Calls to Action contained within the summary of the Final Report of the Truth and Reconciliation Commission of Canada (TRC), released on June 2, 2015.
2. Mandate the Assembly of First Nations (AFN) Secretariat to create and coordinate a political working group comprised of members of the AFN Executive to develop an action toolkit that clarifies the roles of the AFN, the regions and the First Nations, with respect to the implementation of the TRC Calls to Action.
3. Mandate the AFN Secretariat to report back to the Chiefs-in-Assembly by way of a Progress Report on this specific resolution at every AFN assembly, including Annual General Assemblies and Special Chiefs Assemblies, for the next five years.

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TITLE: Support for Implementation of Truth and Reconciliation Commission of Canada's Calls to Action #18-24 by the Canadian Medical Association

SUBJECT: Indian Residential Schools, Health

MOVED BY: Chief Reginald Bellerose, Muskowekwan First Nation, SK

SECONDED BY: Chief Gerald Antoine, Liidlii Kue (Fort Simpson) First Nation, NT

DECISION Carried by Consensus

WHEREAS:

- A. The Truth and Reconciliation Commission of Canada's (TRC) Calls to Action #18 to #24 specifically addresses Aboriginal Health.
- B. Calls to Action #22 and #24 state:
 - i. #22: We call upon those who can effect change within the Canadian health-care system to recognize the value of Aboriginal healing practices and use them in the treatment of Aboriginal patients in collaboration with Aboriginal healers and Elders where requested by Aboriginal patients.
 - ii. #24: We call upon medical and nursing schools in Canada to require all students to take a course dealing with Aboriginal health issues, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, and Indigenous teachings and practices. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
- C. The Canadian Medical Association is holding its Annual General Assembly August 23-26, 2015 in Halifax, NS where priorities for the next year will be discussed presenting an opportunity to support the adoption of the TRC Calls to Action #18 to #24 by the entire medical field.

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

1. Call upon the Canadian Medical Association to adopt and support Calls to Action #18 to #24 of the Truth and Reconciliation Commission of Canada (TRC) that specifically pertain to improving the health of Aboriginal peoples and communities.
2. Direct the Assembly of First Nations to work in partnership with the Canadian Medical Association and the Indian Residential Schools Survivors Society on the implementation of TRC Calls to Action #18 to #24.

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TITLE:	First Nation Involvement in Emergency Preparedness
SUBJECT:	Emergency Management
MOVED BY:	Chief Richard Gamble, Beardy's & Okemasis First Nation, SK
SECONDED BY:	Chief Gilbert Ledoux, Muskeg Lake Cree First Nation, SK
DECISION	Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. Article 29, (1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
- B. First Nations communities frequently experience emergencies such as floods, fires and other natural disasters that require emergency management capacity and resources and often result in evacuations.
- C. Under Aboriginal Affairs and Northern Development Canada's (AANDC) Emergency Management Assistance Program, AANDC is supposed to work with Provincial and Territorial governments and non-government organizations, such as the Canadian Red Cross, to support First Nations and ensure they have access to comparable emergency assistance services available to other residents in their respective jurisdiction.
- D. AANDC supports four pillars of emergency management – mitigation, preparedness, response and recovery – as well as forest fire suppression activities.
- E. Canada has unilaterally determined that agreements related to the provision of emergency response services between AANDC and the Provinces and Territories shall be developed in a bilateral manner between AANDC and the Provinces and Territories without the involvement and inclusion of the affected First Nations and their representative organizations.

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- F. As of July 2015, there were over 4,300 displaced First Nation citizens as a result of floods in 2011, 2012, and 2013.
- G. Forest fires currently burning in Saskatchewan and British Columbia have forced many First Nation citizens from their homes and placed them in unfamiliar, distant and potentially culturally inadequate surroundings.
- H. The response of Federal, Provincial and Territorial governments and the Canadian Red Cross to past environmental emergencies affecting First Nations has been inadequate, placing First Nation communities and citizens in situations that should not be tolerated.
- I. Many First Nations will develop their own capacity and exercise jurisdiction in the area of emergency management and response including fire-fighting and evacuations and the exclusion of First Nations and their duly-mandated organizations from decision-making has resulted in a lack of involvement and input into the planning of emergency response services before and, more importantly, during emergency events.
- J. This exclusion from decision-making processes is contrary to First Nations' right to self-determination and places citizens in physical and mental anguish.
- K. The impacts of climate change - such as floods, forest fires, deforestation, and depleted surface water and aquifers - will become more prevalent and destructive, which will affect vulnerable Indigenous populations.
- L. First Nations should be involved in processes to develop agreements that will better serve their citizens and communities.

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

1. Call upon the Government of Canada to include First Nations and their duly-mandated organizations in the development of trilateral or bilateral agreements between First Nations and Canada, to be determined by each autonomous First Nation, related to mitigation, preparedness, response, and recovery planning for the provision of emergency management prevention and response services.
2. Expect and require that Aboriginal Affairs and Northern Development Canada (AANDC) and its Provincial Emergency Management Organizations, staff, and the Canadian Red Cross to work collaboratively with First Nation leaders and their duly-mandated organizations to capitalize on the knowledge and capabilities with respect to caring for their members in times of crisis.
3. Direct the Assembly of First Nations to approach AANDC for resources to develop a tool kit of model policies, standards and supporting model legislation for emergency management and response for First Nation communities exercising their jurisdiction and capacity in this area.

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TITLE: Support for Indigenous Energy Resource Development Forum

SUBJECT: Natural Resources/Economic Development

MOVED BY: Chief Joe Miskokomon, Chippewas of the Thames First Nation, ON

SECONDED BY: Chief Gilbert Ledoux, Muskeg Lake Cree First Nation, SK

DECISION Carried by Consensus

WHEREAS:

- A. All First Nations have inherent rights, title, and jurisdiction over the lands, waters and resources within their traditional territories.
- B. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
 - i. Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
 - 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.
- C. Law in Canada respecting resource development must be developed and interpreted in a manner consistent with international law, including the UN Declaration in its totality.
- D. Economic benefits and revenues from energy and resource development projects could reach as high as \$675 billion over the next decade. The provinces, territories, and the Government of Canada continue to extract and develop the resources on First Nation traditional territories, and to benefit significantly without fully and properly respecting the rights of First Nations under Treaty, constitutional law, and international law. The Treaty relationship between First Nations and the Crown requires sharing of jurisdiction, resource development, and benefits.

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- E. Many First Nations are pursuing business arrangements with industry partners to implement their own economic and sustainable development priorities.
- F. First Nations participation in the economy requires ongoing commitments to capacity building, employment and training strategies, access to contract supply networks and the inclusion of First Nations in economic and regulatory decision-making.

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

1. Call upon the Assembly of First Nation (AFN) and the National Chief to host a major economic forum to discuss current topics in energy and resource development affecting First Nation rights and well-being, including but not limited to clean energy initiatives and opportunities, resource and revenue sharing issues, matters pertaining to energy corridors and First Nations' responsibilities to the lands and waters.
2. Call upon the AFN and National Chief to set a date and location for the forum to take place in 2016.
3. Call upon the AFN to use the forum to examine the best approaches to relationship-building, ways to ensure the fullest participation of First Nations in all aspects of the resource development and energy decision-making processes, and issues relating to current legislative regimes that impact First Nations inherent rights, title and jurisdiction.
4. Call upon the AFN to work with willing partners in government, civil society, and industry to contribute the support and resources needed to realize the forum and to support the fullest participation by First Nations.

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TITLE: Support for *Gottfriedson et al v. Her Majesty the Queen* (Day Scholar Class Action)

SUBJECT: Indian Residential Schools Day Scholars

MOVED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

SECONDED BY: Chief Ian Campbell, Squamish Nation, BC

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. Article 8, (2): States shall provide effective mechanisms for prevention of, and redress for:
 - a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities.
 - d) Any form of forced assimilation or integration.
- B. Students who attended Indian Residential Schools during the day, but did not live at the schools (Day Scholars), were not eligible for the Common Experience Payment (CEP) created by the Indian Residential School Settlement Agreement (IRSSA). Day Scholars were subjected to the same Residential School policy as those students who lived in residence, and suffered losses as a result of this policy.
- C. *Gottfriedson et. al v. HMTQ* (the Day Scholar Class Action) was certified by the Federal Court of Canada on June 3, 2015.
- D. The Court certified the Survivor Class as being made up of all Aboriginal persons who attended as a student or for educational purposes for any period at a Residential School between 1920 and 1997, excluding any periods of time for which that person received compensation by way of the CEP under the IRSSA.
- E. The Court certified the Descendant Class as being made up of the first generation of persons descended from Survivor Class members or persons who were legally or traditionally adopted by a Survivor Class member or their spouse.

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- F. The Court certified the Band Class as the Tk'emlúps te Secwépemc Indian Band and the Sechelt Indian Band and any other Indian Band(s) which:
- i. has or had some members who are or were members of the Survivor Class, or in whose community a Residential School is located; and,
 - ii. is specifically added to the claim with one or more specifically Identified Residential School.
- G. The lawsuit is focused on the loss of language and loss of culture and consequential harms to individuals and the Band communities as a result of the Government of Canada's Residential School policy.
- H. The Court will mandate a time period for the Survivor Class and Descendant Class members to opt-out of the lawsuit. The Court will also mandate a time period for eligible Bands to opt-in to the lawsuit.
- I. Tk'emlúps te Secwépemc and Sechelt First Nation encourage the Government of Canada to negotiate a fair and expeditious settlement for the Survivor, Descendant, and Band Class members.
- J. The Calls to Action of the Truth and Reconciliation Commission of Canada issued on June 2, 2015 include:
- i. #29: We call upon the parties and, in particular, the federal government, to work collaboratively with plaintiffs not included in the Indian Residential Schools Settlement Agreement to have disputed legal issues determined expeditiously on an agreed set of facts.
- K. The Assembly of First Nations has continually supported the Day Scholars (who were omitted from the IRSSA), and the Day Scholar Class Action as documented in:
- i. Resolution 18/2008, adopted on July 17, 2008 in Quebec City, QC;
 - ii. Resolution 22/2010, adopted on July 22, 2010 in Winnipeg, MB; and,
 - iii. Resolution 21/2011, adopted on July 13, 2011 in Moncton, NB.

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

1. Direct the National Chief and Executive to provide full political and administrative support for the Day Scholar Class Action.
2. Direct the National Chief to write a letter to the Federal Government encouraging an expeditious, fair and just negotiated resolution to the Day Scholar Class Action.

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TITLE: Revitalization of Indigenous Languages: Concrete Actions to Support Indigenous Language Teachers and Cultural Centres

SUBJECT: Indigenous Languages and Culture

MOVED BY: Chief Walter Naveau, Mattagami First Nation, ON

SECONDED BY: Chief Gilbert Ledoux, Muskeg Lake Cree First Nation, SK

DECISION Carried by Consensus

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 UN Declaration is a framework of reconciliation and restitution, including for the damages resulting from the colonial laws and policies that created the Indian Residential School system.
- C. United Nations Educational, Scientific and Cultural Organization (UNESCO) has stated that "Indigenous languages are most threatened in Canada".
- D. The 94 Calls to Action by the Truth and Reconciliation Commission of Canada include extensive work on Indigenous peoples' language revitalization.
- E. Community Language and Cultural Centres work diligently to revitalize Indigenous languages. They do not receive adequate recurring core funding to support their programs, which ensure healthy and vibrant language and cultural retention.
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- F. Funding is inadequate to support language advocates and teachers who require teams of traditional knowledge holders, fluent speakers, artists and technical support to create curriculum for the evolving teaching methods for children and youth.
- G. The urgency for adequate financial and human resource funding to community Language and Cultural Centres is reaching critical levels, in part due to the annual loss of our traditional knowledge holders and fluent speakers.
- H. Indigenous languages are often underfunded and under-supported in our communities.
- I. 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 and high schools. Language revitalization should be inclusive of all community members.
- J. Indigenous traditional knowledge is embedded within our ancient and precious languages and must be preserved for present and future generations to utilize and enjoy.
- K. The urgency of Indigenous languages revitalization should be a priority for all levels of Indigenous governance, activism, education, health and culture, as an integral part of our collective right to self-determination.

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

1. Mandate the National Chief to begin the process of negotiating with Federal, Provincial, and Territorial Governments to provide adequate financial resources, at a minimum equal to those provided for official languages, for the work of language revitalization. Policy and legislative changes at the Federal, Provincial and Territorial level should be created to appropriately support Indigenous language revitalization as part of the reconciliation process flowing from the Truth and Reconciliation Commission of Canada's Final Report and Calls to Action.
2. Direct that negotiations be undertaken to prompt concrete measures to change the education standards, policies and funding arrangements of community schools education system that reflects, promotes and revitalizes Indigenous peoples' identity, languages, and culture.
3. Call for a revitalization strategy that:
 - i. Builds on existing resolutions and reports, e.g., 2005 *Towards a New Beginning: A Foundational Report for a Strategy to Revitalize First Nation, Inuit and Métis Languages and Cultures*.

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- ii. Includes collaboration with the ongoing efforts of the regions, First Nations, Educators, and Indigenous Language experts.
- iii. Provides for the working groups and processes necessary to develop and implement the strategy.
- iv. Identifies priority areas for implementation such as, but not limited to, early childhood supports, immersions programs, lifelong learning approaches, archival efforts and rights-based advocacy.

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TITLE: Missing and Murdered Indigenous Women and Girls

SUBJECT: Justice

MOVED BY: Chief Walter Naveau, Mattagami First Nation, ON

SECONDED BY: Chief Ian Campbell, Squamish Nation, BC

DECISION Carried by Consensus

WHEREAS:

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

- i. 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 as to maintain and develop their own [I]ndigenous decision-making institutions.
- ii. Article 22, (2): States shall take measures, in conjunction with [I]ndigenous peoples, to ensure that [I]ndigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

B. Chiefs-in-Assembly have passed Resolutions 61/2010, 02/2011, 01/2012, 54/2012, 04/2014, and, 36/2014, regarding murdered and missing Indigenous women and demanding that the Federal Government establish a Royal Commission or National Public Commission of Inquiry.

C. The AFN attended the National Roundtable on Missing and Murdered Indigenous Women and Girls (MMIWG) on February 27, 2015 in Ottawa, ON where all levels of government were present. Three priority areas were the focus of roundtable discussion and delegates agreed to coordinate efforts toward tangible and immediate action in each of the following areas:

- i. Prevention and Awareness:

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- a) Raising public awareness aimed at changing attitudes that devalue Indigenous women and girls and the contributions of Indigenous Peoples as an educational tool for violence prevention.
 - b) Reducing the marginalization of Indigenous women and girls by improving socio-economic development and outcomes.
 - c) Improving prevention and responses to violence within intimate relationships and families.
- ii. Community Safety
- a) Supporting Indigenous communities, organizations and individuals to develop safety initiatives that respond to their unique cultural, traditional and socio-economic needs and realities.
 - b) Engaging communities, governments, organizations and institutions, in supporting prevention, action, and intervention when violence has occurred.
 - c) Supporting and addressing safety and healing of individuals, families and communities.
- iii. Policing Measures and Justice Responses
- a) Improving the relationship between justice sector professionals, including police, and Indigenous Peoples and strengthening community-based policing in Indigenous communities.
 - b) Identifying strategies within the justice system to protect and assist Indigenous women and girls who are victims of violence.
- D. All parties at the Roundtable agreed to hold a second National Roundtable in 2016.
- E. The Royal Canadian Mounted Police (RCMP) released a National Operational Overview on Missing and Murdered Indigenous Women in 2014 and an update in 2015, which states that the homicides within RCMP jurisdictions that were investigated in 2013 and 2014 were committed by individuals known to the victim. Minister Bernard Valcourt of Aboriginal Affairs and Northern Development Canada made similar comments to families of MMIWG at the National Roundtable in February 2015.
- F. The issue of missing and deleted cases of Indigenous women and girls from the Ontario Provincial Police has been raised by families in Ontario and allegedly emails requesting information on missing women from the Highway of Tears have also been deleted by the Government of British Columbia.

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- G. Cindy Gladue was murdered in Alberta and during the legal proceedings, the Crown Attorney used Ms. Gladue's most intimate body parts as evidence which demonstrates the lack of respect that western society has for Indigenous women and girls.

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

1. Stand firm in our position in demanding the Federal Government call a Royal Commission of Inquiry into Missing and Murdered Indigenous Women and Girls.
2. Direct the Assembly of First Nations (AFN) to push all levels of Government to work on the issues agreed upon at the National Roundtable on Missing and Murdered Indigenous Women and Girls.
3. Direct the AFN to demand an apology from Minister Valcourt for his insensitive comments blaming victims and claiming Indigenous men are predominantly responsible for murdered and missing Indigenous women and girls.
4. Direct the AFN to work with the Royal Canadian Mounted Police on information in its *Missing and Murdered Aboriginal Women: 2015 Update to the National Operational Overview* and to inquire on the status of all cases of missing and murdered Indigenous women and girls.
5. Direct the AFN to work with the RCMP and other police forces across the country on the issue of missing or lost cases and urging them to recreate missing or lost files.
6. Direct the AFN to work with Justice Canada to ensure that intimate body parts of Indigenous women and girls are never used as evidence in further legal proceedings across Canada.
7. Direct the AFN to report back to the Chiefs-in-Assembly on the progress of this resolution.

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TITLE: Advancing Rights: Respecting First Nations Autonomy in Fisheries

SUBJECT: Fisheries

MOVED BY: Chief Hugh Braker, Tseshaht First Nation, BC

SECONDED BY: Cheryl Maloney, Proxy, Sipekne'katik First Nation (Shubenacadie), NS

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples contains many articles relevant to fisheries, including:
- 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.
- B. The Assembly of First Nations (AFN) National Fisheries Committee (NFC) is mandated to focus on fisheries issues consistent with its Terms of Reference passed in 1998.
- C. Resolution 31/2014, *Respecting First Nations Autonomous Fisheries*, calls on the AFN to clarify its approach to fisheries, including:
- i. The informational nature of its work or engagement;
 - ii. The manner in which its mandates are confirmed;
 - iii. Its engagement with regional federal offices or provincial ministries;
 - iv. Its support for Treaties and each First Nation's sovereign rights and inherent jurisdiction; and,
 - v. Its openness with respect to the participation of interested First Nation representatives at tables and in committees that are convened.

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D. The NFC has worked to update its Terms of Reference to clarify the mandate and function of this committee.

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

1. Support the development of updated Terms of Reference by the National Fisheries Committee (NFC) to address the clarifications sought by Resolution 31/2014, *Respecting First Nations Autonomous Fisheries*, in coordination with the National Chief and Executive.

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TITLE: Interactive On-line Non-Insured Health Benefits Drug Benefit Listing

SUBJECT: Health

MOVED BY: Chief Harvey McLeod, Upper Nicola Indian Band, BC

SECONDED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

DECISION Carried by Consensus

WHEREAS:

- A. The following articles of 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 to 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.
- C. Resolution 39/2014, *Non-Insured Health Benefits Action Plan as a Living Document*, approved the Assembly of First Nations (AFN) Non-Insured Health Benefits (NIHB) Action Plan and directed the AFN to pursue action items within the plan, including working with Health Canada's First Nations and Inuit Health Branch (FNIHB) to improve communications around NIHB.

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- D. FNIHB has committed to making program and policy changes as they arise during the AFN-FNIHB NIHB Joint Review process rather than waiting for the final report.
- E. Empowering First Nation NIHB clients with knowledge and information about the program will decrease confusion and frustration, will streamline services, improve relations with service providers and may decrease the administrative burden at NIHB.

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

1. Call for Health Canada's First Nations and Inuit Health Branch (FNIHB) – Non-Insured Health Benefits to invest the appropriate resources and develop, within a reasonable timeframe, a live searchable, interactive Drug Benefit List (DBL) with easily searchable criteria such as generic name, brand name, Drug Identification Number, product listing category, pharmacologic-therapeutic classification and manufacturer.
2. Direct that the development of this DBL should include participation of the Assembly of First Nations in order to advise on investments that best meet First Nations' needs.

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TITLE: Call for a Program Review of the Home and Community Care Program to Address Impacts of Insufficient Funding Increases

SUBJECT: Health

MOVED BY: Chief Elaine Johnston, Serpent River First Nation, ON

SECONDED BY: Chief R. Donald Maracle, Mohawks of the Bay of Quinte First Nation

DECISION Carried by Consensus

WHEREAS:

- A. The following articles of 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.
 - iii. Article 24, (1): Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
- B. The First Nations and Inuit Home and Community Care Program (HCC) was founded in 1999 to assist First Nation communities in meeting the increasing home care demands of community members living with illnesses and to enable people with disabilities, chronic or acute illnesses, and the elderly to receive the care they need in their home communities.

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- C. The HCC program funding formula is still using population figures from 1997 for the funding formula and this chronic underfunding continues to put undue stress on community budgets, especially given the growing First Nations senior population, and the increased demand for palliative care, respite care and care for the increasing number of First Nations with Alzheimer's disease and dementia.
- D. The *First Nations and Inuit Health Strategic Plan: A Shared Path to Improved Health* includes Strategic Goal 1: High Quality Health Services, which is to "strengthen access, quality and safety of health services across the continuum of care for individuals, families and communities".
- E. The Truth and Reconciliation Commission of Canada's Call to Action #19 calls upon the federal government in consultation with Aboriginal peoples to establish measurable goals to identify and close the gaps in health outcomes between Aboriginal communities and non-Aboriginal communities and to publish annual progress reports to assess long term trends, including the availability of appropriate health services.

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

1. Call upon the federal government to use up-to-date population figures when developing the funding formula for the Home and Community Care (HCC) Program.
2. Call upon Health Canada's First Nations and Inuit Health Branch to financially support a First Nations-led review of the HCC Program in order to identify the impacts of insufficient funding at the community level as it impacts the provision of quality services and sustainable program growth.

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TITLE: Support for First Nations Health Managers Association Certified First Nations Health Manager Designation

SUBJECT: Health

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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. In 2006, the Assembly of First Nations (AFN) and Health Canada's First Nations and Inuit Health Branch's First Nations Health Managers Advisory Committee identified the need to increase capacity in health management with the development of competencies and the development of a national association of First Nation health managers.
- C. In 2010, the First Nations Health Managers Association (FNHMA) was incorporated as a not-for-profit association to contribute to certification and professional development for First Nations health managers. FNHMA is committed to improving health management skills of those responsible for the health service delivery in our communities. FNHMA assists in self-determination and creating opportunities to prepare for the transfer and control of health services.
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- D. In December 2009, the Chiefs-in-Assembly passed Resolution 46/2009, *Support for First Nations Health Managers National Association*, that provided their support of the FNHMA.
- E. In July 2008, the Chiefs-in-Assembly passed Resolution 32/2008, *Support for the Certified Aboriginal Financial Manager (CAFM) Designation*, at the AFN Annual General Assembly (AGA) that provided their support for the CAFM as the preferred credential when hiring personnel in finance and management positions.
- F. In July 2013, the Chiefs-in-Assembly passed Resolution 17/2013, *Support for Aboriginal Financial Officers Association of Canada (AFOA) Canada's Certified Aboriginal Professional Administrator (CAPA) Designation*, at the AFN AGA that provided their support for the CAPA as the preferred credential when hiring personnel in First Nation Government administration and senior management positions.
- G. In 2011, FNHMA began the Certified First Nations Health Management (CFNHM) program and designation. It has been specifically designed for First Nation health managers. FNHMA currently has 70 CFNHMs from across Canada.
- H. In 2011, BC First Nation Chiefs and Leads endorsed the signing of the *BC Tripartite Framework Agreement on First Nations Health Governance* that was designed to help improve the health and wellbeing of First Nations people in British Columbia. Within the agreement it reinforces the role of the First Nations Health Directors Association as the designated representative for Health Directors/Leads working in First Nation communities. This includes the provision of education and professional development support.
- I. In 2014, BC Health Directors voted in favour of developing a "made in BC" Health Director Certification program that recognizes the unique and diverse educational supports needed to ensure effective program delivery in BC First Nations communities. The FNHDA has taken this direction and is in the curriculum development phase.

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

1. Support the professional designation of Certified First Nations Health Manager (CFNHM) as a preferred credential.
2. Request Health Canada, First Nations and Inuit Health Branch, to make funding available to First Nations to get adequate training to improve skills and build capacity within First Nation communities.
3. Support the BC First Nations Health Directors Association in the establishment and development of a BC Health Director Certification program.

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TITLE: Support for Aboriginal Nurses Association of Canada to Address Nursing Challenges in Northern and Remote Communities

SUBJECT: Health

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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 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.
- B. Self-determination is a fundamental right of First Nation peoples acknowledged in international law and by section 35 of the *Constitution Act, 1982*; the Crown in right of Canada has a duty to protect First Nation rights and title.
- C. For the past decade reports of the Auditor General has noted that First Nations people living in northern and rural communities do not have access to nurses who are properly trained and which in turn, presents concerns to both the quality of health care being delivered and the working conditions of nurses who work in these isolated locations.
- D. Only one in 45 nurses receives the five core areas of training to qualify and prepare them to work in remote nursing stations.

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- E. The spring 2015 report of the Auditor General entitled, *Access to Health Services for Remote First Nations Communities*, reported that nurses sometimes work outside their legislated scope of practice in order to provide essential health services in remote First Nation communities. However, it was found that Health Canada had not put in place supporting mechanisms that allowed the nurses to perform these activities.
- F. The Aboriginal Nurses Association of Canada is the longest-serving Indigenous health professional organization in Canada with 40 years in existence and can provide leadership and training to increase nursing core competencies through a cultural safety framework.

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

1. Direct the Assembly of First Nations (AFN) to work with the Aboriginal Nurses Association of Canada to engage and call upon Health Canada to begin an invigorated process to address key areas stated in the Auditor General's spring 2015 report, *Access to Health Services for Remote First Nations Communities*, around northern and remote communities by identifying and making available financial resources to explore this critical area of work.
2. Direct the AFN to collaborate with the Aboriginal Nurses Association of Canada and other relevant stakeholders to develop a process and action plan to immediately begin to structure solutions to address these shortfalls.
3. Direct the AFN to urge Health Canada to provide the financial resources to support an effective lead role by the Aboriginal Nurses Association of Canada to engage and support full involvement of the AFN and other relevant stakeholders, such as the First Nations Health Managers Association, Inuit representatives and the Indigenous Physicians Association of Canada to manage this process that affects multiple communities and to ensure that the results will not diminish, limit or omit future health care needs as per Treaty 6 Medicine Chest Clause.

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TITLE: Support for Collaborative Knowledge Building and Action for VisitAble Housing in First Nations Communities in British Columbia

SUBJECT: Health, Housing

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. 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 British Columbia Aboriginal Network on Disability Society (BCANDS) promotes VisitAble Housing for all Canadians, including persons with disabilities and seniors. Working in partnership with the Canadian Centre on Disability Studies, BCANDS aims to increase understanding of VisitAble Housing by highlighting lived experiences and reviewing current policies, practices, impacts and barriers. The aim is to develop and implement strategies to promote VisitAble Housing among buyers, builders, policy makers, and other stakeholders.
- C. The BCANDS is a non-profit, charitable, non-political organization with the mandate "to promote the betterment of Aboriginal people with disabilities in the province of British Columbia." BCANDS provides advocacy and support services in areas of social and human services, economic, education, training, health, human rights, and housing.

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- D. VisitAble Housing Canada is an initiative of the Canadian Centre on Disability Studies funded through the Government of Canada's Social Development Partnerships - Disability Component to promote VisitAble housing for all Canadians, including persons with disabilities and seniors. "VisitAble Housing" or "VisitAbility" is the concept of designing and building homes with basic accessibility providing easy access on the main level for occupants. VisitAble housing offers a convenient home for residents and a welcoming environment for visitors of all ages and mobility.
- E. BCANDS is currently a supporting organization working with VisitAble Housing Canada, and has partnered with the Esquimalt and Beecher Bay First Nations in creating a First Nations Task Force to promote and research VisitAble Housing in First Nation communities.
- F. The First Nations Task Force has recommended that three essential features be included in all new housing projects, which, when planned at the outset, keep additional costs to a minimum:
 - i. A zero step entrance at the front, back or side of the house;
 - ii. Wide doorways on all main floors: minimum 32" (813 mm) with a clear door opening; and,
 - iii. A wheelchair-accessible bathroom on the main floor.

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

- 1. Support the First Nations VisitAble Housing project to improve housing accessibility including strategies to promote VisitAble Housing in First Nation communities among builders, policy makers, and other stakeholders.

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TITLE: Support for *It's Our Time* First Nations Education Tool Kit

SUBJECT: Education

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

WHEREAS:

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

- i. Article 12, (1): Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
- ii. 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.
- iii. 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.
- iv. Article 15, (1): Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

B. First Nations have been severely and inter-generationally impacted by the imposition of residential, provincial, and territorial schools and education curricula, as well as other imposed forms of forced assimilation and integration.

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- C. Education is a cornerstone to the elimination of prejudice and racial discrimination, and to strengthening the social, cultural and economic foundation of communities, yet the histories and perspectives of First Nation peoples are not currently reflected within the curricula of most school systems throughout Canada.
- D. Resolution 12/2010, *First Nations' Control of First Nations' Education*, was ratified by Chiefs-in-Assembly in 2010 and former National Chief Atleo issued a *Call to Action* on Education including the development of curricula reflecting Indigenous languages and cultures, and public and private sector partnerships to support positive learning environments for First Nations people.
- E. On June 2, 2015, the Truth and Reconciliation Commission of Canada identified 12 Calls to Action specific to Education. Call to Action #10 calls for a commitment to the following principles:
- i. Providing sufficient funding to close identified educational achievement gaps within one generation.
 - ii. Improving education attainment levels and success rates.
 - iii. Developing culturally appropriate curricula.
 - iv. Protecting the right to Aboriginal languages, including the teaching of Aboriginal languages as credit courses.
 - v. Enabling parental and community responsibility, control, and accountability, similar to what parents enjoy in public school systems.
 - vi. Enabling parents to fully participate in the education of their children.
 - vii. Respecting and honouring Treaty relationships.
- F. The Assembly of First Nations partnered with Manitoba First Nations and provincial entities to develop the *It's Our Time* First Nations Education Tool Kit (Tool Kit) as a comprehensive reconciliation, communication, and advocacy strategy that reinforces First Nations teachings and values and creates positive learning environments.
- G. The Tool Kit is a practical, hands-on teaching tool, with both national and regional components, developed in consultation with First Nation stakeholders, Elders, and First Nation educators from across a range of disciplines.
- H. As a result of the successful pilot within both First Nation and non-First Nation schools in Manitoba, the Tool Kit has been designated as a "recommended curriculum resource" within Manitoba.

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- I. The Tool Kit is intended to facilitate work with First Nations and their partners to develop First Nations-driven, local and regional culturally-appropriate teaching materials and to implement the Tool Kit in schools all across Canada.

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

1. Support the *It's Our Time* First Nations Education Tool Kit in principle as an accessible, community-driven response to Resolution 12/2010, *First Nations' Control of First Nations' Education*.
2. Acknowledge the *It's Our Time* First Nations Education Tool Kit as an act of reconciliation, that is consistent with the Truth and Reconciliation Commission of Canada's Calls to Action.
3. Support the availability of the *It's Our Time* First Nations Tool Kit as an option throughout Canada through the development of partnerships between the Assembly of First Nations, First Nation entities and communities, and national, provincial, territorial, regional, and local governments and organizations.

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TITLE: Support for the Katzie First Nation in the Opposition to the Quarry Application 1015131 B.C. Ltd.

SUBJECT: Aboriginal Rights and Title

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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 11, (1): Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
- iii. Article 12, (1): Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
- iv. 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 as to maintain and develop their own indigenous decision-making institutions.

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- v. Article 26, (1): Indigenous peoples have the right to the lands, territories, waters and coastal seas and other resources which they have traditionally owned, occupied or otherwise used or acquired.
 - vi. 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.
 - vii. 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.
- B. Indigenous Nations have an inherent right to self-determination, including jurisdiction over, title to, and the stewardship of, our respective territories, including the ownership of our mineral resources.
- C. The Crown has a legally enforceable duty to consult with and accommodate Katzie First Nation regarding any decision that may adversely affect their Aboriginal rights and title. The Province has failed to protect Katzie First Nation heritage sites through legislation, thereby leaving sacred sites open for destruction or exploitation by others.
- D. The lands and resources in Katzie First Nation traditional territory hold significant cultural and spiritual importance to the Katzie Peoples, who have a collective responsibility to continue their traditional ways for future generations.
- E. The Katzie First Nation has clearly stated they do not want or approve of mining or mining exploration in their traditional territory, particularly within "Sement", otherwise known as Sheridan Hill, in the Pitt Polder area.
- F. The Katzie First Nation considers Sement a sacred site which has profound cultural value to the Katzie Peoples.

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

1. Fully support the Katzie First Nation in their efforts to protect their traditional territory, particularly in the area known as Sement, also known as Sheridan Hill.
2. Fully support the Katzie First Nation in opposition to the quarry application by 1015131 B.C. Ltd.
3. Demand that 1015131 B.C. Ltd. and the BC Ministry of Energy and Mines immediately rescind the quarry application from 1015131 B.C. Ltd. and cease any mining exploration or mining activity within Sement and communicate that any such activity requires the free, prior, and informed consent of the Katzie First Nation.

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TITLE: Support for Social Innovation/Financing to Enhance Funding for First Nation Socio-Economic Development

SUBJECT: Social Innovation and Social Financing

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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 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. First Nation peoples in Canada require a future that fosters improvements to the socio-economic circumstances of their communities and citizens by addressing the current federal government funding shortfalls that continue to perpetuate unacceptable levels of poverty and despair.
- C. Due to persistent and complex social challenges, new and innovative ideas, organizations, programs, and processes are needed to close the ever-increasing funding gap in order to address the social and economic needs of First Nation communities.
- D. Addressing growing social issues requires an immediate assessment into the potential collaboration between First Nations and all levels of government, foundations, non-profits, and the private and public sectors.

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- E. Employment and Social Development Canada is currently examining policies to support social innovation and social financing solutions for First Nation socio-economic issues, which have experienced chronic shortfalls of funding for several decades.
- F. First Nations have legitimate concerns about the potential for off-loading of federal responsibility for adequate and sustainable funding.

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

1. Direct the Assembly of First Nations (AFN) to work in partnership with Aboriginally-controlled financial institutions and the National Association of Aboriginal Capital Corporations, and with Employment and Social Development Canada and other federal departments to examine the potential for social innovation to address the unmet needs of First Nation communities.
2. Direct the AFN to increase awareness in communities of innovative methods for funding social programs, such as social finance.
3. Assert that a new fiscal relationship is required and that any exploration of social innovation does not replace the federal government fiduciary Treaty obligations to provide adequate and sustainable funding.

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TITLE: Support for the Aboriginal Sport and Wellness Council of Ontario's Successful Bid to Host the 2017 North American Indigenous Games

SUBJECT: Sport Development and Community Wellness

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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 31: 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 and 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 36, (1): Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.
- iv. Article 36, (2): States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

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- v. Article 39: Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.
- B. The North American Indigenous Games (NAIG) is a multi-sport, multi-disciplinary event involving Indigenous youth from Canada and the United States of America (USA). The NAIG offers 14 sport competitions with up to three age categories in each sport for both male and female participants. The NAIG also includes a vibrant cultural program showcasing local and North American Indigenous cultural groups and entertainers.
- C. The NAIG Council is the International Governing Body for the NAIG exercising exclusive jurisdiction, either directly or through its affiliate members or committees, over all matters pertaining to the NAIG.
- D. The 2017 NAIG falls outside of the normal funding framework cycle negotiated by the Aboriginal Sport Circle and Federal Government (Sport Canada). After a process for USA hosting failed to receive any bids, the NAIG Council opened the bidding to Canadian cities to ensure that the Games continue and Indigenous youth are provided with an opportunity to participate in 2017.
- E. The Aboriginal Sport and Wellness Council of Ontario (ASWCO) is the Provincial/Territorial Aboriginal sport body for Ontario. The ASWCO secured the rights to host the NAIG in the summer of 2017 in the Greater Toronto Area with the Mississaugas of New Credit in their traditional territory.
- F. For Ontario's successful hosting of the 2017 NAIG it is necessary for both the Federal and Provincial Governments to provide financial support totaling \$7 million.
- G. The Ontario Ministry of Tourism, Culture and Sport in correspondence dated May 12, 2015 advised the ASWCO and NAIG Council that the Ontario Provincial Government is committed to provide up to \$3.5 million in financial assistance to host the 2017 NAIG in Ontario.
- H. The ASWCO and the Ontario Ministry of Tourism Culture and Sport have engaged the Federal Government requesting a matching contribution and is still awaiting confirmation from the Federal Government.
- I. Chiefs-in-Assembly, as expressed in Resolution 12/96, *North American Indigenous Games*, endorse and support any future NAIG.
- J. The Truth and Reconciliation Commission of Canada's Call to Action #88 states, "We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel".

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

1. Fully support the Aboriginal Sport and Wellness Council of Ontario's hosting of the North American Indigenous Games (NAIG) in the summer of 2017 in the Greater Toronto Area.
2. Call on the Federal Government to match the Province of Ontario's contribution of \$3.5 million to the 2017 NAIG planning and delivery efforts, which is required to host the 2017 NAIG.

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TITLE: Support for the 2017 Long-term Renewal of the Aboriginal Skills Employment and Training Strategy (ASETS)

SUBJECT: Employment, Training

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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 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. First Nation peoples in Canada require a future that fosters improvements to the socio-economic circumstances of their communities and citizens by addressing personal and systemic barriers to labour market opportunities and thereby increases access to labour market opportunities.
- C. Since 1992, First Nation organizations have successfully delivered programs and services through the strategies of "Pathways," Regional Bilateral Agreements, Aboriginal Human Resource Development Strategy (AHRDS I and AHRDS II) and currently the Aboriginal Skills, Employment and Training Strategy (ASETS) to improve employment opportunities for First Nation citizens.

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- D. First Nation ASETS agreement holders have been operating at the same level of funding since 1998, despite the fact that the First Nations population is the fastest growing segment of Canada's population, which includes tens of thousands of young adults seeking employment. Despite being underfunded, ASETS is considered as the flagship program by Employment and Social Development Canada (ESDC).
- E. The current five-year ASETS program has been extended by two years until March 31, 2017, and First Nations are calling for its renewal for another five-year mandate, or longer, on April 1, 2017. In order to meet Treasury Board funding requirements, the 2017 ASETS renewal must be announced in the 2016 federal budget.
- F. It is urgent that ESDC engage with First Nations leadership and First Nation ASETS agreement holders to begin dialogue and discussions on increased support and funding in anticipation of, at a minimum, a five-year program renewal.
- G. If increased funding is provided, including increased child care funding, and a stronger ASETS program in 2017, there is the potential for First Nations to reach employment parity by 2025, and contribute an additional \$400 billion to the Canadian economy, while reducing poverty-related social spending by \$115 billion.

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

1. Call upon the Government of Canada through a renewed political accord, along with the funding to support it, to work with First Nation governments, the Assembly of First Nations (AFN), and First Nation Aboriginal Skills, Employment, and Training Strategy (ASETS) holders on immediate funding requirements to continue and enhance delivery of services.
2. Call upon the Minister of Employment and Social Development Canada (ESDC) and officials to immediately engage with First Nation leadership, the AFN, and ASETS agreement holders in discussions on ASETS renewal for 2017.
3. Direct that the AFN report back on progress to the Chiefs-in-Assembly at the Special Chiefs Assembly in December 2015.

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TITLE: Support for Increased Funding of the First Nation and Inuit Child Care Initiative

SUBJECT: Employment, Training

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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 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. First Nations peoples in Canada require a future that fosters improvements to the socio-economic circumstances of their communities and citizens by addressing personal and systemic barriers to labour market opportunities, such as access to child care, and thereby increases access to labour market opportunities.
- C. Since 1992, First Nation organizations have successfully delivered programs and services through the strategies of "Pathways," Regional Bilateral Agreements, Aboriginal Human Resource Development Strategy (AHRDS I and AHRDS II) and currently the Aboriginal Skills, Employment and Training Strategy (ASETS) to improve employment opportunities for its citizens.
- D. First Nation ASETS agreement holders have been delivering the First Nation and Inuit Child Care Initiative (FNICCI) since 1999. The distribution of this fund is based upon the Halifax Formula of 1996, which has been

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found to be both financially and operationally punitive to Ontario and Alberta First Nations and concerns have been expressed by other regions.

- E. The guiding principles of FNICCI, which supports children between the ages of 0 to 12 years, is that the program be directly administered by First Nations and Inuit people, who understand the cultural and holistic needs of their communities. Research has shown that quality Indigenous child care programs improve the safety, development, and positive cultural identity of children, families, and communities.
- F. Since at least 2008, First Nation leadership and organizations such as the Manitoba First Nation Education Resource Centre, have advocated for an increase in FNICCI funding.

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

1. Call upon the Government of Canada to review the Halifax Formula for the First Nation and Inuit Child Care Initiative (FNICCI) and establish equity, including major and minor capital allocations, for First Nations in Alberta, Ontario, as well as any other regions currently experiencing underfunding.
2. Call upon the Assembly of First Nations (AFN) to advocate for an increase in the national allocation for FNICCI to reflect current levels of provincial funding for mainstream child care spaces.
3. Call upon AFN to advocate for the return of FNICCI into the Aboriginal Skills, Employment and Training Strategy contribution agreements as a separate Treasury Board allocation, and not from the Consolidated Revenue Fund stream.
4. Direct that the AFN to report back on progress to the Chiefs-in-Assembly at the Special Chiefs Assembly in December 2015.

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TITLE: Support for Native Hawaiian Opposition to the Construction of a Thirty Meter Telescope on the Sacred Land of Mauna Kea

SUBJECT: International

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

WHEREAS:

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

- i. Article 12, (1): Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
- ii. Article 19: States shall consult and cooperate in good faith with the Indigenous Peoples 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 26, (1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
- iv. 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.
- v. Article 26, (3): States shall give legal recognition and protection to these lands, territories and resources, and such, recognition shall be conducted with due respect to the customs, traditions, and land tenure systems of the Indigenous peoples concerned.

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- B. First Nation Chiefs and leaders across Canada have consistently worked to address the extreme disadvantages that Indigenous peoples worldwide have typically faced across a range of social, cultural and economic indicators, and have worked to remove the impediments to their full enjoyment of their Aboriginal lands, Title and rights.
- C. Mauna Kea (White Mountain) on the Big Island of Hawaii has been the most sacred site to Native Hawaiians from time immemorial. The spiritual and physical landscape of the mountain is covered with hundreds of sacred sites and family shrines.
- D. The Canadian federal government is contributing \$243 million to a \$1.5 billion internationally-funded Thirty Meter Telescope (TMT) that is proposed to be built on Mauna Kea, despite opposition by Native Hawaiians, and the majority of Hawaiian society, who respect Native customs and traditions.
- E. Native Hawaiians have been protesting and blocking access to the TMT site for the past several months as well as calling for the support of Indigenous peoples worldwide.

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

1. Support Native Hawaiians in opposing the construction of the Thirty Meter Telescope (TMT) on the sacred land of Maua Kea.
2. Call upon the Canadian government to withdraw its financial support for the TMT.
3. Direct the National Chief to write a letter to the Prime Minister requesting that Canada withdraw their support for the TMT, and encourage all First Nations leadership to raise this very important issue in all future international Indigenous meetings.

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TITLE: Support for Continued Investment of First Nations Data and Information Governance

SUBJECT: First Nations Information and Data Governance

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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. Control by Indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs.
- C. First Nations have made significant strides in the past 20 years in the area of Ownership, Control, Access and Possession, information governance and data collection processes such as the First Nations Regional Health Survey and the First Nations Regional Early Childhood, Education and Employment Survey. There is a continued need to support and enhance the data governance efforts nationally, regionally and at the community level.

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- D. Efforts to build First Nations capacity in data governance has been federally-supported through national survey processes which provide financial resources specific to the data collection processes but do not support on-going sustainable regional capacity and infrastructure for data governance.
- E. Current federal, provincial, and territorial resources do not support effective knowledge translation and accessibility for First Nation communities to utilize information in support of planning, programs and knowledge-based decision-making.
- F. The First Nations Information Governance Centre and regional organizations have made great efforts to ensure that communities' inherent right to self-determination is respected and data and information governance continues to be advanced, in alignment with the priorities of First Nations.
- G. On-going, sustainable funding for First Nations data and information governance processes is urgently required.

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

1. Direct the Assembly of First Nations (AFN) to call on the Government of Canada for continued investment in the First Nations Information Governance Centre to support regional infrastructure and information governance efforts for all First Nation communities.
2. Direct the AFN Executive, as representing each First Nation region across Canada, to write a letter to the Federal Government to seek a long-term financial commitment to regional infrastructure to support First Nations' information and data governance across all First Nations regardless of residence.

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TITLE: Support for Including Wood Buffalo National Park on the List of World Heritage Sites in Danger

SUBJECT: Environment

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

WHEREAS:

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

- i. Article 29, (1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
- 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 and 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 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.

B. Wood Buffalo National Park (WBNP) forms a critical ecological and cultural component of the traditional territories of the Mikisew Cree First Nation (MCFN).

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- C. The United Nations Educational, Scientific, and Cultural Organization (UNESCO) declared WBNP a World Heritage Site in 1983.
- D. Bennett Dam, constructed in the late 1960s and opened in 1968, has had a catastrophic environmental impact on the ecosystem of WBNP. In addition, the proposed development of BC Hydro's Site C Dam in British Columbia is expected to have an even greater environmental impact on WBNP. Together, these two dams will continue to create irreversible harm to WBNP.
- E. Despite WBNP's designation as a World Heritage Site and despite the grave environmental threat posed by Bennett Dam and Site C Dam, the governments of Canada, British Columbia, and Alberta continue to ignore the threats facing WBNP and ignore calls by MCFN to provide greater regulation of industry activity impacting WBNP.
- F. UNESCO can provide greater protection to WBNP by adding it to their list of World Heritage Sites in Danger.
- G. UNESCO has requested that a reactive monitoring mission be sent to WBNP to examine the negative environmental impacts posed by industry.
- H. Chiefs-in-Assembly commend the MCFN for its leadership in advocating for the protection of WBNP and also commends the World Heritage Committee of UNESCO for requesting a reactive monitoring mission to WBNP.

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

1. Strongly support the Mikisew Cree First Nation petition to the World Heritage Committee of the United Nations Educational, Scientific, and Cultural Organization (UNESCO), requesting that Wood Buffalo National Park be added to the list of World Heritage Sites in Danger.

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TITLE: Support of the First World Indigenous Games – 2015 Brazil

SUBJECT: Sports Development

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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 31: 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 and 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 36, (1): Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.

B. The first World Indigenous Games (I-Games 2015, Jogos Mundiais dos Povos Indígenas), a multisport event with over 2,500 participating Indigenous athletes from 30 countries that will be taking place in Palmas (TO), Brazil from October 20 to November 1, 2015.

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- C. The Truth and Reconciliation Commission of Canada's Call to Action #88 states, "We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel".

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

1. Fully support the first World Indigenous Games in 2015.
2. Fully support and encourage First Nations to become involved in the Games if they so desire, as a way to promote and share traditional and cultural games of our First Nations with Indigenous Peoples of the World.

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TITLE: Support for Equitable Application of Shelter Allowance Program

SUBJECT: Housing

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

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.
- B. First Nations face huge backlogs in housing resulting in overcrowding which impacts health outcomes for their members.
- C. First Nation communities are making efforts to address the housing backlogs by accessing other sources of funding to provide shelter for their members.
- D. Federal support programs for housing, such as shelter allowance, are inconsistent in their application across the regions and exclude certain housing projects in their support program.
- E. The inconsistent application of the shelter allowance to certain communities places their housing programs in jeopardy and could result in potential defaults.

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

1. Direct the Assembly of First Nations to demand Aboriginal Affairs and Northern Development Canada address the inequities in the application of the shelter allowance program across the country, specifically in the Manitoba Region.

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TITLE: Call for the Implementation of the Auditor General Report on Health

SUBJECT: Health

MOVED BY: Chief Shining Turtle, Whitefish River First Nation, ON

SECONDED BY: Chief Kelly LaRocca, Mississaugas of Scugog Island First Nation, ON

DECISION Carried by Consensus

WHEREAS:

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

- i. Article 24, (1): Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
- ii. 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.

B. The Truth and Reconciliation Commission of Canada recommends in its Calls to Action that the Federal, Provincial, Territorial and Aboriginal governments acknowledge that the current state of Aboriginal health in Canada is a direct result of government policies, including residential schools, and call for the recognition and implementation of the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.

C. The Office of the Auditor General (OAG) Spring 2015 report, *Access to Health Services for Remote First Nations Communities*, focused on Nishnawbe Aski Nation (NAN) and Manitoba Keewatinowi Okimakanak (MKO).

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- D. The OAG concluded that “Health Canada did not have reasonable assurance that eligible First Nations individuals living in remote communities in Manitoba and Ontario had access to clinical and client care services and medical transportation benefits”.
- E. The Report further identified that Health Canada:
- i. Did not ensure that nurses had completed mandatory training courses.
 - ii. Had not put in place supporting mechanisms for nurses who performed some activities beyond their legislated scope of practice.
 - iii. Could not demonstrate whether it had addressed nursing station deficiencies related to health and safety requirements or building codes.
 - iv. Had not assessed the capacity of nursing stations to provide essential health services.
 - v. Did not sufficiently document the administration of medical transportation benefits.
 - vi. Has a practice that First Nation individuals who had not registered are ineligible for Health Canada’s medical transportation benefits.
 - vii. Did not take into account community health needs when allocating its support.
 - viii. Committees to resolve inter-jurisdictional challenges have generally not been effective.
- F. Health Canada's continuous failures have had severe impacts on First Nations and their most vulnerable, including the deaths of several children with treatable conditions.
- G. NAN and MKO sent a joint letter in April 2015 to the Minister of Health requesting an immediate meeting to discuss an implementation plan on the Report’s recommendations, which has been ignored by the Minister.

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

1. Support the findings and recommendations in the 2015 Auditor General's report entitled, *Access to Health Services for Remote First Nations Communities*, and recognize there are similar, dire circumstances in other communities in the same demographic, across other regions.
2. Direct the Assembly of First Nations to request that the Minister of Health meet with Nishnawbe Aski Nation and Manitoba Keewatinowi Okimakanak leadership immediately to discuss the implementation of the Auditor General's recommendations.

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TITLE: Urge the Mental Health Commission of Canada to use the First Nations Mental Wellness Continuum Framework in Development of a National Mental Health Action Plan

SUBJECT: Mental Wellness

MOVED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

SECONDED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. Article 18: Indigenous people have the right to participate in decision-making which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.
 - ii. 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.
- B. The Assembly of First Nations (AFN), the First Nations and Inuit Health Branch, Health Canada and Indigenous mental health leaders led a joint process to describe a First Nations Mental Wellness Continuum (FNMWC) Framework. This comprehensive framework outlines opportunities to build on community strengths and control of resources, to strengthen existing mental wellness programming for First Nation communities.
- C. First Nation communities are committed to supporting mental wellness across the lifespan of their populations; respond to changing pressures associated with aging population, and plan for needed services such as diagnosis, treatment and supportive environments for recovery and long-term care.

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- D. The Mental Health Commission of Canada (MHCC) has set a strategic goal to “work with First Nations, Inuit, and Métis to address their mental health needs, acknowledging their distinct circumstances, rights and cultures”, as part of its mental health strategy for Canada, *Changing Directions, Changing Lives*.
- E. The MHCC is committed to building a new Mental Health Action Plan for Canada. The AFN has identified that the FNMWC Framework should be applied to achieve the strategic objective of working with First Nations. Chiefs-in-Assembly have strongly expressed their support for mental wellness in First Nation communities.

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

1. Direct the Assembly of First Nations (AFN) to advocate for the Mental Health Commission of Canada (MHCC) to work collaboratively with First Nations, recognizing and using the First Nations Mental Wellness Continuum (FNMWC) Framework.
2. Direct the AFN to continue discussions with the MHCC and to advocate for the inclusion of the FNMWC within the new MHCC Mental Health Action Plan.
3. Direct the AFN to advocate for mental wellness planning and supportive strategies to include an approach that addresses the mental wellness needs across the lifespan of a population within the continuum of services.

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TITLE: National Museum of Indian Residential Schools

SUBJECT: Indian Residential Schools

MOVED BY: Chief Richard Gamble, Beardy's & Okemasis First Nation, SK

SECONDED BY: Chief R. Donald Maracle, Mohawks of the Bay of Quinte First Nation

DECISION Carried by Consensus

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 political, economic, social and cultural life of the State.
 - ii. Article 11, (1): Indigenous people have the right to practices and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
- B. In 2001, the Assembly of First Nations passed Resolution 23B-2001, *National Museum of Indian Residential Schools*, designating the Portage la Prairie Residential School in Treaty 1 Territory in Manitoba, as a national memorial to the cultural genocide which took place and tragic period in First Nations history.
- C. This resolution has not been acted upon or implemented and today there are new factors to be considered, including the release of the final report by the Truth and Reconciliation Commission of Canada (TRC).
- D. The TRC will be closing in 2015 and all of the archives will be transferred to the National Centre for Reconciliation at the University of Manitoba.
- E. A national memorial is established at the Portage la Prairie Residential School.

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ANNUAL GENERAL ASSEMBLY
JULY 7, 8 & 9, 2015, MONTRÉAL, QC

Resolution no. 27/2015

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

1. Reaffirm their commitment to Resolution 23B-2001, *National Museum of Indian Residential Schools*, and direct the Assembly of First Nations to support the establishment of such a National Museum.

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PERRY BELLEGARDE, NATIONAL CHIEF

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TITLE: Recommendation to Reinstate the National Policy Review Committee

SUBJECT: Child Welfare

MOVED BY: Chief Shining Turtle, Whitefish River First Nation, ON

SECONDED BY: Chief Aubrey Norman Whitehawk, Cote First Nation 366, SK

DECISION Carried by Consensus

WHEREAS:

- A. First Nations have the Inherent rights and responsibilities to protect our children and families including the right to adequate resources for prevention programming.
- B. Aboriginal Affairs and Northern Development Canada currently allocates prevention funding through the Enhances Funding Prevention Approach.
- C. Funding for prevention programming is not adequate and does not meet the needs of First Nations children, families and communities across Canada.

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

- 1. Support the reinstatement of the National Policy Review Committee to review the Enhanced Funding Prevention Approach currently allocated by Aboriginal Affairs and Northern Development Canada.

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TITLE: Recommendation to Create a National First Nations Children's Commissioner

SUBJECT: Child Welfare

MOVED BY: Chief R. Donald Maracle, Mohawks of the Bay of Quinte First Nation, ON

SECONDED BY: Chief Aubrey Norman Whitehawk, Cote First Nation 366, SK

DECISION Carried by Consensus

WHEREAS:

- A. First Nations have the Inherent rights and responsibilities to protect our children and families.
- B. These rights and responsibilities include the jurisdiction to develop governance structures, systems and processes including advocacy supports.
- C. The Federation of Saskatchewan Indian Nations Health and Social Development Commission recommends and supports the creation of a National First Nations Children's Commissioner for Child Welfare under the direction and control of First Nations.

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

- 1. Support the creation of a National First Nations Children's Commissioner for Child Welfare to specifically address the national concerns of overrepresentation of First Nations children in care and to support children and families receiving services from the 133 First Nations Child and Family Services Agencies across Canada.
- 2. Direct that the National First Nations Children's Commissioner for Child Welfare include the appointment of regional representatives to gather regional information and formulate collective strategies to reduce the number of First Nations children in care and that the regional representatives be allocated by the equal distribution of the number of children in care.
- 3. Direct the Assembly of First Nations to allocate funding from the funds in the National Indian Brotherhood Trust for this position until additional resourcing becomes available.

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TITLE: Rejecting Canada's Process for Comprehensive Claims Policy Reform

SUBJECT: Comprehensive Claims

MOVED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

SECONDED BY: Russell Diabo, Proxy, Wolf Lake First Nation, QC

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) contains many articles relevant to land rights, including:
- i. 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...".
- B. The reform of Canada's Comprehensive Claims Policy (CCP) has been a focal point of First Nations' advocacy for many years led to three classes of Aboriginal title First Nations:
- i. First Nations that have entered in final comprehensive claims agreements;
 - ii. First Nations that were or have been in comprehensive claims negotiations; and,
 - iii. First Nations that have never agreed to negotiate under the federal CCP.
- C. Canada's CCP is badly outdated, a situation that continues to be aggravated by significant advancements in the law that are routinely ignored by federal policy and process, e.g., *Tsilhqot'in Nation*, the UN Declaration.
- D. In 2014-2015, following the Senior Oversight Committee (SOC) process of 2013, Canada did not engage the Assembly of First Nations (AFN) in any work on CCP policy reform.
- E. The unilateral appointment of Mr. Douglas Eyford led to a process of one-sided federal engagement with First Nations and stakeholders about "renewing" the CCP and developing a framework for "addressing section 35

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Aboriginal rights” with no reference to relevant jurisprudence, developments in international human rights law, or even Canada’s own adoption of the UN Declaration in 2010. This process resulted in Mr. Eyford releasing a report which details 43 recommendations.

- F. The Minister of Aboriginal Affairs and Northern Development of Canada is seeking feedback on Mr. Eyford’s 43 recommendations without any indication of how such feedback would be used and without any reference to the capacity that First Nations would require to assess these recommendations.
- G. With political will and leadership, Canada still has an opportunity to move beyond its colonial past toward a new relationship with First Nations based on respect, understanding, and a policy framework consistent with international human rights norms, Treaty rights, and the inherent rights, title and jurisdiction of First Nations.

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

1. Call on the federal government to dispense with processes that aim to generate an “optics of engagement”, and rather, commence a dialogue with all First Nations about how a fundamental overhaul of the Comprehensive Claims Policy (CCP) can be jointly carried out with three classes of Aboriginal title First Nations – First Nations that have entered in final comprehensive claims agreements, First Nations that were or have been in comprehensive claims negotiations, and First Nations that have never agreed to negotiate under the federal CCP – to develop a new policy framework for implementing and addressing Treaty rights, First Nations’ inherent rights, title and jurisdiction, the *Tsilhqot’in Nation* decision, as well as international legal norms, including the United Nations Declaration on the Rights of Indigenous Peoples.

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TITLE: Public Release of Ministerial Special Representative Benoit Pelletier's Report to the Minister of Aboriginal and Northern Affairs Development Canada on *Specific Claims Tribunal Act* Five-Year Review

SUBJECT: Specific Claims

MOVED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

SECONDED BY: Russell Diabo, Proxy, Wolf Lake First Nation, QC

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples contains several provisions affirming the right of Indigenous peoples to participate in processes that affect them, including:
 - i. Article 8, (2): States shall provide effective mechanisms for prevention of, and redress for ... (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources.
- B. In 2007, the Assembly of First Nations (AFN) began to work with Canada to implement a new federal process to address specific claims entitled, *Justice at Last*, which included the establishment of a tribunal to adjudicate specific claims valued up to \$150 million.
- C. The resulting *Specific Claims Tribunal Act (SCTA)* requires Canada to conduct a five-year review of the Specific Claims Tribunal and related processes. A Political Agreement was also signed by former National Chief Phil Fontaine and then Minister of Indian Affairs Jim Prentice which commits to include the participation of the AFN in the five-year review.
- D. Benoit Pelletier was appointed by Canada as the Ministerial Special Representative (MSR) to Minister Valcourt to:
 - i. Engage with First Nations in this review, and,

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- ii. Draft a report based on First Nations submissions and present this report to the Minister who, in turn, will table a report to Parliament in October 2015.
- E. The Chiefs-in-Assembly passed Resolution 40/2014, *Specific Claims Tribunal Act Five-Year Review*, which called for the Chiefs Committee on Claims to develop a process to meaningfully engage in the five-year review of the *SCTA* and related processes.
- F. The AFN convened a parallel independent Expert Panel process, which heard 23 oral presentations and received 7 additional written presentations from First Nations, legal counsel working on their behalf, Claims Research Units, and specific claims technicians about their experiences regarding all aspects of Canada's specific claims policy, *Justice At Last* (research, assessment, negotiation and mediation), the *SCTA* and the Specific Claims Tribunal process.
- G. The AFN's independent Expert Panel process was open to the public, including having been live-streamed, and the Expert Panel report is available in both French and English at www.afn.ca.
- H. The federal MSR will produce a final report based on the meetings held and submissions received as part of the engagement process, and present this report to Minister Valcourt this summer.
- I. The Minister as a Crown representative must act honourably by ensuring transparency and accountability to First Nations, especially those who took part in the MSR's process, through releasing the MSR's final report to the public.
- J. There is a higher civic duty to be accountable and transparent to the Canadian public regarding the information gathered during the five-year review process, as well as an ethical imperative to release the MSR's final report to all First Nations who may be impacted by his findings and recommendations.

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

1. Urge the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) to direct the Ministerial Special Representative, Benoit Pelletier, to release his final report on the five year review of the *Specific Claims Tribunal Act* to First Nations in advance of the Minister tabling his own report to Parliament.
2. Call on the Minister of AANDC to engage with First Nations in a transparent, collaborative joint process to develop his report to Parliament.

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TITLE: First Nation Involvement in Future Development of the Urban Aboriginal Strategy

SUBJECT: Employment, Training

MOVED BY: Chief R. Donald Maracle, Mohawks of the Bay of Quinte First Nation, ON

SECONDED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

DECISION Carried by Consensus

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 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. First Nations peoples in Canada require a future that fosters improvements to the socio-economic circumstances of their communities and citizens by addressing personal and systemic barriers to labour market opportunities, such as access to child care, and thereby increases access to labour market opportunities.

C. Since 1992, First Nation organizations have successfully delivered programs and services through the strategies of "Pathways", Regional Bilateral Agreements, Aboriginal Human Resource Development Strategy (AHRDS I and AHRDS II) and currently the Aboriginal Skills, Employment and Training Strategy (ASETS) to improve employment opportunities for its citizens. ASETS is considered as the flagship program by Employment and Social Development Canada (ESDC).

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- D. The Urban Aboriginal Strategy (UAS) was developed by the Federal Government in 1997 to meet the needs of Aboriginal peoples living in 15 urban areas, specifically to support projects that remove barriers preventing Aboriginal peoples from participating in the economy. The UAS is administered by Aboriginal Affairs and Northern Development Canada (AANDC) without any involvement from ASETS agreement holders or ESDC, which raises concerns in terms of duplication of services.
- E. On April 1, 2014, AANDC provided \$43 million in UAS funding over two years to the National Association of Friendship Centers for the delivery of the Urban Partnerships Program and the Community Capacity Support Program.
- F. To-date, First Nations, as one of the three constitutionally recognized Aboriginal groups in Canada, have not had an opportunity to provide input into the development of the now revised UAS.

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

1. Call upon Canada to immediately include First Nations leadership and expertise including those that deliver the Aboriginal Skills, Employment and Training Strategy in Urban Aboriginal Strategy (UAS) policy development.
2. Request that both Aboriginal Affairs and Northern Development Canada and the National Association of Friendship Centers provide an update on UAS programming to the Chiefs-in-Assembly at the Special Chiefs Assembly in December 2015.

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TITLE: Independent Environmental Decision-making

SUBJECT: Environment

MOVED BY: Chief Walter Naveau, Mattagami First Nation, ON

SECONDED BY: Chief Shining Turtle, Whitefish River First Nation, ON

DECISION Carried by Consensus

WHEREAS:

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

- 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 as to maintain and develop their own indigenous decision-making institutions.
- 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 28, (1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
- v. Article 29, (1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and

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implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

- B. Mattagami First Nation members and traditional territories have been affected by two Canadian National (CN) railway train derailments that occurred on February 14, 2015 and on March 7, 2015 and by a fire in 2012 (Timmins 9 Fire) allegedly caused by CN (CN incidents).
- C. Following the March 2015 CN train derailment, Mattagami First Nation prepared an Action Plan to respond to and better understand the extent of the impacts of these CN incidents on the Aboriginal and Treaty rights and interests of the Mattagami First Nation (Mattagami CN Action Plan).
- D. Mattagami First Nation has retained external advisors so that they may have their own interests represented in decisions made about the incident response, site restoration and long-term monitoring of Mattagami's traditional territories that have been impacted by the CN incidents.
- E. Mattagami First Nation's external advisors are mandated to support and strengthen Mattagami First Nation's capacity to understand short and long term effects on the environments, on Aboriginal and Treaty rights and on other interests of the Mattagami First Nation and to monitor changes over time.
- F. Mattagami First Nation understands that their actions may be looked upon and must serve as a guide to other First Nations in Canada that may suffer from impacts from CN or other industrial developers and operators on their own territories.

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

- 1. Direct the Assembly of First Nations (AFN) to urge Canadian National (CN) as well as the Provincial and Federal Governments to support, fund, and work with Mattagami First Nation in responding, restoring and monitoring areas impacted by the CN incidents for as long as Mattagami First Nation deems there to be a potential threat or impact to the environment or to the Mattagami First Nation people.
- 2. Direct the AFN to share with First Nations lessons learned and best practices and procedures with other First Nation communities related to incidence response in their territories.

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TITLE: Reconciliation and Compensation for First Nations Boarding Home Students

SUBJECT: Indian Residential Schools

MOVED BY: Chief Henry Moore, Laxgalt'sap Village Government(Nisga'a), BC

SECONDED BY: Debra Foxcroft, Proxy, Hesquiaht First Nation, BC

DECISION Carried by Consensus

WHEREAS:

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

- i. Article 8, (1): Indigenous people and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
- ii. Article 8, (2): States shall provide effective mechanisms for prevention of, and redress for:
 - a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - b) Any action which has the aim of or the effect of dispossessing them of their lands, territories or resources;
 - c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - d) Any form of forced assimilation or integration;
 - e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

B. First Nations boarding home students were First Nations students who attended federally sponsored and operated schools during the 1950s through to the late 1970s. These First Nations students were sent away to

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attend school under the federal Boarding Home School Program, and were boarded in private homes in cities such as Terrace, Prince Rupert, Vancouver, and others.

- C. Former students of the Boarding Home School Program who boarded with non-Aboriginal families report having suffered terrific culture shock. With no guidance or counseling and no prior experiences with non-Aboriginal people, former boarding home students report suffering ridicule, embarrassment, and racism, both inside boarding homes and at the schools they attended.
- D. In 2006, the Indian Residential Schools Settlement Agreement (IRSSA) was approved and provided Common Experience Payments to former students of Indian Residential Schools. However, the claims of First Nations boarding home students were not addressed in this settlement agreement.
- E. Like Indian Residential School former students and day scholars, First Nations boarding home students endured loss of culture, loss of language, and often emotional, spiritual, sexual, and physical, and psychological abuse and other injuries. This severely affected these individuals and their experience continues to have devastated intergenerational effects on First Nation families and communities.
- F. Many First Nations in British Columbia (BC) have members who were boarding home students and who do not qualify for automatic compensation under the IRSSA, including the Nisga'a Nation who has approximately 500 known Nisga'a members who were boarding home students.
- G. The Nisga'a Volunteer Working Group on the Nisga'a Boarding Home Program (the Working Group), headed by Mr. Reginald Percival has the support of the Nisga'a Lisims Government Executive. The Working Group have been meeting since the Fall of 2005 and are committed to obtaining redress for Nisga'a boarding home students, committing significant financial and human resources to-date.
- H. Based on their efforts and communications with Nisga'a boarding home students and boarding home students from other First Nations in BC, the Working Group continues to urge that a comprehensive First Nations led strategy is required in BC and nationally to deal with the abuses and trauma suffered by First Nation citizens who were boarding home students.
- I. Should the Government of Canada continue to deny redress to First Nation boarding home students, the Working Group are interested in and have already begun undertaking preparations in order to launch a class action suit and the Working Group invite other affected First Nations to join their suit.

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

1. Support the Nisga'a Volunteer Working Group on the Nisga'a Boarding Home Program, in their efforts to seek redress for the First Nations boarding home students, including possible pursuit of a class action suit.
2. Call upon the Assembly of First Nations to engage the Government of Canada in development of a conciliation and compensation package for First Nations boarding home students, and failing progress to work to support a class action suit on this matter.

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TITLE: Preservation of Independent Assessment Process Records

SUBJECT: Indian Residential Schools

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Kelly LaRocca, Mississaugas of Scugog Island First Nation, ON

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. Article 8, (2): States shall provide effective mechanisms for prevention of, and redress for:
 - a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities; and,
 - d) Any form of forced assimilation or integration.
- B. The Independent Assessment Process (IAP) is one element of the 2007 Indian Residential Schools Settlement Agreement that provides an opportunity for compensation to former Residential School students for sexual, physical abuse and other wrongful acts that took place at Indian Residential Schools.
- C. Former students want to ensure their experiences can never be minimized or denied so preserving the IAP records will make it impossible for future generations to deny or minimize what happened to students in Canada's Indian Residential Schools.
- D. A number of parties and organizations, including a number of Catholic entities want all the records destroyed, regardless of the former students' wishes.
- E. The National Centre for Truth and Reconciliation (NCTR) supports the approach of respecting former students' choice, provided the privacy of the records is well protected.

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- F. The Chiefs-in-Assembly believe that former students have the right to decide whether their own records are archived at the Centre or not. At the written request of former students and without time limit, the NCTR will remove and destroy any and all IAP records associated with that former student.
- G. The NCTR advises the IAP records will be under Indigenous control and will be subject to very strict privacy protections. The NCTR asserts that all records will be highly restricted and protected and stored in a secure facility that can only be accessed by limited numbers of trained personnel and according to strict policies and practices.

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

1. Support the principle that former students must have the personal choice as to whether their personal records from the Independent Assessment Process are destroyed or retained on a confidential basis at the National Centre for Truth and Reconciliation (NCTR).
2. Direct the Assembly of First Nations to support former students' wishes and inform the Government of Canada and the NCTR of this expressed support.

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TITLE:	Indian Status Application Process
SUBJECT:	Registration and First Nations Citizenship
MOVED BY:	Doug Chevrier, Proxy, Nipissing First Nation, ON
SECONDED BY:	Chief Denise Restoule, Dokis First Nation, ON
DECISION	Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples states:
- i. 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 as to maintain and develop their own indigenous decision-making institutions.
 - ii. Article 33, (1): Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
 - iii. Article 33, (2): Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.
- B. The *Indian Act* determines eligibility to register as an "Indian" and is not consistent with concepts of First Nations' own determination of citizenship.
- C. Wait times for Aboriginal Affairs and Northern Development Canada (AANDC) to process Indian registration (status) applications are exceedingly lengthy, often taking between 9 months and two years before a decision is made and communicated.
- D. First Nations do not have the option to mail Indian status cards to members not living in the community or members who otherwise are unable to travel to their community membership office.

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- E. First Nations do not have the authority to issue temporary Indian status cards to members that have applied for replacement of lost or stolen Secure Certificate of Indian Status cards.
- F. First Nation community membership offices do not have support outside of the general public national status inquiry line and do not have an Indian status application point-of-contact person at AANDC.

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

1. Direct the Assembly of First Nations (AFN) to continue to advocate for Aboriginal Affairs and Northern Development Canada (AANDC) to work with First Nations and their designated political organizations to amend the Indian registration (status) application process to reflect a more efficient and reasonable timeframe for approvals, renewals, replacements and delivery methods that meet the needs of community members.
2. Direct the AFN to urge AANDC to provide a support system and a specified point-of-contact for community membership clerks to obtain assistance in dealing with Indian status card applications and inquiries.
3. Direct the AFN to continue to advocate for support of the establishment of recognized Nation-based citizenship cards.

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TITLE: High Cost Special Education Program Funding and Analysis

SUBJECT: Education

MOVED BY: Chief Sara Mainville, Couchiching First Nation, ON

SECONDED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

DECISION Carried by Consensus

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples 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 14, (2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
- iii. 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.

B. Funding provided to First Nation communities by the Government of Canada for high cost special education through the High Cost Special Education Program (HCSEP) is woefully inadequate as it:

- i. Has not increased to accommodate inflation, population growth or increasing need; and,
- ii. Is an annual, targeted allocation that does not align with the school year and enable First Nations to effectively plan for the best use of the funding.

C. Although Aboriginal Affairs and Northern Development Canada collects ample data through the HCSEP data collection instrument they have failed to provide comprehensive analysis demonstrating the value of the HCSEP and areas that require improvements.

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

1. Direct the Assembly of First Nations (AFN) to vehemently insist the Government of Canada change the High Cost Special Education Program (HCSEP) funding to a multi-year funding agreement by 2016-2017 to allow for more effective planning and use of funding provided.
2. Direct the Government of Canada increase the HCSEP funding envelope for 2016-2017 to accommodate inflation rates and population increases since the inception of the HCSEP.
3. Require Aboriginal Affairs and Northern Development Canada to work directly with the AFN and the National Indian Education Council and Chiefs Committee on Education to fully fund a comprehensive analysis and review of the HCSEP with the aim to increase the effectiveness and efficiency of the provision of special education support for First Nation children. A full analysis with recommendations will be provided to the Chiefs-in-Assembly at the 2016 AFN Annual General Assembly.

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TITLE: Canada's Obligation to Develop with Indigenous Peoples a National Action Plan for Implementation of the UN Declaration on the Rights of Indigenous Peoples

SUBJECT: Implementation of the UN Declaration on the Rights of Indigenous Peoples

MOVED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

SECONDED BY: Chief R. Donald Maracle, Mohawks of the Bay of Quinte First Nation, ON

DECISION Carried by Consensus; 1 abstention

WHEREAS:

- A. The United Nations Declaration on the Rights of the Indigenous Peoples (UN Declaration) states:
- i. Article 38: States, in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.
 - ii. Article 39: Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.
 - iii. Article 43: The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.
- B. At the World Conference on Indigenous Peoples (WCIP) in September 2014, Member States of the United Nations (the States) affirmed their solemn commitment to the purposes and principles of the Charter of the United Nations in a spirit of cooperation with the Indigenous Peoples of the world.
- C. At the WCIP, the States further reaffirmed their support for the UN Declaration and their solemn commitment to respect promote and advance and in no way diminish the rights of Indigenous peoples and to uphold the principles of the UN Declaration.
- D. At the WCIP, the States also committed themselves to taking, in consultation and cooperation with Indigenous Peoples, appropriate measures at the national level, including legislative, policy and administrative measures,
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to achieve the ends of the UN Declaration and to promote awareness of it among all sectors of society, including members of legislatures, the judiciary and the civil service.

- E. The States also committed themselves to cooperating with Indigenous Peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the UN Declaration.
- F. In June 2015, the Truth and Reconciliation Commission of Canada has called on all governments in Canada to fully adopt and implement the UN Declaration as the framework for reconciliation; and called upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the UN Declaration.

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

1. Call on Canada to work with First Nations to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as called for by the commitments made in the World Conference on Indigenous Peoples (WCIP) Outcome Document.
2. Call on the National Chief of the Assembly of First Nations to undertake activities to ensure that all governments in Canada are aware of their respective responsibilities to work with First Nations to implement the UN Declaration and to promote awareness of it in all sectors of society, including members of legislatures, the judiciary and the civil service.
3. Call on Canada and other Member States as well as United Nations agencies, funds and programmes to support the implementation, upon request, of national action plans, strategies or other measures to achieve the ends of the UN Declaration including support for the participation of Indigenous Peoples from Canada through their own representative organizations in climate change discussions with Member States such as the 21st Conference of the Parties of the United Nations Framework Convention on Climate Change that will take place November 30 – December 11, 2015 to finalize a legally binding international agreement to reduce greenhouse gasses, curb the pace of climate change and define programs to help the most vulnerable States and Peoples, including Indigenous Peoples, to mitigate and adapt to the impacts.

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TITLE: Incorrect Barring of Survivors from Admission to the Independent Assessment Process Deadline

SUBJECT: Indian Residential Schools

MOVED BY: Wesley George, Proxy, Ochapowace Cree Nation, SK

SECONDED BY: Chief Richard Gamble, Beardy's & Okemasis First Nation, SK

DECISION Carried by Consensus

WHEREAS:

- A. The Indian Residential Schools Settlement Agreement (IRSSA) was implemented in 2007 and is administered by Aboriginal Affairs and Northern Development Canada (AANDC) and Crawford Class Action Services.
- B. The Independent Assessment Process (IAP) deadline date for applications was to have been on the five year anniversary of the implementation date of the IRSSA.
- C. Notice was made that the IAP deadline for applications was set as September 19, 2012; however, it has been found that the computation of days that lead to the implementation date of September 19, 2012, was incorrectly applied.
- D. Correspondingly, the fifth anniversary of the IRSSA implementation is September 20th, 2012 and the correct deadline for applications for admission to the IAP.
- E. Because of the implementation of the September 19, 2012 deadline, numerous survivors of severe physical abuse and sexual abuse have been denied the admission of their applications to the IAP.
- F. The barring of numerous Indian Residential School survivors admission to the IAP is a direct violation of the spirit and intent of the IRSSA.
- G. Numerous survivors were emotionally unprepared to apply to the process, having blocked out much of the detail surrounding the abuse they must disclose in the IAP to receive compensation.

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- H. Numerous survivors were not provided adequate notice or mental health assistance to prepare applications by the deadline including those who were incarcerated, in care and group homes, or lived in remote communities.
- I. Canada is bound by Article 11 of the United Nations Declaration on the Rights of Indigenous Peoples to provide redress for the forcible removal of children and the severe physical and sexual abuse that they endured as students of the Indian Residential School system.

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

- 1. Direct the Assembly of First Nations National Chief and Executive to take immediate and necessary measures to advocate for the provision of proper notice and admission to the Independent Assessment Process for Indian Residential School survivors as redress for the incorrect administration and implementation of the Independent Assessment Process.

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TITLE: Ratification of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide in First Nations Advocacy

SUBJECT: International

MOVED BY: Chief Richard Gamble, Beardy's & Okemasis First Nation, SK

SECONDED BY: Wesley George, Proxy, Ochapowace First Nation, SK

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples was adopted as a minimum World Standard including Canada for full adherence and implementation and states:
 - i. Article 7, (1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
 - ii. Article 7, (2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
- B. Indigenous Peoples are an integral and critical component of the Universal Family of Peoples and Humanity.
- C. The United Nations Convention on the Prevention and Punishment of the Crime of Genocide (UN-CPPCG) was developed to address crimes of genocide and crimes against humanity.
- D. Canada has adopted and ratified the UN-CPPCG.
- E. Canada has committed serious breaches of the UN-CPPCG through non-adherence and contempt of the global standards articulated in the UN-CPPCG.

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- F. Several authorities have issued observations, conclusions and recommendations concerning the application of genocidal policies and acts against Indigenous Peoples, including those in Canada, which are contained in the Truth and Reconciliation Commission of Canada's final report 2015, and the informal statements of the Rt. Hon. Beverly McLachlin P.C., Chief Justice of Canada, among others.

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

1. Commit to adopt and ratify the United Nations Convention on the Prevention and Punishment of the Crime of Genocide (UN-CPPCG) for reference, application and implementation regarding the safeguarding and protection of our Indigenous Peoples of Turtle Island, and hereby mandate the Assembly of First Nations Executive, together with Indigenous experts, to seek methods of combatting genocide.
2. Agree that the ongoing Genocide committed against the Indigenous Peoples of Turtle Island by Canada constitutes a breach of the UN-CPPCG and must be halted, and be immediately and satisfactorily addressed through international standards and mechanisms.

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TITLE: Site C Hydroelectric Dam on the Peace River

SUBJECT: Lands and Resources

MOVED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

SECONDED BY: Debra Foxcroft, Proxy, Hesquiaht First Nation, BC

DECISION Carried by Consensus

WHEREAS:

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

- i. 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.
- ii. 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 Province of British Columbia announced on April 19, 2010 its intention to move forward with the Site C Hydroelectric Project on the Peace River in British Columbia (BC). This project will have a devastating effect on the Treaty and Aboriginal Rights of Treaty 8 First Nations in BC, Alberta and the Northwest Territories (NWT) and the Treaty No. 11 peoples of the NWT.

C. The Site C Dam project will flood over 5,000 hectares of Treaty 8 First Nation territories, creating a reservoir over 80 kilometres long.

D. The Treaty and Aboriginal rights of these Nations have already been infringed and their treaty protected modes of life interfered with by the devastation of vast amounts of wetlands and critical wildlife habitat by the construction and operation of the W.A.C. Bennett and Peace Canyon Dams.

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- E. The Government of British Columbia and its crown agency, BC Hydro, refuse to acknowledge Crown responsibility for these ongoing infringements and the Government of Canada has failed to use existing federal laws to protect and safeguard the rights of Treaty peoples from these ongoing infringements.
- F. The environmental assessment processes of both the provincial and federal governments are insufficient to properly address ecosystem integrity, climate change impacts, agricultural security, provincial financial implications or energy needs despite both provincial and federal governments issuing environmental approvals for Site C.
- G. Provincial and federal governments have a constitutional duty to consult and accommodate Treaty 8 First Nations in making decisions in relation to the Site C Dam project. The Province's recent decision to proceed and issue permits with respect to the Site C Dam was made without meaningful consultation with Treaty 8 First Nations. Treaty 8 First Nations (Doig River, Halfway River, Prophet River and West Moberly) will use all available processes and legal options to oppose the construction of the Site C Hydroelectric Dam.
- H. Commitment to build the Site C Dam without achieving the free, prior and informed consent of Treaty 8 First Nations is a violation of the Indigenous rights of the Treaty 8 First Nations.
- I. The Site C Dam is an infringement of the Treaty 8 First Nations Treaty rights and will negatively impact the ability of Treaty 8 First Nations to exercise their constitutionally-protected Treaty rights.

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

1. Fully support Treaty 8 tribal leadership in their opposition to the proposed Site C Dam project and their assessment that the proposed project is a threat to their ability to exercise their constitutionally-protected Treaty rights, and to the survival of their culture and people.
2. Mandate the National Chief and AFN Secretariat to advocate to the Government of British Columbia, the Government of Canada and the United Nations to ensure full consultation and the free, prior and informed consent of all Treaty First Nations through a fair, open and transparent process with respect to the Site C Hydroelectric Dam.
3. Urge the provincial and federal governments to immediately cease proceeding with the proposed Site C Dam project, notwithstanding having issued environmental approvals and respective permits.

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TITLE: Creation of an Indigenous National DNA Database – “Re-unification of Families through Indigenous DNA”

SUBJECT: First Nations Information and Data Governance

MOVED BY: Grand Chief Mike Mitchell, Mohawk Council of Akwesasne, ON

SECONDED BY: Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC

DECISION Carried by Consensus

WHEREAS:

- A. As Sovereign Nations, we have a right to Ownership, Control, Access and Possession (OCAP™) of tangible and intangible property and a fiduciary responsibility to ensure protection, security and safety of our people and property.
- B. Many atrocities have been experienced by our people during contact with the Europeans through the implementation of foreign laws, policies and practices that manifested in warfare against our people, deliberate genocidal policies to “kill the Indian in the child” through Indian Residential Schools (IRS) and the 60s Scoop and government inaction on missing and murdered Indigenous women and girls.
- C. Thousands of children were apprehended through the IRS and child welfare systems, such as the 60s Scoop, and thousands are still missing and whereas families and relatives are looking for a mechanism to find their missing children including missing and murdered Indigenous women and girls.
- D. Since 2000 the Canadian National DNA Data Bank has collected DNA from crime scenes and from serious convicted offenders, and with passage of *Economic Action Plan 2014 Act, No.2* the collection of DNA samples now includes missing person’s index, unidentified human remains index, and relatives of the missing index.
- E. The Chiefs have serious concerns on the privacy of the DNA collected from First Nations people and the potential of DNA being used as a commodity and linking Indigenous DNA to crime scenes. The Chiefs-in-Assembly are proposing the creation of an Indigenous National DNA Database controlled by First Nations for the purposes of unifying families through Indigenous DNA, as well protecting and safeguarding DNA

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information, controlling and monitoring the use of DNA, and the retention and removal of DNA samples from DNA data banks and facilities.

- F. Due to the ethical and social nature, as well as the legal complexities of DNA collection and analysis there is a need to consult and seek advice from First Nation peoples and experts from the legal and science fields for the establishment of an Indigenous National DNA Database.
- G. The Chiefs-in-Assembly will require a feasibility report on the proposed Indigenous National DNA Database outlining, but not limited to, the analysis of the viability of the DNA database identifying the legal and financial implications, constraints and limitations, solutions and recommendations, and the criteria and principles for establishing an Indigenous DNA National Database, e.g., Free, Prior and Informed Consent, collection, retention and disclosure, collaboration with other Indigenous Peoples and entities.

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

1. Agree-in-Principle on the creation of an Indigenous National DNA Database to assist in the reunification of families through Indigenous DNA.
2. Direct the AFN National Executive to initiate, oversee and conduct:
 - i. A consultation process to seek advice from First Nations peoples and experts in the field of law and science on the establishment of an Indigenous National DNA Database.
 - ii. The preparation of a feasibility report on the proposed Indigenous National DNA Database with an analysis of the viability of an Indigenous National DNA Database and the requirements and mechanisms of establishing the DNA database.
3. Direct that this feasibility report be provided at the next AFN Assembly.

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