
TITLE:	Outlining the Path Forward: Conditions for the Success of First Nations Education
SUBJECT:	First Nations Education
MOVED BY:	Doug Kelly, Proxy, Soowahlie First Nation, BC
SECONDED BY:	Chief Joe Miskokomon, Chippewas of the Thames First Nation, ON
DECISION:	Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in Article 14 recognizes the right of First Nations to develop our own education institutions and systems, reflecting our languages, cultures and identities, including language immersion initiatives and institutions, and requires state governments to seek the free, prior and informed consent of First Nations governments prior to enacting measures which impact our rights.
- B. First Nations education is a key foundation for strengthening our cultural identity, ensuring the transmission of our languages, and ultimately strengthening our families, our clans, our communities, and our nations.
- C. First Nations are united in advancing education that is child-centred, respecting the diversity across regions but coming together always in understanding that all initiatives, approaches, and potential agreements in education must place the **child at the centre**.
- D. The Assembly of First Nations (AFN) has a Chiefs Committee on Education (CCOE), supported by the National Indian Council on Education, which has regional representation and continues to provide advice and recommendations to the AFN National Executive.
- E. *First Nations Control of First Nations Education* 2010, which incorporates the original *Indian Control of Indian Education* 1972 paper, is the official education policy for the Assembly of First Nations.
- F. On October 22 2013 the Federal government released: *“Working Together for First Nation Students: a Proposal for a Bill on First Nation Education.”* First Nations across all regions have reviewed this proposal and reached

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consensus that the current proposal is unacceptable and has been rejected. Resolutions from Nations and regions set out the following as essential for achieving success for First Nations students and schools:

- a. Any proposal must respect inherent and Treaty rights and contain First Nation jurisdiction of First Nation education as the overriding, paramount principle and not be imposed unilaterally by the Aboriginal and Northern Affairs bureaucracy.
 - b. Canada must recognize its obligation and provide a statutory guarantee for funding of First Nations education that is sustainable and reflects actual costs.
 - c. First Nation education systems must be enabled, supported and funded in a way that supports full immersion and grounding of all education in Indigenous languages and cultures.
 - d. First Nations are diverse, and this diversity must be fully respected and enabled in the variety of ways in which First Nations choose to advance First Nations Control of First Nations Education.
- G. First Nations have affirmed that there must be an agreed-to process that fully respects and reflects partnership, consistent with Treaty relationships, and the United Nations Declaration on the Rights of Indigenous Peoples to support implementation and achievement of First Nations jurisdiction over education.

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

1. Reject the October 22, 2013 draft "Working Together for First Nations Students: A Proposal for a Bill on First Nation Education" as is.
2. Call upon Canada to negotiate to advance First Nations Control of First Nations Education, Assembly of First Nations policy framework 2010.
3. Are resolute and determined to achieve justice, fairness and equity for First Nations children, through strong, culturally-grounded education, and committed to working together and providing child-centred solutions.
4. Guided by points 1, 2 and 3 above, direct the National Chief, National Executive, and First Nations to take all necessary steps to press Canada to respond to the conditions required to achieve success for First Nations children including:
 - a. Respect and recognize inherent rights and title, Treaty rights, and First Nation Control of First Nation Education jurisdiction. First Nations must retain all options to advance their education and all such agreements must be fully respected, enabled and supported.
 - b. Provide a statutory guarantee for funding of First Nations education as a precondition that is sustainable and reflects needs-based costs consistent with Canada's obligation.
 - c. Enable and support systems to provide full immersion and grounding of all education in Indigenous languages and cultures.

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- d. Develop mechanisms to oversee, evaluate, and for reciprocal accountability and to ensure there not be unilateral federal oversight and authority.
 - e. Ensure a meaningfully supported process to address these conditions through a commitment to working together through co-development, fully reflective of First Nations rights and jurisdiction.
5. Direct the National Chief and National Executive to advocate urgently and strongly for Canada to commit immediate investments in Budget 2014 to address the current funding gap, and advance a statutory guarantee for the future of First Nations education systems.

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TITLE:	Principles of Conduct in Facilitating Discussions on Treaty Implementation
SUBJECT:	Treaties
MOVED BY:	Chief Lynn Acoose, Sakimay First Nations – Treaty Four, SK
SECONDED BY:	Chief Isadore Day, Serpent River First Nation – Robinson Huron Treaty, ON
DECISION:	Carried; 2 objections; 12 abstentions

WHEREAS:

A. According to the United Nations Declaration on the Rights of Indigenous Peoples:

- a. 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;
- b. 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;
- c. 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;
- d. Article 19, States shall consult and cooperate in good faith, with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them; and
- e. Article 37, Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honor and respect such treaties, agreements and other constructive arrangements.

B. The January 11, 2013 meeting with Prime Minister Steven Harper created the most recent AFN direction on Treaty implementation, namely a “commitment to an immediate high level working process with Treaty Nation leadership

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for establishing frameworks with necessary mandates for implementation and enforcement of Treaties on a Treaty by Treaty basis, between the Treaty parties Nation-to-Nation."

- C. The Assembly of First Nation (AFN) Regional Chief - Treaties Portfolio Holder is proceeding with a high level working process through the establishment of a Chiefs Task Force on Treaty Implementation/Crown-First Nations Treaties Working Group (TWG).
- D. The publicly stated position of the AFN with respect to a high level working process on Treaty implementation as stated on its website and in accordance with the working document, Sacred Treaties – Sacred Trust: Working Together for Treaty Implementation and Advancing our Sovereignty as Nations, is: "This proposed mechanism would only initiate, coordinate and facilitate Treaty implementation discussions amongst the Treaty parties. Such a process would ensure a whole of government approach that does not subvert or subject Treaties to expression of federal policies or programs and would provide opportunities and a forum for Treaty Nations to engage directly with the state to achieve a common understanding of Treaty Implementation."
- E. Discussions on the establishment of the TWG have been undertaken with Canada, whereby Canada has produced a "Draft Terms of Reference" for the TWG which was discussed by the AFN Chiefs Task Force on Treaty Implementation on November 29, 2013.
- F. The TWG has the potential of creating federal legislation such as a "Treaty Implementation Act", as referenced by the AFN Regional Chief - Treaties Portfolio Holder in statements made to the Saskatoon Star Phoenix, November 20, 2013.
- G. As experience has shown, past and current federal legislation has only succeeded in establishing and advancing the Federal agenda to frame First Nations' Treaties within the control of parliament and to establish new accountabilities with external jurisdictions.

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

- 1. Direct the Assembly of First Nations (AFN) Regional Chief – Treaties Portfolio holder, and other members of the AFN Executive, to eliminate the implementation of Treaty through the Senior Oversight Committee/ Treaty Working Group process, until such time as Treaty Chiefs have fully informed and obtained the free consent of their Treaty members to move forward with a Treaty Nations – Crown dialogue.

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TITLE:	Implementation of the United Nations Declaration on the Rights of Indigenous Peoples and Indigenous Peoples Day
SUBJECT:	Inherent and Treaty Rights
MOVED BY:	Chief Jeremy Fourhorns, Piapot First Nation, SK
SECONDED BY:	Chief Michael Starr, Starblanket First Nation, SK
DECISION:	Carried by Consensus

WHEREAS:

- A. The United Nations adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007.
- B. Canada endorsed the UNDRIP in November of 2010.
- C. The UNDRIP is the universal standard by which countries are required to reform relationships with Indigenous Peoples and their constitutions to include the Declaration.
- D. The United Nations Special Rapporteur Miguel Alfonso Martinez prepared and issued the United Nations Study on treaties agreements and other constructive arrangements between States and Indigenous Peoples wherein he denotes the use of the terminology that identifies Indigenous Peoples as "Native, Indian and others of a similar cast (including Aboriginal) utilized by the discoverers/colonizers and their descendants, to differentiate themselves – in a relationship of superiority/inferiority – from the original inhabitants of the new territories being added to the European crowns."
- E. The Government of Canada has identified a day of observance called "National Aboriginal Day" recognized annually on June 21st.
- F. Canadian legislation, policies and developmental processes have been identified as extensions of the doctrine of discovery and terra nullius, and are therefore considered by international legal opinion as the basis for all assimilation, colonisation, marginalization and genocide that has been committed against Indigenous Peoples in Canada since first contact with Europeans and their descendants.

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

1. Urge the Government of Canada to implement the United Nations Declaration on the Rights of Indigenous Peoples in its entirety in order to restore rightful relationships with First Nations.
2. Call on the Government of Canada to recognize and honour the Indigenous Peoples in what is now Canada through a national holiday – Indigenous Peoples Day – that would completely replace the current National Aboriginal Day observed annually on June 21st.
3. Direct the National Chief on behalf of the Chiefs-in-Assembly to work with the Government of Canada on implementing the United Nations Declaration on the Rights of Indigenous Peoples as well as national Indigenous Peoples Day.

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TITLE:	Rolling River Anishinabe Nation – Green Energy Initiatives
SUBJECT:	Economic Development
MOVED BY:	Brent Wilson, Proxy, Rolling River Anishinabe Nation, MB
SECONDED BY:	Chief Nelson Houle, Ebb and Flow First Nation, MB
DECISION:	Carried by Consensus

WHEREAS:

- A. The United Nations adopted the United Nations Declaration of Indigenous Rights (UNDRIP) in 2007.
- B. Article 20 of the UNDRIP states “Indigenous peoples have the right to maintain and develop their own political, economic, and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities”.
- C. Article 21 of the UNDRIP states “Indigenous peoples have the right, without discrimination, to 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”.
- D. Rolling River Anishinabe Nation (RRAN) has been actively pursuing green energy as an alternative source for supplying and reducing energy costs the community.
- E. The Green Projects that RRAN are working on are HD Wifi, LED ECO Lighting, and Wind Energy which will significantly contribute annual cost saving to the community of RRAN.
- F. RRAN Chief and Council have been attempting to meet with Environment Minister Alglukkaq regarding these Green Energy initiatives.
- G. Prime Minister Harper publically stated that he was disappointed that “Verizon” was not allowed into Canada as another viable Cell Phone and Internet Provider.
- H. RRAN has an exclusive deal with a 5G HD Wifi network that would provide an alternative to the current internet and cell phone providers in Canada.

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

1. Support the Green Initiatives that are being proposed and implemented by Rolling River Anishinabe Nation.
2. Support the request of Rolling River Anishinabe Nation and direct the National Chief to request a meeting between the Rolling River Anishinabe Nation and Minister Alglukkaq at her earliest convenience.

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TITLE: Support for those BC First Nations Calling on the Province to Immediately Address First Nations Gaming Opportunities

SUBJECT: BC First Nation Gaming Commission Initiative

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

SECONDED BY: Chief Jonathan Kruger, Penticton Indian Band, BC

DECISION: Carried by Consensus

WHEREAS:

- A. Article 4 of the *United Nations Declaration on the Rights of Indigenous Peoples* states that "Indigenous peoples, in exercising their right to self-determination, have the right to autonomy of self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions".
- B. First Nations in British Columbia (BC) continue to object to the 1985 federal provincial agreement that unconstitutionally transferred authority over gaming and its revenue to the provinces.
- C. BC is the only province in Canada that does not share gaming revenue with its First Nations.
- D. First Nations in BC have unextinguished Aboriginal title and rights, including treaty rights.
- E. First Nations outside of BC for over a decade have enjoyed the benefits of billions of dollars in revenue generated from gaming activities that have supported essential community, economic, social and cultural development efforts.
- F. All First Nations in BC require consistent, predictable and sustainable funding in order to support the social and economic rebuilding of our respective Indigenous Nations, our governments, our economies to improve the economic, social and cultural needs of our communities.
- G. Since 2006 the BC First Nations Gaming Commission have been actively pursuing a variety of creative options that would allow gaming revenue to flow annually into all First Nations communities, while recognizing BC's revenue needs.

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- H. The Province of BC continues to consistently deny discussing any of these gaming revenue opportunities and has recently stated that they have no interest in sharing these revenues with First Nations at this time.
- I. First Nations of BC have unanimously supported, through resolutions at the three BC provincial First Nations organizations the Union of BC Indian Chiefs, the First Nations Summit, and the BC AFN, the formation of the BC First Nations Gaming Commission with the intent to pursue all opportunities for regulating, managing and conducting First Nations Gaming on reserve lands.
- J. The Province of BC has embarked upon an agenda for the increase and amplification of resource development projects in BC to diversify economic markets and increase economic benefits to BC and for these plans to come to fruition will require the support and consent of affected First Nations.
- K. The Province of BC desires to pursue and engage in resource development negotiations and reach agreements with First Nations for major resource related projects as their political and economic priorities, such as new oil and natural gas pipelines, mining, industrial infrastructure and liquefied natural gas plants.

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

1. Put the Province of BC on notice that until such time First Nations in BC have their fair share of gaming revenue that major resource related projects are in jeopardy and that the Chiefs-in-Assembly support those First Nations calling for the suspension of all major resource project development negotiations ongoing between First Nations and BC within their territories until the Provincial government undertakes to address First Nation issues, particularly those related to First Nations gaming revenue.

TITLE:	Support for the Creation of a National First Nations Gaming Confederacy
SUBJECT:	Gaming
MOVED BY:	Chief Wayne Semaganis, Little Pine First Nation, SK
SECONDED BY:	Chief Lloyd Phillips, Kahnawà:ke Mohawk Territory, QC
DECISION:	Carried by Consensus

WHEREAS:

- A. Article 4 of the United Nations Declaration on the Rights of Indigenous Peoples states: "Indigenous peoples, in exercising their right to self-determination, have the right to autonomy of self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions".
- B. First Nations have an inherent right to self-government, including the jurisdiction over the tools that are required to build or re-build their Nations.
- C. Many First Nations have identified gaming as an important tool that can be used for the generation of wealth, economic development and sustainable self-sufficiency of First Nation communities.
- D. Canada and the provinces have consistently failed or refused to recognize First Nations inherent right to conduct, facilitate and regulate gaming activities within and from their lands.
- E. First Nations have historically been denied a meaningful voice in the development of the gaming industry in Canada and have also been denied their right to full and fair participation in the opportunities afforded by the gaming industry.
- F. In 1985, Canada breached its fiduciary duty to First Nations by, without consulting First Nations, improperly and unconstitutionally purporting to delegate exclusive authority over gaming to the provinces.
- G. On October 10, 2013, following a two day meeting of First Nations Elders and Leaders in Saskatoon, Saskatchewan, organized by the National Indigenous Council of Elders, it was resolved that a Working Group

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(the "Working Group") be established to create a work plan for the establishment of a National First Nations Gaming Confederacy.

- H. The purpose of the proposed National First Nations Gaming Confederacy will be to promote, protect and preserve the jurisdiction of First Nations striving for wealth, economic development and sustainable self-sufficiency through opportunities afforded in the gaming industry.
- I. Membership in the National First Nations Gaming Confederacy will be open to every First Nation in Canada.
- J. To fulfill its purpose, the National First Nations Gaming Confederacy will work with its member First Nations and other governments to develop sound policies and practices and provide information, technical assistance and advocacy on gaming related issues.
- K. Above all, the National First Nations Gaming Confederacy will seek to maintain, protect advance the inherent and unalienable jurisdiction of First Nations over gaming.

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

1. Give their political support to the National Indigenous Council of Elders and to the Working Group in their efforts to establish a National First Nations Gaming Confederacy.
2. Endorse the principle that a National First Nations Gaming Confederacy will be beneficial in creating a strong and necessary voice for First Nations in Canada who are seeking a meaningful voice and role in the gaming industry.

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TITLE:	Establishment of a National First Nation Gaming Association
SUBJECT:	Gaming
MOVED BY:	Chief Wayne Semaganis, Little Pine First Nation, SK
SECONDED BY:	Chief Michael Starr, Starblanket First Nation, SK
DECISION:	Carried by Consensus

WHEREAS:

- A. Article 20 of the United Nations Declaration on the Rights of Indigenous Peoples states that: "Indigenous peoples have the right to maintain and develop their political, economic, and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional land and other economic activities".
- B. First Nations have entered into Gaming Agreements with Provincial Governments in every territory of this country since the 1990s and these agreements vary significantly from province to province in terms of revenue share, types of gaming operations being conducted on First Nations lands and licensing and regulation.
- C. The Federation of Saskatchewan Indian Nations and the Government of Saskatchewan entered into the first Gaming Agreement on June 17, 1994.
- D. The Federation of Saskatchewan Indian Nations Chiefs-in-Assembly passed Resolution Number 1894 on October 24, 2013 supporting the establishment of a National First Nation Gaming Association to provide a collective voice in First Nation gaming.

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

- 1. Support the establishment of a National First Nation Gaming Association.
- 2. Support the Federation of Saskatchewan Indian Nations in their efforts to initiate discussions with other Provincial and Territorial Organizations with regard to establishing a National First Nation Gaming Association.

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TITLE: Canada's Disclosure Obligation Under the Indian Residential School Settlement Agreement

SUBJECT: Independent Assessment Process for Abuse Victims of St. Anne's Residential School

MOVED BY: Alvin Fiddler, Proxy, Muskrat Dam First Nation, ON

SECONDED BY: Chief Rex Knapaysweet, Fort Albany First Nation, ON

DECISION: Carried by Consensus

WHEREAS:

- A. The Indian Residential Schools Settlement Agreement [2006] provides that the Government of Canada must search for, collect and provide a report setting out certain information concerning individuals who have made claims under the IAP process and concerning the person(s) who are alleged to have abused the claimant, as well as gathering information about the claimant's residential school. The information concerning the alleged abuser(s) is to include "any allegations of physical or sexual abuse committed by such persons" while they were an employee or student of the residential school.
- B. The Settlement Agreement obligates Canada to provide to each adjudicator with all documents containing allegations of sexual and physical abuse against the alleged "person of interest" in advance of each hearing. The IAP process also provides that relevant findings in previous criminal or civil trials, where not subject to appeal, may be accepted by an IAP adjudicator without further proof.
- C. The narrative prepared and distributed by Canada in claims involving St. Anne's IRS states that it does not have in its possession or control any documents or information in which allegations of sexual abuse have been made against employees while employed at the school.
- D. In fact, Canada has withheld more than 7,000 pages of evidence that were gathered from 750 witnesses during a five year criminal investigation of the Ontario Provincial Police during the 1990s into allegations of widespread sexual and physical abuse including the horrific use of a homemade electric chair for the torture and punishment of students at the St. Anne's Residential School [Fort Albany]. We understand that the federal

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government has had many of the documents and transcripts produced by the police investigation dating back to the filing of civil lawsuits relating to residential schools in 2003.

- E. The failure to disclose this evidence threatens to compromise the entire adjudication process under the Independent Assessment Process of the residential school settlement agreement and raises troubling questions about how many other cases like this exist in the Independent Assessment Process.

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

1. Direct the AFN to convene a meeting with the federal government to identify a process to resolve issues regarding the nature and scope of Canada's disclosure obligation under the Residential Schools Settlement Agreement.
2. Direct the AFN to advocate for a full inquiry into the extent of the failure of the federal government to disclose any previous criminal investigations in respect to schools and their employees in IAP claims that were dismissed for a lack of corroborating evidence.

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TITLE: Continuation of the Indian Residential School Resolution Health Support Program beyond 2016

SUBJECT: Mental Wellness

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

SECONDED BY: Chief Candice Paul, St. Mary's First Nation, NB

DECISION: Passed by the AFN Executive Committee

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) states in section 18: "Indigenous people 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". The UNDRIP states in section 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 Indian Residential School Resolution Health Support Program (IRS RHSP), under the IRS Settlement agreement is mandated to provide mental health and emotional support services to eligible former IRS students and their families throughout all phases of the IRS Settlement Agreement.
- C. As per the duration of the IRS Settlement Agreement, the IRS RHSP is set to sunset in 2016, at which time there will be little to no specific funding dollars dedicated to the healing of IRS survivors.
- D. Many IRS survivors and their families rely on the IRS RHSP because it is the only federal health program that recognizes cultural and traditional healers as equal to that of western trained practitioners and provides funding to access cultural support providers.

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

1. Mandate the National Chief to advocate for the reinvestment and continuation of funds to support the Indian Residential School (IRS) Resolution Health Support Program beyond 2016.
2. Direct the AFN to work with the federal government to document the role that cultural support has played in the healing outcomes of IRS survivors and their families.

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TITLE:	Support for a First Nations Mental Wellness Continuum Framework
SUBJECT:	Mental Wellness
MOVED BY:	Chief Candice Paul, St. Mary's First Nation, NB
SECONDED BY:	Chief Maureen Chapman, Skawahlook First Nation, BC
DECISION:	Passed by the AFN Executive Committee

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) states in section 18: "Indigenous people 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". The UNDRIP states in section 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. First Nations communities across Canada are declaring a state of crisis with regards to mental wellness and addiction in their communities. With suicide rates being five to seven times higher than the Canadian population and addiction and prescription drug abuse rates reaching crisis-levels in many communities, First Nations need to come together to support a coordinated and comprehensive approach to First Nations mental wellness programs and services.
- C. Federal mental health services focus upstream on general prevention and promotion activities targeting the community and downstream on crisis response, primary prevention and issues specific programming, but they are often not well coordinated. Significant gaps exist between and among these services and they are not always delivered in a culturally safe manner.
- D. Previous resolutions on mental wellness include:
 - Resolution 57/2013- Mental Wellness as a Priority.

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- Resolution 08/2012- Federal Government of Canada Failing to provide Mental Health Services.
- Resolution 57/2011- Support Akwesasne Leadership in Addressing State of Crisis Regarding Substance Abuse.
- Resolution 7/2011- Support for Nishnawbe Aski Nation and Grand Council Treaty #3 Strategy on "Restoring our Nations: Action Plan for Community Recovery from Opioid Addiction".
- Resolution 04/2011- Making First Nations Health a Priority.
- Resolution 30/2009- First Nations Youth Suicide Prevention Requires Youth and Traditional Healers and Elders Leadership.
- Resolution 2008/06- Adequacy and Funding of Mental Wellness and Addictions Programs
- Resolution 2005/15- Implementation of First Nation mental health and wellness strategy with appropriate fiduciary support from the federal government.

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

1. Support the process used to date to develop a First Nations Mental Wellness Continuum Framework and the dialogue that exists between the AFN, Health Canada (HC) and the Indigenous mental health leaders.
2. Direct AFN to continue discussions with HC to advocate for the inclusion of the provinces and territories in all future discussions regarding the First Nations Mental Wellness Continuum Framework.
3. Direct the AFN to advocate to the federal government to support the full implementation of the First Nations Mental Wellness Continuum Framework at all levels (community/provincial/territorial/federal).
4. Direct the AFN to continue to advocate for additional funds to support the implementation of the First Nations Mental Wellness Continuum Framework.

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TITLE:	Specific Claims Funding
SUBJECT:	Specific Claims
MOVED BY:	Chief Maureen Chapman, Skawahlook First Nation, BC
SECONDED BY:	Chief Nelson Genaille, Sapotawayak First Nation, MB
DECISION:	Passed by the AFN Executive Committee

WHEREAS:

- A. On October 16, 2008, a new process to improve the fairness, transparency, processing and funding of specific claims took effect based on four pillars announced by the federal government..
- B. The creation of the Specific Claims Tribunal of Canada (the "Tribunal") under the *Specific Claims Tribunal Act* establishes a new threshold for the assessment and adjudication of specific claims.
- C. Thorough and complete research carried out by qualified researchers is fundamental to the fair, final and effective resolution of specific claims.
- D. Decisions of the Tribunal are binding on all parties and are not subject to the possibility of appeal, save only for judicial review.
- E. Any First Nation advancing a specific claim with Canada must do so based on the probability that it may be subject to final adjudication by the Tribunal.
- F. Large numbers of new claims are arising as a direct result of the way Canada has been addressing claims.
- G. Funding for specific claims research and access to the Tribunal comes from the same fiscal envelope.
- H. The level of funding in this fiscal envelope has dropped significantly and it has been announced that it will drop by an additional \$ 2 million in 2014-15.
- I. Canada provides no funding for claims that are subject to judicial review.

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- J. Canada announced in its 2013 Federal Budget that a new allocation of \$54 million over two years was being made to support the resolution of specific claims and, despite this, First Nations are receiving cut backs.

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

1. Call on the Government of Canada to provide adequate funding to First Nations at all levels of the specific claim process, from research through to the Tribunal, and including for those claims that are subject to judicial review.

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TITLE:	Support for First Nations women in the traditional and non-traditional economy
SUBJECT:	Economic Partnerships
MOVED BY:	Chief Maureen Chapman, Skawahlook First Nation, BC
SECONDED BY:	Chief Francine Meeches, Swan Lake First Nation, MB
DECISION:	Passed by the AFN Executive Committee

WHEREAS:

- A. Article 20 of the United Declaration on the Rights of Indigenous Peoples (Declaration) states that “Indigenous peoples have the right to maintain and develop their political, economic, and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional land other economic activities”.
- B. Article 22 of the Declaration states that “[p]articular attention shall be paid to the rights and special needs of indigenous elders, women, youth, and persons with disabilities in the implementation of this Declaration”.
- C. First Nation women’s economic success is a critical factor in the well-being of First Nations.
- D. Promoting women in leadership, business, and wealth management requires women being represented at economic and business decision-making tables.
- E. First Nation women require more responsive programs, services, and incentives to facilitate access to traditional and modern economic opportunities and establishing more women-owned and operated businesses.
- F. The AFN Chiefs Committee on Economic Development supports the work of the AFN Women’s Council in efforts to raise awareness and advance the economic standing of First Nations women and our communities.
- G. Increased involvement of First Nation women in the economy includes appropriate support for individual and family health, food security, healthier homes, increased access to jobs, more appropriate range of business

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financing tools, communications technology, business administration and financial literacy training, and the family supports services that promote women's participation in the full breadth of the work force and economy.

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

1. Support the continued work of AFN Women's Council to recommend capacity building initiatives that support First Nation women's roles in modern and traditional economies, and roles in economic and business decision making tables.
2. Call upon the AFN Chiefs Committee on Economic Development to actively consider and report on measures needed to facilitate relevant and culturally appropriate supports to promote First Nation women in the economy.
3. Direct the AFN to seek funding from federal sources, such as Status of Women Canada, and non-government sources to help address these issues and identify steps to positively support progress.

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TITLE:	Supreme Court of Canada intervention in the appeal of Keewatin et al. v. Minister of Natural Resources et al., 2013 ONCA 158
SUBJECT:	Land rights; Treaties
MOVED BY:	Chief Michael Starr, Starblanket First Nation, SK
SECONDED BY:	Chief Jeremy Fourhorns, Piapot First Nation, SK
DECISION:	Passed by the AFN Executive Committee

WHEREAS:

- A. Indigenous Peoples possess the rights of self-determination as recognized in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) which includes the rights to own, use develop and control their lands, territories and resources.
- B. The UNDRIP requires states to cooperate in good faith with the Indigenous Peoples through their own representative institutions in order to obtain their free, prior and informed consent prior to the approval of any project affecting their lands or territories and other resources.
- C. The Federal Government has repeatedly failed to adequately meet its jurisdictional, legislative and financial responsibilities under Section 35) of the Constitution Act, 1982 while the Provinces have sought to gain more power over Treaty lands unencumbered by the responsibility to First Nations people.
- D. The Ontario Court of Appeal's decision in the *Keewatin v. Ontario (Minister of Natural Resources)*, 2013 ONCA 158 has essentially held that (1) Canada has legislatively given up beneficial ownership of the land within Treaty #3 territory in favour of Ontario; (2) Canada conferred its obligations under Treaty 3 respecting the land to the Province of Ontario; and (3) Section 109 of the Constitution Act effectively trumps Section 91(24), meaning that Ontario's rights to sell and manage lands is superior to the Federal jurisdiction over "Indians and lands reserved for Indians".

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- E. The Supreme Court of Canada's decision in the Keewatin case will have a binding effect on Treaty interpretation and, more importantly, on the division of powers going forward. Its interpretation of Treaty #3 could have the effect of limiting the Treaty Right in favour of provincial resource rights.
- F. The Keewatin case is one of the most important Treaty and Aboriginal rights cases to reach the Supreme Court of Canada in the last decade and its determination will affect the future of, not only Federal/First Nation relations and Provincial/First Nation relations, but also economic stability and resource sharing for all First Nations in Canada. Furthermore, there is a real threat that the sovereign nature of First Nations, as recognized and affirmed in the Treaties will be catastrophically undermined if the Provincial Crown is permitted to assume the role of Canada in implementation and enforcement of Treaty provisions.

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

1. Recognize the extreme importance of the legal questions under appeal and recommend the Assembly of First Nations (AFN) intervene in the Keewatin case.
2. Fully support the AFN and its partners, including seeking resources to provide financial support, in their application to intervene in the Supreme Court of Canada hearing.

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TITLE:	Limitations and Constraints Governing the Use of Section 91 (24) Powers to Create Legislation over "Indians and Lands Reserved for Indians"
SUBJECT:	Inherent Rights of Self-Government and Self-Determination and the Creation of Legislation Affecting First Nations
MOVED BY:	Chief Daniel Manuel, Upper Nicola Indian Band, BC
SECONDED BY:	Chief Bob Chamberlin, Kwikwasu'tinuxw Haxwa'mis First Nation, BC
DECISION:	Passed by the AFN Executive Committee

WHEREAS:

- A. Prior to the arrival of Europeans in North America, First Nation peoples were organized as sovereign nations with distinct laws, systems of government, and societal practices and which possessed defined territories.
- B. The Inherent Title, Rights and freedoms of First Nation Peoples have been recognized by the *Royal Proclamation of 1763*, as well as the corresponding Treaty of Niagara of 1764 which includes the right of self-determination.
- C. Section 35 of the *Constitution Act, 1982* constitutionally enshrines Aboriginal Title, Rights and Treaty Rights.
- D. The Government of Canada recognizes the inherent right of self-government as an existing Aboriginal right under section 35 of the *Constitution Act, 1982*. It recognizes that the inherent right of self-government may find expression in Treaties, and in the context of the Crown's relationship with Treaty First Nations.
- E. Recognition of the inherent right of self-government is based on the view that the Indigenous peoples of Canada have the right to govern themselves in relation to matters that are internal to their communities, integral to their unique cultures, identities, traditions, languages and institutions, and with respect to their special relationship to their land and their resources.
- F. The *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) sets out that:

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- a. Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.
- b. Article 20: Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutes, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities”.
- G. Despite the legal and political recognition of the inherent right of self-government, the Government of Canada does not act in ways that reflect the recognition, or respect of self-government, including how Canada enacts legislation and policy, or makes decisions.
- H. Canada continues to take a unilateral approach to the use of section 91 (24) of the Constitution of Canada in relation to the development and implementation of legislation concerning “*Indians and Lands Reserved for Indians*”.
- I. The impoverished approaches by Canada can only be described as not keeping with the Honor of the Crown, as failing to fulfill Canada’s obligations owed to Aboriginal Peoples, and as falling below basic legal standards of consultation which fail to meaningfully accommodate the full extent of First Nations needs, aspirations, and rights.

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

1. Call on Canada to fully and meaningfully act in a manner consistent with First Nations’ inherent right of self-government.
2. Call on Canada to abandon its current unilateral practice of using section 91 (24) authority and move to comprehensive and inclusive models based upon joint review and development of legislation.
3. Direct the AFN to develop a position paper for the use of First Nations on the infringement of the rights of Indigenous Peoples in order to inform, educate and investigate the effects and impacts of the Government of Canada’s use of section 91 (24).

TITLE: Support for 2014 Natural Resource Transfer Act (NRTA) National Summit

SUBJECT: Treaties

MOVED BY: Chief Tony Alexis, Alexis Nakota Sioux First Nation, AB

SECONDED BY: Chief Michael Starr, Star Blanket Cree Nation, Treaty 4, SK

DECISION: Passed by the AFN Executive Committee

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous People (UNDRIP) states at Article 26:
- a. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired;
 - b. 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; and
 - c. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.
- B. The UNDRIP also states, at Article 28, that 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.
- C. Canada neither consulted with, nor obtained the consent of the Treaty First Nations to transfer Treaty lands, waters and natural resources to the provinces of Alberta, Saskatchewan and Manitoba under the Natural Resources Transfer Agreements (NRTA) in 1930.
- D. As a direct consequence of the NRTA:

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- a. The lands, waters and natural resources of the Treaty First Nations of Alberta, Saskatchewan and Manitoba have and continue to be exploited without the meaningful participation of respective First Nations and without the free, prior and informed consent of the Treaty First Nations.
 - b. The Treaty First Nations of Alberta, Saskatchewan and Manitoba have not received a meaningful share of the revenues, wealth and benefits generated by developments and activities carried out within their traditional and Treaty territories.
- E. In 2011, the Manitoba Keewatinowi Okimakanak (MKO) hosted the first NRTA National Summit in Winnipeg, Manitoba, and in 2012, the Prince Albert Grand Council (PAGC) hosted the second NRTA National Summit in Prince Albert, Saskatchewan.
- F. The organizers of the NRTA National Summits - MKO, PAGC and the Alberta Assembly of Treaty Chiefs - have adopted the title "Western Treaty Nations."
- G. A traditional bundle was passed from MKO to PAGC and from PAGC to Grand Chief Charles Weasel Head to host the third NRTA National Summit in Alberta.
- H. Resolution 02R-2013-11-113 of the Alberta Assembly of Treaty Chiefs directed the Political Organizations of Treaty No. 6, Treaty No. 7 and Treaty No. 8 to work in partnership with the Prince Albert Grand Council and with MKO to convene an NRTA National Summit in the spring of 2014 to be focused on:
- a. a political plan of action;
 - b. the creation of an NRTA Treaty Defense Fund for future litigation; and,
 - c. the advancement of a unified position on the NRTA.
- I. Pending the outcome of any challenges by Treaty First Nations to the validity of the NRTA, and in order to provide a practical recognition and protection of the livelihoods and economic pursuits of Treaty First Nation citizens, the federal and provincial governments must ensure that revenue sharing, benefit sharing, resource access arrangements and "legacy" initiatives are a condition of any government approvals of energy, water, mining and natural resource developments in Alberta, Saskatchewan and Manitoba.

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

1. Call on the federal and provincial governments to ensure that revenue sharing, benefit sharing, resource access arrangements and "legacy" initiatives be a condition of any further government approvals of energy, water, mining and natural resource development projects in Alberta, Saskatchewan and Manitoba.
2. Support the Treaty No. 6, Treaty No. 7 and Treaty No. 8 First Nations of Alberta, the Prince Albert Grand Council (PAGC) and the Manitoba Keewatinowi Okimakanak (MKO) to convene a 2014 NRTA National Summit in Edmonton, Alberta, in the spring of 2014.
3. Direct the National Chief and the AFN Executive to assist the Treaty No. 6, Treaty No. 7 and Treaty No. 8 First Nations of Alberta, the PAGC and MKO with coordination and fundraising for the 2014 NRTA National Summit.
4. Invite the National Chief and the AFN Executive to participate in the 2014 NRTA National Summit.

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TITLE:	Support for the 2015 Renewal of the First Nation Aboriginal Skills, Employment and Training Strategy (ASETS) Agreement
SUBJECT:	Employment and Training
MOVED BY:	Frederick Clifford Arnouse, Proxy, Adams Lake Indian Band, BC
SECONDED BY:	Chief Daniel Manuel, Upper Nicola Indian Band, BC
DECISION:	Passed by the AFN Executive Committee

WHEREAS:

- A. Under Article 21 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), 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. 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. Based on these rights, 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 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 (RBAs), 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 holders have been operating at the same level of funding since 1996, despite the fact that the First Nation population is the fastest growing segment of Canada's population, which includes tens of thousands of young adults seeking employment.

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- E. The current five year ASETS program is scheduled to be renewed in 2015. ASETS is considered as the flagship program by Employment and Social Development Canada (ESDC).
- F. It is urgent that ESDC engage with First Nation leadership and First Nation ASETS holders to begin dialogue and discussions on increased support and funding in anticipation of, at minimum, the five year funding renewal increases and planning for ASETS renewal, or a potentially different successor strategy, to be implemented by April 1, 2015.
- G. As a result of increased funding, which includes increased child care funding and a stronger ASETS program in 2015, there is the potential for First Nations to reach employment parity 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 Canada to work with First Nation governments, the Assembly of First Nations (AFN), and First Nation Aboriginal Skills, Employment, and Training Strategy (ASETS) agreement-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 2015.
3. Call upon the National Chief to organize a federally-resourced national negotiating committee in order to oversee the discussions with ESDC.
4. Direct the AFN to report on progress to the Chiefs-in-Assembly at the Annual General Assembly (AGA) in July 2014.

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TITLE: First Nation Position on Our Inherent Right to Education

SUBJECT: Education

MOVED BY: Chief Lance Byhette, Buffalo River Dene Nation, SK

SECONDED BY: Gordon Peters, Proxy, Delaware Nation, ON

DECISION: Passed by the AFN Executive Committee

WHEREAS:

- A. Indigenous Peoples are eager to assert jurisdiction and implement educational plans for their peoples which are reflective of the culture, heritage, traditions and language of their nations as entrenched in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Article 14.
- B. As Indigenous Peoples we have always maintained our sovereignty, self-determination and inherent jurisdiction throughout our homelands.
- C. As Indigenous Peoples we exercise our inherent jurisdiction by entering into international treaties and other agreements.
- D. The foundations of our identity flow from our languages, cultures, homelands, traditions, knowledge systems, learning ways and spirituality.
- E. As Indigenous Peoples we are obligated to assert jurisdiction over our life journey by transmitting our life ways to our peoples as handed down by our ancestors and all of creation.

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

- 1. Assert our inherent jurisdiction over education and exercise it by:
 - a. Developing and implementing our own education laws;
 - b. Establishing our own education standards;
 - c. Establishing our own education systems;
 - d. Developing our own curriculum that is culturally and linguistically based;
 - e. Accrediting our own programs and institutions;

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- f. Developing culturally responsive assessments and evaluation; and,
 - g. Agreements including articulation agreements with other education jurisdictions.
2. Will ensure that the federal and provincial governments align their respective laws, regulations and policies to conform with the jurisdiction of Indigenous Peoples.
 3. Will ensure that Canada recognizes and respects the honor of the Crown which compels the federal government to provide needs based, equitable, sustainable funding including research and development funding and annual indexing for population and inflation.

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TITLE:	Support for Marcel Colomb First Nation and funding for Piped Sewer Collection and Water Distribution and Other Community Infrastructure
SUBJECT:	Water and Wastewater
MOVED BY:	Chief Andrew Colomb, Marcel Colomb First Nation, MB
SECONDED BY:	Chief Bob Chamberlin, Kwikwasu'tinuxw Haxwa'mis First Nation, BC
DECISION:	Passed by the AFN Executive Committee

WHEREAS:

- A. Article 21 (1) of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) states: "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. Every person has a right to access safe and adequate supplies of potable water and sanitation.
- C. The National Engineering Assessment Report, released July 2011, identified a need of \$4.7 billion dollars for water and waste water facilities for the next 10 years.
- D. Marcel Colomb First Nation (MCFN) built its first 15 new homes using Canada Mortgage and Housing Corporation's Section 95 funding in April 2013.
- E. A piped sewer collection and water distribution system was not funded due to Aboriginal Affairs and Northern Development Canada's application of project cost per population density as the criteria used to justify funding the less desirable and cheaper option of a trucked water and sewer distribution and collection system. Marcel Colomb First Nation has requested communal water distribution and wastewater collection systems to meet their current and future needs.
- F. The 15 septic holding tanks that were installed have subsequently failed and have since been replaced, which demonstrates the unsuitability of a trucked water delivery and holding tank system.

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G. New First Nation communities with unique infrastructure needs ought to include:

- a. Safe, secure and affordable housing
- b. Adequate community infrastructure, buildings and schools
- c. Access to economic development funding and opportunities.

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

1. Support Marcel Colomb First Nation in seeking funding for a piped sewer and water system as a more effective and healthy system instead of an inadequate trucked system. This includes immediate funding for:
 - a. a six bay garage;
 - b. construction of a new school on the reserve;
 - c. new housing construction for the 2014 construction season; and
 - d. economic development.

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TITLE:	Support for Annual National Youth Summits
SUBJECT:	First Nations Youth
MOVED BY:	Chief Shane Gottfriedson, Tk'emlups te Secwepemc, BC
SECONDED BY:	Chief Isadore Day, Serpent River First Nation, ON
DECISION:	Passed by the AFN Executive Committee

WHEREAS:

- A. The Assembly of First Nations National Youth Council (AFN NYC) recently delivered the 4th National Youth Summit entitled, "Youth Leadership, Supporting the Way Forward" in partnership with the Montreal Lake Cree Nation (MCLN), the Federation of Saskatchewan Indians (FSIN) and the Assembly of First Nations (AFN) in Saskatoon on November 18-21, 2013.
- B. The AFN NYC National Youth Summit was an enormous success that gathered over 500 First Nations youth delegates to discuss development of a strategic action plan on matters including education, culture and languages, health and social, economic development, justice, environment, rights based recognition and grassroots action and mobilization.
- C. All participants indicated that every five years was not often enough to come together and clearly called for a National Youth Summit to be organized on an annual basis.
- D. First Nations youth require a forum to engage each other in a conversation on issues important to youth nationally.
- E. First Nations youth are the fastest growing segment of the Canadian population – and need to be meaningfully engaged in setting priorities and must have an opportunity to voice their concerns, strengthen their networks and exercise their leadership.

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

1. Support the convening of a National Youth Summit each year, with preference that it is held just prior to an Assembly of First Nations (AFN) Annual General Assembly or Special Chiefs Assembly and is part of any request for proposals to host these events.
2. Support the AFN and National Youth Council, in partnership with host organizations, to secure funding for a National Youth Summit to take place every year.
3. Commit to actively working with the National Youth Council, regional youth councils and youth in their Nations on the planning and delivery of annual National Youth Summits to ensure they are as inclusive, comprehensive and representative as possible.

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