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**TITLE:** Federal Act for Funding First Nations Education

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**SUBJECT:** Education

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

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**SECONDED BY:** Chief David McDougall, St. Theresa Point First Nation, MB

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**DECISION** Carried; 4 objections

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples declares under Article 14 that Indigenous peoples have the right to establish and control their educational systems and institutions and Article 19 directs Canada to consult and cooperate in good faith with Indigenous peoples through their own representative institutions in order to obtain their free, prior and informed consent on legislative or administrative measures that may affect them.
- B. First Nations in Canada have rejected and called for the withdrawal of Bill C-33.
- C. Aboriginal Affairs and Northern Development Canada's control and underfunding of First Nations education systems has produced many negative outcomes that First Nations understand can be remedied by a statutory guarantee of fair, predictable and sustainable funding for systems developed and maintained by First Nations.
- D. First Nations recognize federal legislation as a construct of the Government of Canada that provides a mechanism for inter-governmental transfers to occur.
- E. In AFN Resolutions 01/2014 and 11/2014 First Nations continue to call upon Canada to engage in an honourable process to develop a new fiscal framework for First Nations education. A new fiscal framework includes a more streamlined and effective funding mechanism as well as a comprehensive funding formula to replace antiquated and outdated methodologies.

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- F. AFN Resolutions 01/2014 and 11/2014 also call for an immediate infusion of additional funding for First Nations education to begin closing the funding gap for First Nations education until such time as a new fiscal framework is agreed upon.
- G. First Nations in Canada have engaged in extensive discussion on the way forward for First Nations education and now propose an alternative path forward in partnership with the federal government to ensure the educational needs of First Nations learners are fully recognized and met regardless of where they reside.

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

1. Accept the *Framework for a Federal Act for Funding First Nations Education*, the *First Nations – Federal Crown Terms of Reference on Federal Act for Funding First Nations Education*, and the *First Nations Processes - Federal Act for First Nation Education* as working documents and as the chosen path forward for First Nations education.
2. Call for the implementation of the aforementioned documents through the activities and timelines therein.
3. Call for the Assembly of First Nations (AFN) National Chief, with the assistance of the Chiefs Committee on Education (CCOE), to bring this proposal to the Government of Canada as an official outreach to engage in an honourable process as outlined in the Framework and Terms of Reference.
4. Require that First Nations Processes for decision-making as outlined in the *First Nations Processes - Federal Act for First Nation Education* document be strictly adhered to throughout this process.
5. Require the resulting draft *Federal Act for Funding First Nations Education* be ratified by the Chiefs-in-Assembly before being introduced into the federal House of Commons.
6. Understand that implementation of this resolution is contingent upon both the removal of Bill C-33 from the legislative process and a favourable response from the Government of Canada and their provision of sufficient funding to undertake activities as outlined in the aforementioned documents.
7. Demand that Canada honours their Constitutional obligation to the Treaty right to education.

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<b>TITLE:</b>	<b>Engagement and Representation on National Roundtable on Missing and Murdered Indigenous Women and Girls</b>
<b>SUBJECT:</b>	Ending Violence, Women's Issues, Community Safety
<b>MOVED BY:</b>	Chief Sheri Doxtator, Oneida Nation of the Thames, ON
<b>SECONDED BY:</b>	Chief Fawn Wapioke, Iskatewizaagegan No.39 Independent First Nation, ON
<b>DECISION</b>	Carried by Consensus

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**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. Assembly of First Nations (AFN) Resolution 04/2014 called for support and the creation of a National Roundtable on Missing and Murdered Indigenous Women and Girls.
- C. To date, the federal government has yet to make an official announcement of participation and support for a National Roundtable on Missing and Murdered Indigenous Women and Girls.
- D. The AFN Women's Council has experienced funding cuts and lacks the capacity to meet, coordinate and engage with regional and national women's councils and groups in preparation for the National Roundtable.
- E. First Nation women's councils and organizations must lead the National Roundtable and other related initiatives on Missing and Murdered Indigenous Women and Girls and have adequate representation, as decisions made will have significant and profound impacts on First Nations women, girls, families and communities.

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

1. Call on the federal government to make an official announcement of participation and support for a National Roundtable Missing and Murdered Indigenous Women and Girls.
2. Call on the federal government to provide sufficient resources for the Assembly of First Nation's (AFN) Women's Council to meet, coordinate and actively engage regional and national women's councils and groups in preparation for the National Roundtable and other related initiatives.
3. Call on provincial/territorial governments to support the co-establishment of First Nation regional roundtables to enable input from the regions to the National Roundtable and other related initiatives.
4. Direct the National Chief and Executive to advocate for adequate representation from First Nation women's councils and organizations in the National Roundtable and other related initiatives, with representation from each of the regions across Canada.

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**TITLE:** Support for Families First

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**SUBJECT:** Missing and Murdered Indigenous Women and Girls

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**MOVED BY:** Chief Catherine Merrick, Pimicikamak Cree Nation (Cross Lake), MB

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**SECONDED BY:** Chief Shane Gottfriedson, Kamloops Indian Band, BC

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. Indigenous women and girls in Canada are the disproportionate victims of murder and violence. A wide range of governmental, national, international, and non-governmental organizations have raised urgent concerns over the scope and scale of this tragedy.
- B. Manitoba has among the highest incidents of Missing and Murdered Indigenous Women and Girls (MMIWG). For many years, the families of MMIWG have repeatedly called on federal, provincial, and municipal governments and the United Nations to examine the causes of this national tragedy and to explore potential solutions.
- C. Families have come together to organize walks and vigils in memory of their loved ones but many feel a sense of abandonment and frustration; however, resources have not been identified to support the families of MMIWG across Manitoba in their healing journeys.
- D. The Assembly of Manitoba Chiefs has worked with family members of MMIWG, community organizations, and importantly, Manitoba Keewatinowi Okimakanak (MKO), the Southern Chiefs Organization (SCO) and the Public Interest Law Centre, to develop Families First - a Manitoba-made First Nations initiative focused on MMIWG.
- E. This grassroots and inclusive approach is guided by the families of MMIWG in Manitoba and will provide an opportunity to listen and hear the families of MMIWG, support families and communities in their individual healing journeys, honour the MMIWG, identify processes to ensure immediate action and systemic change, and

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prevent future harm; in addition to beginning to identify culturally grounded processes to ensure immediate action and systemic change to prevent future harm.

- F. On December 10, 2014 during the AFN Special Chiefs Assembly, grassroots people made it known that there is much activity regarding MMIWG and called for the AFN to include the voices of the grassroots and to recognize that a National Inquiry on MMIWG is a part of the action needed.
- G. During the same meeting, the grassroots people warned of the parallel between our MMIWG and the assaults on Mother Earth and challenged everyone to do something about the parallels of violence against our people, and also take responsibility in making a difference in our own families and communities
- H. The leaders from AFN and National Aboriginal Organizations along with Ministers and officials from the Provinces and Territories are planning a one day national roundtable on MMIWG which is scheduled for February 2015 and are awaiting confirmation of Federal participation.

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

1. Call for the adoption of a national First Nations consensus based on the made in Manitoba Families First initiative to honor the Missing and Murdered Indigenous Women and Girls (MMIWG) and involve and support their families first, and to collaborate on immediate actions and systemic change.
2. Recognize that any process including a national roundtable or inquiry must listen and hear the voices of the families of MMIWG, adequately support the families and communities in their healing journeys, and honor the MMIWG.
3. Recognize that the one day national roundtable on MMIWG is not sufficient.

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**TITLE:** Support for the Development of a Report on Natural Resources

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**SUBJECT:** Economic Development

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**MOVED BY:** Chief Randy Ermineskin, Ermineskin First Nation, AB

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

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. Treaties exist and are valid, which form the basis of the *Constitution Act, 1982* within the country called Canada as outlined and expressed in the *Paulette* case in the Supreme Court of Canada in 1976, and other court decisions such as the *William* case in the Supreme Court of Canada in 2014.
- B. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) states:
  - i. 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."
- C. The United Nations Guiding Principles on Business and Human Rights cites principles grounded in recognition of:
  - i. States' existing obligations to respect, protect and fulfil human rights and fundamental freedom;
  - ii. The role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights;
  - iii. The need for rights and obligations to be matched to appropriate effective remedies when breached.
- D. At the time of Confederation, the federal government transferred the title and management of natural resources to the provinces and sold the title to natural resources to the provinces without any consultation, consent, or paying any equitable compensation for those resources, which contributed to the impoverishment of Indigenous nations.

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- E. The Working Group on Natural Resources Development (WGNRD) was launched in December 2013 by the Assembly of First Nations (AFN) and Aboriginal Affairs and Northern Development Canada (AANDC) to begin a national conversation that examines and identifies ways to ensure that First Nation citizens and communities have the opportunity to participate and share in the full range of benefits resulting from natural resource development projects.
- F. In good faith, the WGNRD will work to honour the direction of recent Supreme Court of Canada decisions to reconcile s.35 of the *Constitution Act, 1982* and s.92 of the *Constitution Act, 1867*. First Nations were never consulted, never gave their consent, nor received equitable consultation for their resources.
- G. The WGNRD is not intended as a consultation process, nor as an extension of duties held by the Crown; rather, this is an independent and voluntary study inviting First Nation leaders, industry experts, government and others to contribute to a dialogue on ideas that supports and facilitates First Nations full involvement in the resourced based economy.
- H. Following the report made in July 2014 to the Chiefs-in-Assembly, the WGNRD began its work, taking into consideration the objectives articulated in AFN Resolution 80/2011 and held two working sessions in November 2014.
- I. Given the potential for increased First Nations participation in the resource economy, it is imperative that the WGNRD continue its work.

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

1. Call upon the National Chief to support and assist the Working Group on Natural Resources Development (WGNRD) in continuing its work and to communicate to the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) the urgency of supporting this work and First Nation full involvement and recognition of First Nations' authority and jurisdiction in the economy, including the resource sector.
2. Call upon the National Chief and AFN Chiefs Committee on Economic Development to support the WGNRD to coordinate a meeting with other levels of government and jurisdictions involved in resource development planning and promoting the duty to involve First Nations.
3. Recommend that the WGNRD continue its work, during which time it can further examine, research, and invite input on actions required going forward, with a report to the Chiefs-in-Assembly in July 2015.
4. Instruct the Working Group to identify a communications plan and present their finding and observations to parliamentarians, Canadians, industry, international community of interest and others.
5. Call upon the federal and provincial governments to create a table to address historic grievances of Indigenous nations, regarding the historical development and exploitation of natural resources taken from our traditional territories, without our consultation or consent, and pay equitable compensation to the Indigenous nations for these historical injustices.

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TITLE: Non-Insured Health Benefits Action Plan as a Living Document

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SUBJECT: Health

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

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SECONDED BY: Chief Shane Gottfriedson, Kamloops Indian Band, BC

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DECISION Carried by Consensus

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**WHEREAS:**

- A. Affirming the following articles of the United Nations Declaration on the Rights of Indigenous Peoples:
- 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. Resolution 04/2011, *Making First Nations Health a Priority*, directed the Assembly of First Nations (AFN) to advocate for the recognition of First Nations inherent and Treaty right to health. In addition, it directed the AFN to work with the Government of Canada to create First Nation-specific approaches to First Nation health issues.
- C. Resolution 56/2012, *Moratorium and Joint Review of Non-Insured Health Benefits*, calls for the First Nations and Inuit Health Branch (FNIHB) to join the AFN in a comprehensive joint review of the Non-Insured Health Benefits (NIHB) program and for a moratorium on cuts to the NIHB until the joint review is completed.
- D. Following direction from the Chiefs Committee on Health (CCOH) and the National First Nations Health Technicians Network (NFNHTN) in the fall of 2013, the AFN undertook a campaign to demand transformation of the NIHB.

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- E. Regional Roundtables, a National First Nations NIHB Strategy Forum and a dialogue session with leadership at the Annual General Assembly in Halifax on July 16, 2014, as well as ongoing input from CCOH and NFNHTN, informed the development of a draft National First Nations NIHB Action Plan.

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

1. Approve the Assembly of First Nations (AFN) Non-Insured Health Benefits (NIHB) Action Plan as a living document and direct the Chiefs Committee on Health (CCOH), National First Nations Health Technicians Network (NFNHTN) and AFN staff to pursue the action items within.

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**TITLE:** *Specific Claims Tribunal Act Five-Year Review*

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**SUBJECT:** Specific Claims

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

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**SECONDED BY:** Chief Harold St-Denis, Wolf Lake First Nation, QC

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) 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 *Specific Claims Tribunal Act* (SCTA) requires Canada to conduct a five-year review of the Specific Claims Tribunal and related processes.
- D. A Political Agreement signed by former National Chief Phil Fontaine and then Minister of Indian Affairs Jim Prentice commits to include the participation of the AFN in the five-year review.
- E. The Chiefs-in-Assembly passed Resolution 10/2014, *Just Resolution of Specific Claims*, during its July 2014 General Assembly.
- F. The Chiefs Committee on Claims (CCoC) has met to discuss its participation in the five-year review.

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

1. Direct the Chiefs Committee on Claims (CCoC) to develop a process to meaningfully engage in the five-year review of the *Specific Claims Tribunal Act* (SCTA) and related processes.
2. Direct the CCoC to take steps to ensure that First Nations have a meaningful opportunity to contribute their views on the current state of federal claims processing.
3. Call on the CCoC to report back to the Chiefs-in-Assembly at an upcoming Assembly.

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**TITLE:** Prescription Drug Abuse Crisis in Manto Sipi Cree Nation

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**SUBJECT:** Health

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**MOVED BY:** Roger Ross, Proxy, Manto Sipi Cree Nation, MB

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**SECONDED BY:** Chief Walter Spence, Fox Lake First Nation, MB

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. Manto Sipi Cree Nation (MSCN) has a fiduciary responsibility to provide safety and security for its citizens and the right to develop economic, education, health and other social programs and institutions as confirmed in the United Nation Declaration on the Rights of Indigenous Peoples.
- B. A special study called *Community Profile on Prescription Medication Use: Manto Sipi Cree Nation 2007 - 2012* was conducted by Health Canada, to help MSCN develop and prioritize potential intervention strategies in addressing the prescription drug abuse. The study highlighted:
- i. In 2012, 59% of MSCN population filled at least one prescription paid for by Non-Insured Health Benefits (NIHB) at a Manitoba pharmacy compared to 63.8% of Manitoba First Nations.
  - ii. In 2012, 4.8% of MSCN population filled at least one prescription for a benzodiazepine medication compared to 9.7% of all Manitoba First Nations population.
  - iii. In 2012, 15.4% of MSCN band members filled at least one opiate prescription compared to 17.4% of all Manitoba First Nations.
- C. MSCN males are filling opiate prescriptions at a rate of 15 per 100 males compared to females at 16 per 100 females. MSCN is an isolated remote community with a population of 862 people without a Royal Canadian Mounted Police (RCMP) Detachment to monitor illegal trafficking. The incidence of prescription drug abuse in MSCN has escalated resulting in social and family dysfunction and calamity at an unprecedented scale. Since the study of 2012 there has been a steady increase of prescription drug abuse, 38 overdoses related to

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prescription drug use as well as two deaths. The Chief and Council consider this to be a state of emergency that affects the overall wellness of the community.

- D. The Chief and Council states MSCN cannot wait for programs to trickle down from the national and Winnipeg regional office and calls for an immediate prescription drug abuse intervention strategy and prevention and addiction programming to be implemented at MSCN to quell this epidemic. The intervention must be comprehensive and include collaborative efforts between MSCN, First Nations and Inuit Health Branch (FNIHB), Non-Insured Health Benefits (NIHB), prescribers, dispensers and RCMP. It is essential that the efforts are grounded in culture, be holistic and community-based and time is of essence.
- E. MSCN requires support to lobby Health Canada and other stakeholders to commence a process of program development and implementation of a comprehensive prescription drug abuse prevention and intervention strategy. MSCN recognizes the development of the First Nations Mental Wellness Continuum Framework and proposes that it is used as a guide to the implementation of a comprehensive strategy in MSCN. MSCN supports realigning the existing social programs and services at the local level to address prescription drug abuse. Chief and Council gives its full support with the implementation of the First Nations Mental Wellness Continuum Framework in MSCN.

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

- 1. Support Manto Sipi Cree Nation's resolve and undertaking to address the epidemic on prescription drug abuse in Manto Sipi Cree Nation to bring wellness to the families by implementing a community-based, holistic wellness program based on the First Nations Mental Wellness Continuum Framework.
- 2. Direct the Assembly of First Nations (AFN) National Chief and the AFN Health Unit to assist in lobbying Health Canada-First Nations and Inuit Health Branch (FNIHB) to jointly develop with Manto Sipi Cree Nation a Prescription Drug Abuse Wellness Program using the *Community Profile on Prescription Medication Use: Manto Sipi Cree Nation 2007-2012* as a tool for planning, developing and implementing various strategies.
- 3. Call on both Health Canada First Nations and Inuit Health Branch (FNIHB) and Manitoba Health to provide human resources, funding and guidance in the development of the Prescription Drug Abuse Wellness Program in Manto Sipi Cree Nation.

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**TITLE:** Terminating the Free Entry System in Manitoba and Implementing Resource Equity Sharing

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**SUBJECT:** Natural Resources

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**MOVED BY:** Roger Ross, Proxy, Manto Sipi Cree Nation, MB

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**SECONDED BY:** Chief Shane Gottfriedson, Kamloops Indian Band, BC

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. Manto Sipi Cree Nation has a sacred duty to promote and ensure the protection of water, air, birds, animals and the natural world when making decisions and conducting business on Manto Sipi Cree Nation ancestral lands and territory.
- B. Manto Sipi Cree Nation has autonomy and jurisdiction over its ancestral lands and territory.
- C. The Adhesion to Treaty 5 Elders have proclaimed, "we are owners and custodians of our lands and territories" and, that the Treaties bind the Parties to share in the wealth of the land and its natural resources.
- D. The Manitoba government grants prospectors, mineral exploration and mining companies free entry on First Nation ancestral lands and territories for prospecting and staking claims which violates First Nation self-determination and autonomy over ancestral lands and territories as recognized by the United Nations Declaration on the Rights of Indigenous Peoples.
- E. The laws of Manitoba authorize prospectors to enter, remain and occupy, bring in vehicles, machinery, supplies and personnel on First Nation lands without consultation or obtaining consent from First Nations thereby infringing on Aboriginal and Treaty Rights.
- F. The prospectors, mineral exploration and mining companies who prospect and stake claims on First Nation ancestral lands and territories must be prevented from free entry and the free entry system be terminated. In the alternative, proper and meaningful section 35 (1) consultation must be held on prospecting and stake

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claiming, and resource equity agreements need to be negotiated as a precondition to entering and doing business on First Nation ancestral lands and territories.

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

1. Endorse and give support for the termination of the Free Entry System in Manitoba and call on Manitoba to amend the *Manitoba Mines and Minerals Act* to prevent prospectors, mineral exploration and mining companies from entering, prospecting and staking claims on First Nation ancestral lands and territories without section 35 (1) consultation and consent of the First Nations.
2. Support Manto Sipi Cree Nation's pursuit to negotiate a Resource Equity Sharing Agreement with mineral resource companies as a requirement of doing business on Manto Sipi Cree Nation's ancestral lands, consistent with United Nations Declaration on the Rights of Indigenous Peoples and to prevent unfettered industry access to mineral resources ensuring unfettered access to mineral resources by Manto Sipi Cree Nation and equitable sharing of the benefits of mineral development to support Manto Sipi Cree Nation self-determination.
3. Endorse and support the Resource Equity Sharing Agreement as a basis of negotiating resource development agreements and as a precondition to resource development on First Nation ancestral lands and territories.

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TITLE:	Support for the <i>Tsilhqot'in Nation</i> Judgment
SUBJECT:	Aboriginal Title
MOVED BY:	Chief Joe Alphonse, Tl'etinqox-t'in Government Office, BC
SECONDED BY:	Grand Chief Stewart Phillip, Proxy, Penticton Indian Band, BC
DECISION	Carried by Consensus

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**WHEREAS:**

- A. The *Tsilhqot'in Nation*, building on the efforts of the Nisga'a Nation, the Gitksan, the Wet'suwet'en, the Haida Nation and many other First Nations in British Columbia, asserted its Aboriginal title and rights in the Canadian court system, seeking long overdue recognition of these rights and the protection of critically important lands in the heart of its traditional territory.
- B. On June 26, 2014, in the historic and unanimous *Tsilhqot'in Nation* judgment, the Supreme Court of Canada granted Aboriginal title for the first time in Canadian history, in the homeland of the *Tsilhqot'in* people.
- C. The *Tsilhqot'in Nation* judgment marks a watershed in the history of British Columbia and Canada, sweeping aside the discriminatory arguments advanced by the Crown and accepted by the British Columbia Court of Appeal to deny Indigenous rights of ownership, and instead recognizes that Indigenous peoples are the lawful owners and stewards of the homelands that have sustained them for generations, with the right to decide our futures, to govern our territories, and to manage and benefit from our lands.
- D. The *Tsilhqot'in Nation* judgment makes it clear that the *status quo* is not acceptable, and confirms that the federal and provincial governments have a positive legal duty to negotiate in good faith to resolve land claims, based on reconciliation and not on competing interests.
- E. The Supreme Court of Canada, in *Tsilhqot'in Nation*, encouraged government and industry to seek the consent of First Nations to develop on our traditional lands and, in so doing, the Court has pointed to a path of reconciliation, with the potential to unlock economic, social and cultural benefits for all Canadians.

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- F. Implementation of the *Tsilhqot'in Nation* judgment is an important step towards the full recognition of Article 26(2) on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which provides that "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 of use, as well as those which they have otherwise acquired" and the requirement under Article 32(1) of "free and informed consent prior to the approval of any projects affecting [our] lands or territories and other resources".
- G. In part, the *Tsilhqot'in Nation* judgment was made possible by our unity, standing together, with the united support of the Assembly of First Nations (AFN), Union of British Columbia Indian Chiefs (UBCIC), the First Nations Summit, as well as individual First Nations and non-Aboriginal supporters across Canada.
- H. It is only through a united and sustained effort, standing together, that the full potential of this judgment of the Supreme Court of Canada will be realized, to begin a new path towards a true recognition and reconciliation of our rights, interests, and goals as Indigenous peoples.

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

1. Fully support the efforts of the Tsilhqot'in Nation to implement their traditional laws, practices and values within their Title Area and the Tsilhqot'in territory.
2. Direct the Assembly of First Nations (AFN) National Chief to monitor the progress of the Tsilhqot'in Nation's engagement with the provincial and federal governments, and to support the Tsilhqot'in Nation in holding both governments accountable for fully implementing Aboriginal title, resulting in a just and lasting reconciliation for the Tsilhqot'in people, and all First Nations.
3. Direct the AFN National Chief to coordinate political, legal, communication and technical support with the Tsilhqot'in National Government to assist the Tsilhqot'in Nation in its engagement with the provincial and federal governments.

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**TITLE:** Support for a Dedicated Fund for First Nation Small and Medium-sized Enterprises

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**SUBJECT:** Economic Development

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**MOVED BY:** Chief Shane Gottfriedson, Kamloops Indian Band, BC

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**SECONDED BY:** Chief Gilbert Whiteduck, Kitigan Zibi Anishinabeg, QC

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) states:
- i. Article 20: "Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities."
- B. The Assembly of First Nations (AFN) recognizes First Nations small and medium-sized enterprises are the engines of economic growth across balanced industries and sectors that will create jobs and opportunities for First Nations people, communities and others.
- C. Federal funds available to support First Nations small and medium-sized enterprises have been reduced by 40 percent since 2010 and are projected to continue to decrease, and will threaten the ability of First Nation enterprises to access loans that mainstream financial institutions will not extend to First Nations.
- D. Aboriginal Financial Institutions (AFIs) are a significant developmental lending force for First Nations with good financial lending practices, evident in their 93.5 percent successful lending rate - a performance rate that is comparable to and exceeds some mainstream developmental lenders.
- E. The Federal Framework for Aboriginal Economic Development's (FFAED) key pillar is to strengthen Aboriginal entrepreneurship, and one of the critical needs of these entrepreneurs is to secure access to debt and equity capital, recognizing that without such equity Aboriginal entrepreneurs will not have opportunities.

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- F. The AFN, on behalf of Chiefs across Canada, recognizes the work of the National Aboriginal Capital Corporations Association (NACCA) and the AFIs for providing two billion dollars in loans to Aboriginal small businesses across Canada since opening their doors.

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

1. Call on the federal government to restore and enhance a dedicated fund to support First Nations small and medium-sized enterprises, and commit to strengthening First Nation entrepreneurship.
2. Instruct the National Chief to meet with federal ministers to ensure that First Nation-mandated financial institutions are granted the resources and the debt and equity capital that is needed to continue supporting the small and medium-sized business growth and expansion that provides the jobs that play a key role in building healthy communities and a thriving private sector.

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**TITLE:** Support for the Institute of Aboriginal Peoples Health (IAPH)

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**SUBJECT:** Health

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**MOVED BY:** Chief Shane Gottfriedson, Kamloops Indian Band, BC

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

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples provides:
- i. Article 23: "Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions."
- B. The Institute of Aboriginal Peoples Health (IAPH) is one of 13 Institutes established in 2000 as part of the network supported by the Canadian Institutes of Health Research (CIHR). The purpose of IAPH is to build capacity in Aboriginal health research, as well as provide a strong voice for Aboriginal health priorities and perspectives. For instance, as recently as 2011, the IAPH Network Environments for Aboriginal Health Research (NEAHR) program was celebrated for its successful research by CIHR's own International Review Panel.
- C. Funding for the NEAHR Program ended in March, 2014. The ultimate goal of this program was to train graduate students who would be working on a broad range of health issues, including mental health and addiction, food security, nutrition, diabetes, northern health issues, tobacco control, and Aboriginal youth suicide. In addition, in August, 2014, CIHR Governing Council resolved to cut the budget of IAPH and the other institutes by 50 percent, making it much more difficult for IAPH to pursue strategic priorities in Aboriginal health. There are additional concerns that IAPH Ottawa-based staff will be re-assigned duties, which will seriously hamper the ability of IAPH to interact with other institutes.

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- D. We must act to ensure the continued development of the IAPH to pursue better health for First Nations, Inuit and Métis through partnerships in research.
- E. Additionally, there is a growing concern within the national research community that the next step will be the elimination of IAPH.

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

1. Call for an immediate meeting between Canadian Institutes of Health Research (CIHR) Governing Council and the Aboriginal Health Research Steering Committee and representatives of the First Nations, Métis and Inuit leadership.
2. Call upon the federal government and CIHR to immediately restore full funding to the Institute of Aboriginal Peoples Health (IAPH) and reverse the dismantling process of one of the most highly regarded Aboriginal health research organizations in the world.

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**TITLE:** Support for Rescinding the Papal Bulls of Discovery

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**SUBJECT:** Reconciliation

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**MOVED BY:** Chief Shane Gottfriedson, Kamloops Indian Band, BC

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**SECONDED BY:** Bernd Christmas, Proxy, Indian Island First Nation, NB

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. First Nations people and their descendants have suffered the effects of colonization by successive governments since before Canada was established based on a false doctrine of discovery – a doctrine which must be rescinded in order for healing and understanding between First Nations and Canada to truly begin.

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

1. Resolve to endorse, to support and to encourage the participation of its peoples in the Long March to Rome, a pilgrimage of Indigenous peoples worldwide to present a petition to Pope Francis I, seeking revocation of the two papal bulls Romanus Pontifex (1455) and Inter Caetera (1493), otherwise known as the Papal Bulls of Discovery, for the following reasons:
  - a. They were the “blueprint” for conquest of the New World.
  - b. They provided moral justification for the enslavement and conquest of Indigenous peoples worldwide.
  - c. They are an ongoing violation of contemporary international human rights law.
  - d. Other communities currently struggling to save their lands are threatened by modern-day ideologies of inequality anchored in the Papal Bulls of Discovery.

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**TITLE:** Sun-setting of the Education Partnerships Program

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**SUBJECT:** Early Childhood Education

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**MOVED BY:** Regional Chief Bill Erasmus, Proxy, Tulita Dene Band Council, NT

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**SECONDED BY:** Grand Chief Stewart Phillip, Proxy, Penticton Indian Band, BC

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. First Nations children have human rights, Inherent, Treaty and Aboriginal Rights.
- B. First Nations children have rights as a result of the United Nations Convention on the Rights of the Child, and other international instruments regarding the rights of Indigenous Peoples, to health, early childhood development, education, and accessible culturally relevant supports to meet their needs.
- C. First Nations children have the right to quality education comparable and equitable to other Canadian children.
- D. The early years are critically important to children's health, their development, school readiness, lifelong learning and well-being throughout their lives.
- E. The Royal Commission on Aboriginal Peoples (1996) stated: "child care is as much an economic development as a social issue. Child care is an integral factor in an individual's road to self-reliance and in community economic development and health."
- F. There are large gaps in the availability of programs, services, supports and infrastructure for children living on reserve in rural and remote communities.
- G. There are significant health and developmental disparities between First Nations living on reserve in rural and remote communities and children living in other circumstances.
- H. There are deficits in creating and improving the transition between elementary and secondary education on reserve and early childhood programs and the family.

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- I. In 2009, the Government of Canada introduced the Reforming First Nations Education Initiative which included the proposal-based Education Partnerships Program (EPP) and the First Nations Student Support Program (FNSSP), which was meant to create partnerships between First Nations organizations and provincial systems.
- J. First Nations have worked diligently to create partnerships and develop frameworks to deliver early learning programs that support and strengthen the transition to school.
- K. The interruption of funding for early childhood initiatives will negatively impact First Nation children who have greatly benefitted from these initiatives.

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

1. Confirm the obligation of the federal government to implement the Inherent and Treaty Right to education, and fulfill its fiduciary responsibility to provide adequate resourcing for all aspects of First Nations education, including early childhood development, which is recognized and affirmed in section 35 of the *Constitution Act*.
2. Call upon the National Chief to work with the AFN Chiefs Committee on Education to develop an early childhood development strategy for engagement with the federal government.
3. Direct the National Chief to inform the Minister of Aboriginal Affairs and Northern Development, the Minister of Finance and the President of the Treasury Board Secretariat that funding for Education Partnership Program (EPP) and the First Nations Student Support Program (FNSSP) through the Reforming First Nation Education Initiative must be supported beyond March 31, 2015.

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**TITLE:** Support for Persons with Disabilities

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**SUBJECT:** Social Development

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**MOVED BY:** Bernd Christmas, Proxy, Indian Island First Nation, NB

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**SECONDED BY:** Chief Gilbert Whiteduck, Kitigan Zibi Anishinabeg, QC

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. The preamble of the United Nations Convention on the Rights of Persons with Disabilities notes that States are "concerned about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status".
- B. 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.
  - iii. Article 22 (1): Particular attention shall be paid to the rights and special needs of indigenous elders women, youth, children and persons with disabilities in the implementation of this Declaration.
  - iv. Article 22 (2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

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- C. Indigenous persons with disabilities continue to encounter structural and attitudinal barriers with respect to opportunities to improve their economic and social wellbeing.
- D. Indigenous persons disproportionately encounter a higher prevalence of all forms of disability.

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

1. Direct the National Chief and Executive to establish a process to raise awareness and create opportunities for Indigenous persons with disabilities to fully contribute to their own economic, social and human rights.
2. Direct the National Chief and Executive to advocate Canada to ratify the First Optional Protocol to the Convention on the Rights of Persons with Disabilities and monitor Canada's first review under the Protocol.
3. Advocate for greater First Nations participation in the review process articulated in Article 33 of the Convention on the Rights of Persons with Disabilities.
4. Direct the National Chief to report back to the Chiefs-in-Assembly on this matter.

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**TITLE:** Shoal Lake Water Advocacy

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**SUBJECT:** Lands and Resources

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**MOVED BY:** Chief Fawn Wapioke, Iskatewizaagegan No. 39 Independent First Nation, ON

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**SECONDED BY:** Chief Erwin Redsky, Shoal Lake #40 First Nation, ON

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. Since time immemorial the Anishinaabeg of Iskatewizaagegan (Shoal Lake) have lived, occupied and derived their well-being, spiritual health, peace and prosperity from their homelands and waters.
- B. The Creator placed us on this earth, each in our own sacred and traditional territories, to care for all creation. Through the Strategy to Protect and Advance Indigenous Water Rights and Title we will stand united to follow and implement our knowledge, laws and self-determination, to preserve water, to preserve life.
- C. First Nations declare Inherent and Treaty rights over the lands and waters in our traditional territories, and continue to assert and exercise our rights, manage our economies and fulfill our responsibilities through ceremony and practices of management and use.
- D. The City of Winnipeg continues to draw its water from our territories and lacks the understanding of the negative impacts the diversion has had on the land, the watershed, the air and the beings who rely on this source for their continued existence.
- E. The citizens of our nations, the women, the youth and the elders have been diligent in their responsibility to protect these non-renewable resources and are seeking resolution for the long standing abuses of their Inherent and Treaty rights.
- F. The International Joint Commission believes the City of Winnipeg is violating the century old agreement that allows the metropolis to draw its drinking water from Shoal Lake. In a letter sent to the Ministry of Foreign Affairs and the U.S. State Department on November 3, 2013, Canadian commissioner Gordon Walker and his

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American counterpart Lana Pollack said the impact the aqueduct has had on the Shoal Lake First Nations constitutes a violation of the terms of the original 1914 Order.

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

1. Support the fulfillment of the Strategy to Protect and Advance Indigenous Water Rights, including:
  - a. Outreach and advocacy with decision-makers, parliamentarians and public officials on all matters affecting First Nation water and water management rights and interests.
  - b. Specific liaison and outreach to organizations in the United States, to develop protocols and share resources and best practices on water management.
  - c. Ongoing advocacy with International bodies, such as the United Nations Permanent Forum on Indigenous Peoples, Permanent Missions and Embassies, on water management.
  - d. Optimize Provincial & Territorial forums to encourage awareness of First Nation water rights and interests across jurisdictions.
2. Exercise Inherent and Treaty rights including:
  - a. Examining the basis for legal challenges regarding safe drinking water for First Nations.
  - b. Developing strategies to assert First Nation water rights with particular emphasis on the application of customary law to water management.
  - c. The human right to water.
  - d. The role of the United Nations Declaration on the Rights of Indigenous Peoples in protecting First Nations water sources.
  - e. The development of institutions to support First Nations' capacity, such as a First Nations Water Commission.
  - f. The development of a taxation and resource revenue strategy.

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**TITLE:** Indian Residential Schools Personal Education Credit Program

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**SUBJECT:** Indian Residential Schools

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**MOVED BY:** David Paul, Proxy, Northwest Angle #33 First Nation, ON

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

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**DECISION** Carried; 14 objections; 2 abstentions

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**WHEREAS:**

- A. The Indian Residential School system was a direct violation of the Treaties, resulting in devastating intergenerational consequences to First Nations, which was finally acknowledged by the Government of Canada and the Churches through the Indian Residential School Settlement Agreement (IRSSA).
- B. According to the terms of the IRSSA, once all Common Experience Payments (CEP) have been made, if more than \$40 million remains in the Designated Amount Fund (DAF), the funds are to be made available to CEP recipients, upon application, in the form of non-cash Personal Credits of up to \$3,000 each for educational purposes.
- C. The IRSSA provided limited details on the Personal Credits but directed Canada and the Assembly of First Nations (AFN) to develop Terms and Conditions for the Personal Credits for First Nations, along with other eligible non-First Nation recipients.
- D. Once the Personal Credits have been distributed, any amount remaining in the DAF on January 1, 2015, is to be paid to the National Indian Brotherhood (NIB) Trust Fund and the Inuvialuit Education Foundation (IEF) to be used for educational programs.
- E. According to the IRSSA, the payments to the NIB Trust Fund and the IEF are to be proportionately based on the total number of eligible CEP recipients other than Inuit and Inuvialuit who have received the CEP in the case of the NIB Trust Fund, and the total number of Inuit and Inuvialuit Eligible CEP recipients who have received the CEP in the case of the IEF.

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- F. Since being implemented on January 20, 2014, there have been problems with First Nations accessing the Personal Credits program which may result in a large proportion of eligible First Nation recipients neither accessing nor designating their credits before the deadline of October 31, 2014.
- G. There has been no information communicated to First Nations regarding how the monies transferred to the NIB Trust Fund will be managed and utilized other than that "...it shall be used for educational programs on terms and conditions agreed between Canada and NIBTF and IEF, which terms and conditions shall ensure fair and reasonable access to such programs by all class members including all First Nations, Inuit, Inuvialuit and Métis persons."
- H. One of the principles of the IRSSA was the acknowledgement of the ongoing harm the residential school system had and continues to have upon First Nations in terms of the loss of their culture and languages.
- I. First Nations communities continue to be impacted and the recovery from which may take generations, therefore essential financial resources are required to assist in establishing and supporting community-based language and cultural revitalization programs.

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

1. Direct that the resources transferred from the Designated Amount Fund (DAF) to the National Indian Brotherhood (NIB) Trust Fund be made available to each First Nation based on the number of their eligible Common Experience Payment (CEP) recipients who have not accessed their Education Credits.
2. Encourage these resources to be used by each First Nation for community-based cultural and language programming.

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**TITLE:** Treaty Right to Housing

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**SUBJECT:** Housing

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**MOVED BY:** Chief Jackie Everett, Berens River First Nation, MB

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**SECONDED BY:** Chief James Bear, Brokenhead Ojibway Nation, MB

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**DECISION** Carried by Consensus

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) 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."
  - iii. Article 23: "Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions."
- B. The Treaty right to housing is an integral and implicit part of the Treaties and has never been surrendered.
- C. Canada Mortgage and Housing Corporation (CMHC) Section 95 program is the only program available to the Swampy Cree Tribal Council (SCTC) communities.
- D. CMHC provides access to mortgages with interest rates that can last up to 30 years. Often the home no longer exists or is uninhabitable by the time the mortgage is paid off.

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- E. The housing quality is poor and very cheaply built and as a result homes do not last for the life of the mortgage amortization period.

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

1. Direct the Assembly of First Nations to work with the Government of Canada to assert and affirm the existence and importance of a Treaty right to housing and to work together through networking, grassroots organizing, shared research and resources and joint action, to assert that right.
2. Call upon the Government of Canada to recognize and affirm the Treaty right to housing and to enter into an honorable process of consultation and negotiation with First Nations across Canada to implement this right and address housing shortages.

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