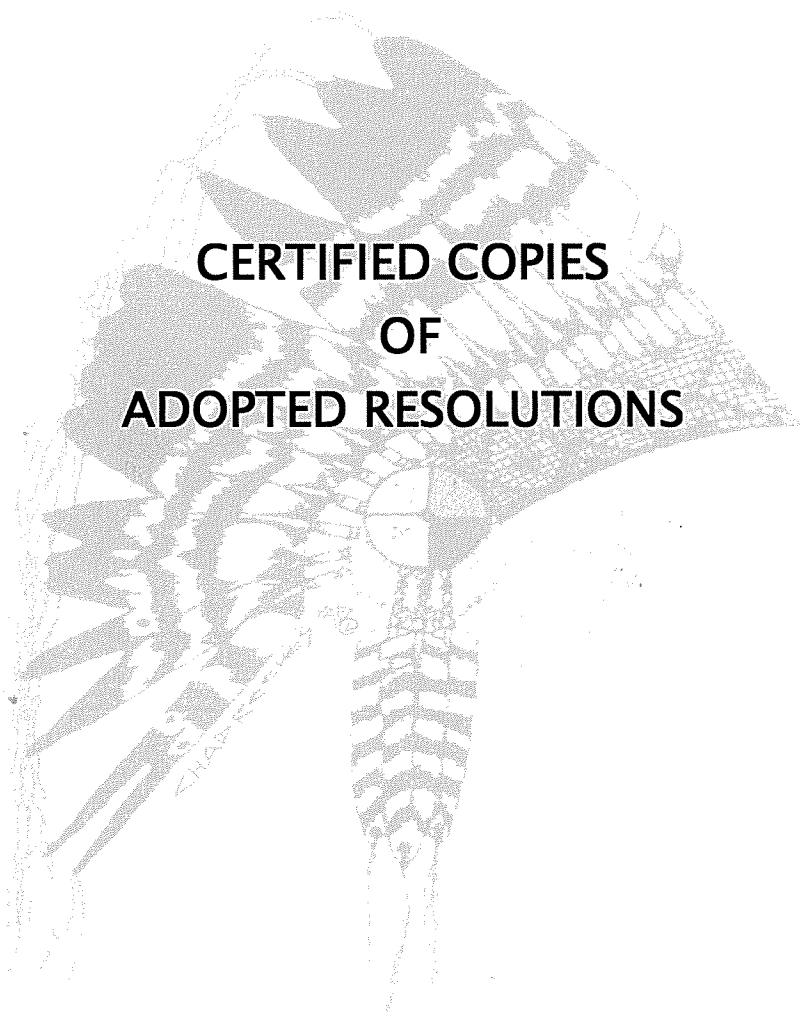


ASSEMBLY OF MANITOBA CHIEFS CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES



**CERTIFIED COPIES
OF
ADOPTED RESOLUTIONS**

Winnipeg, Manitoba
April 25, 26 & 27, 2017

ASSEMBLY OF MANITOBA CHIEFS
Chiefs Assembly on Child and Family Services
RBC Convention Centre
Winnipeg, Manitoba
April 25, 26 & 27, 2017

CERTIFIED RESOLUTIONS

- | | |
|-----------|--|
| APR-17.01 | Expansion of the First Nations Women's Council (FNWC)
Mandate to include Child and Family Matters |
| APR-17.02 | Amendment to the AMC Constitution Re: Inclusion of the
Role of the Grandmothers' Council |
| APR-17.03 | AMC to seek Standing for the National Inquiry into
Missing and Murdered Indigenous Women and Girls
(MMIWG) |
| APR-17.04 | A File by File Audit of Child and Family Services Agencies |
| APR-17.05 | Children's Special Allowance Recoveries |
| APR-17.06 | First Nation's Law on Children and Families |
| APR-17.07 | Parity of On Reserve Income Assistance and On Reserve
Foster Care Rates |
| APR-17.08 | Income Assistance Compliance Reviews and Recoveries |
| APR-17.09 | Nomination of the Families of Jordan Anderson and
Phoenix Sinclair for an Order of Canada |
| APR-17.10 | Red River College Indigenous Education Programming |
| APR-17.11 | Treaty Right to Hunt and Food Sovereignty |
| APR-17.12 | Assembly of Manitoba Chiefs and Jordan's Principle
Engagement and Service Coordination |
| APR-17.13 | Litigation against Manitoba regarding Sand Hills Casino |
| APR-17.14 | Gaming Forum |

**ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES
RBC CONVENTION CENTRE
WINNIPEG, MANITOBA
April 25, 26 & 27, 2017**

CERTIFIED RESOLUTION

**APR-17.01
Page 1 of 3**

**RE: EXPANSION OF THE FIRST NATIONS WOMEN'S COUNCIL
(FNWC) MANDATE TO INCLUDE CHILD AND FAMILY MATTERS**

Moved by:

Chief Stephanie Blackbird
O-Chi-Chak-Ko-Sipi
First Nation

Seconded by:

Chief Christian Sinclair
Opaskwayak Cree Nation

CARRIED

2 Abstain

WHEREAS, in June 1995, the Chiefs-in-Assembly affirmed the need for First Nations women in the self-government process and resolved to establish the First Nations Women's Council (FNWC). The FNWC acts as the voice for First Nations women within the political arena and addresses issues affecting women with the First Nations equally. The Terms of Reference for the FNWC identifies that it will do the following:

- Represents, advocates, and advances Manitoba First Nations women's interests at the political level.
- Hear and promote women's issues and concerns through legislative and policy change.
- Develop strategies designed to improve the health, economic, educational and social status of First Nations women.
- Provide direction, support, and advocacy in the political arena for treaty and inherent rights, as well as human rights, of First Nations women, children, and the elders.
- Encourage and advocate the creation of a network of affiliated community-based First Nations women's organizations; and

WHEREAS, At the September 2016 AMC AGA, the Chiefs in Assembly passed resolution SEPT-16.08 REGIONAL ENGAGEMENT ON FIRST NATIONS CHILD AND FAMILY SERVICES that mandated the AMC Secretariat to conduct regional engagement on Child and Family Services, with oversight to be provided by the Chiefs Task Force on Child and Family Matters. The Chiefs Task Force on Child and Family Matters has not yet agreed to a Terms of Reference, but the draft TOR identifies the following:

1. Help guide the overall implementation of the *First Nations Action Plan for Bringing Our Children Home* that includes:
 - a. advising and making recommendations to the AMC Grand Chief, AMC Executive Council of Chiefs (ECC), AFN Regional Chief, and Chiefs in Assembly;
 - b. providing oversight and direction to the Technical Advisory Group (TAG) on Child and Family Matters;

..../2

**ASSEMBLY OF MANITOBA CHIEFS
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**APR-17.01
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**RE: EXPANSION OF THE FIRST NATIONS WOMEN'S COUNCIL
(FNWC) MANDATE TO INCLUDE CHILD AND FAMILY MATTERS
(cont'd)**

- c. engaging and conferring with the Grandmothers Council;
 - d. participating at Community Workshops; and
 - e. reviewing and approving of any reports or documents for the ECC and Chiefs in Assembly.
2. Provide the overall direction, review and approval of the coordination and development of AMC's ongoing position on "Bringing our Children Home" and Achieving the Reunification and Strengthening of First Nation Families.
3. Provide oversight and direction on regional engagement on reform the First Nations Child and Family Service (FNCFS) Program.
4. Provide oversight and direction on regional engagement for the full implementation of Jordan's Principle; and

WHEREAS, During the November 28, 2016 meeting of the AMC Executive Council of Chiefs (ECC), the FNWC presented that they have been seeking funds to allow for them to meet. The ECC discussed their support for AMC to conduct regional engagement on Jordan's Principle, and it was suggested that the FNWC could oversee both the regional engagement on FNCFS and Jordan's Principle. Since the oversight of the FNCFS was already identified by the Chiefs in Assembly to include the Chiefs Task Force on Child and Family Matters, on March 13, 2017 and April 20, 2017 the FNWC was invited to attend meetings of the Chiefs Task Force on Child and Family Matters; and

WHEREAS, on April 20, 2017 the Chiefs Task Force on Child and Family Matters and the First Nations Women's Committee met for the oversight of regional engagement on FNCFS and Jordan's Principle. The Grandmothers' Council was also in attendance. After considerable discussion, including identification of the role of the Grandmothers' Council within the AMC, a recommendation was brought forward to propose changes to the FNWC's mandate with the responsibility of oversight on Child and Family Matters, Regional Engagements on Child and Family Services and Jordan's Principle.

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**APR-17.01
Page 3 of 3**

**RE: EXPANSION OF THE FIRST NATIONS WOMEN'S COUNCIL
(FNWC) MANDATE TO INCLUDE CHILD AND FAMILY MATTERS
(cont'd)**

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly rescind the November 2014 AMC Executive Council of Chiefs resolution and the SEPT-16.08 resolution REGIONAL ENGAGEMENT ON FIRST NATIONS CHILD AND FAMILY SERVICES, and provide the FNWC with the mandate to oversee Child and Family Matters.

**CERTIFIED COPY
of a Resolution Adopted
on April 25, 26 & 27, 2017
Winnipeg, Manitoba**



Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES
RBC CONVENTION CENTRE
WINNIPEG, MANITOBA
April 25, 26 & 27, 2017**

CERTIFIED RESOLUTION

**APR-17.02
Page 1 of 2**

**RE: AMENDMENT TO THE AMC CONSTITUTION RE: INCLUSION OF
THE ROLE OF THE GRANDMOTHERS' COUNCIL**

Moved by:

Chief Betsy Kennedy
War Lake First Nation

Seconded by:

Chief Christian Sinclair
Opaskwayak Cree Nation

CARRIED

WHEREAS, in June 2014 by way of resolution the AMC Chiefs in Assembly supported action on the recommendations within the Bringing Our Children Home Report that recommended the establishment and development of a formal AMC Grandmothers Council. This included returning the Grandmothers to their rightful place within the community to revitalize traditional parenting ways:

- Resolution June-14.01 of the AMC Chiefs in Assembly “Supporting action on the recommendations presented within Bringing Our Children Home: Summary Report on the Outcomes of the Open Citizens Forum and Recommendations for Leadership Consideration” recommended the development an AMC Grandmothers Council.
- AMC Resolution JUN-14.02 “Support for the Ogitchitakwewak Kagiikwenan”:
 - a. recognized Grandmothers, mothers, aunts, and daughters in attendance were recognized as “Ogitchitakweg” and endorsed the statement entitled Ogitchitakwewak Kagiikwenan and the supporting Role of the Ogitchitakweg; and
 - b. established a formal AMC Grandmothers Council by encouraging and supporting Grandmothers from every community to become involved on a regional level and fulfill their Role as Ogitchitakweg, including the returning of the Grandmothers to their rightful place within the community to revitalize traditional parenting ways; and

WHEREAS, in November 2014 by way of motion of the AMC Executive Council of Chiefs, a Chiefs Task Force on Child and Family Matters was mandated to help guide the overall coordination and development of AMC’s ongoing position on “*Bringing Our Children Home*”. This Task Force was to include a Grandmother Representative. That Grandmother Representative has not yet been identified; and

WHEREAS, on April 18, 2017, the Grandmothers Council met and discussed a proposed draft Terms of Reference (TOR) and how it would operate within the AMC. The TOR as identified did not properly fit the role of what the Grandmothers Council should do. At the direction of the Grandmothers, the AMC is to prepare a Briefing Note that would propose an amendment to the AMC Constitution to properly incorporate the Grandmothers into the overall oversight and direction of the AMC; and

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**APR-17.02
Page 2 of 2**

**RE: AMENDMENT TO THE AMC CONSTITUTION RE: INCLUSION OF
THE ROLE OF THE GRANDMOTHERS' COUNCIL (cont'd)**

WHEREAS, on April 19, 2017, the FNWC met and discussed the Grandmothers Council. The FNWC supported the Grandmothers Council recommendation for the AMC Chiefs to consider amending the AMC Constitution to include a role for the Grandmothers Council; and

WHEREAS, on April 20, 2017, a Chiefs Oversight of First Nations Child and Family Services Engagement meeting was held with members of the Chiefs Task Force on Child and Family Matters and the FNWC. Members of the Grandmothers Council also attended. The Chiefs agreed to support a proposed change to the AMC Constitution to reflect a role for the Grandmothers Council.

THEREFORE BE IT RESOLVED, that the AMC Chiefs-in-Assembly support the recommendation from the Grandmothers Council, the First Nations Women's Committee and the Chiefs Task Force on Child and Family Matters to amend the AMC Constitution to include the Grandmothers Council; and

BE IT FURTHER RESOLVED, that the AMC Chiefs-in-Assembly direct the AMC Secretariat to provide the appropriate notice for an amendment to the AMC Constitution to the Chiefs for consideration at the July 2017 Annual General Assembly.

**CERTIFIED COPY
of a Resolution Adopted
on April 25, 26 & 27, 2017
Winnipeg, Manitoba**



Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES
RBC CONVENTION CENTRE
WINNIPEG, MANITOBA
April 25, 26 & 27, 2017**

CERTIFIED RESOLUTION

**APR-17.03
Page 1 of 2**

**RE: AMC TO SEEK STANDING FOR THE NATIONAL INQUIRY INTO
MISSING AND MURDERED INDIGNEOUS WOMEN AND GIRLS
(MMIWG)**

Moved by:

Chief Francine Meeches
Swan Lake First Nation

WHEREAS, Chiefs-in-Assembly endorsed the *Families First* report and for the implementation of the recommendations through resolution JUL-15.01; and

Seconded by:

Chief Gilbert Andrews
God's Lake First Nation

WHEREAS, the *Families First* report calls for a regional component to the National Inquiry into MMIWG that is outside the Inquiries Act; and

CARRIED

WHEREAS, resolution JUL-15.01, among other things, call on the Federal and Provincial governments to provide sufficient resources for the implementation of the recommendations of *Families First*; and

WHEREAS, in September 2016, the Government of Canada launched a National Inquiry into Missing and Murdered Indigenous Women and Girls; and

WHEREAS, the Inquiry is now accepting applications for standing from interested parties with the deadline being May 1, 2017; and

WHEREAS, there are three types of standing:

1. ***Regional Standing*** which will allow the designated applicant to participate in those events which are classified as regional; and
2. ***National Standing*** will allow the designated applicant to participate in events which are classified as national in a manner to be determined by the Commissioners, including fact gathering hearings involving the federal government and federal institutions, and expert panels or individual expert witnesses that are national in scope; and
3. ***Special Standing*** limited to a specific issue(s) within the Regional or National Standing category, which shall be identified in the written Application and are relevant to the mandate of the National Inquiry; and

WHEREAS, the First Nations Women Committee met and agreed that AMC should seek standing for the National Inquiry.

**ASSEMBLY OF MANITOBA CHIEFS
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**APR-17.03
Page 2 of 2**

**RE: AMC TO SEEK STANDING FOR THE NATIONAL INQUIRY INTO
MISSING AND MURDERED INDIGNEOUS WOMEN AND GIRLS
(MMIWG) (cont'd)**

THEREFORE BE IT RESOLVED, the Chiefs-in-Assembly support AMC to seek National Standing at the National Inquiry into MMIWG; and

FINALLY BE IT RESOLVED, that the First Nations Women's Committee will provide direction and oversight of the AMC's application for and standing at the Inquiry.

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Winnipeg, Manitoba**


Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
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**APR-17.04
Page 1 of 2**

**RE: A FILE BY FILE AUDIT OF CHILD AND FAMILY SERVICES
AGENCIES**

Moved by:

Chief Stephanie Blackbird
O-Chi-Chak-Ko-Sipi
First Nation

Seconded by:

Proxy Marilyn Courchene
Sagkeeng First Nation

CARRIED

3 Abstention

WHEREAS, the Chiefs-in-Assembly passed resolution JUN-14.01, endorsing and adopting the ten recommendations presented in *Bringing Our Children Home (BOCH): Summary Report On The Outcomes Of The Open Citizens Forum And Recommendations For Leadership Consideration*; and recommendation 2 of the BOCH report calls for the establishment of a First Nations Family Advocate Office (FNFAO) with financial support independent from the government of Manitoba; and

WHEREAS, since the opening of the FNFAO, it was revealed that Manitoba has the highest child apprehension rate in Canada with over 10,000 children in the Child and Family Services care, with 87 percent of the children being Indigenous. This perpetuates the ongoing commodification of Indigenous children; and

WHEREAS, the Chiefs-in-Assembly through resolution SEPT-16.08 supports the AMC Secretariat to conduct regional engagement on First Nations Child and Family Services, and that AMC, MKO and SCO work together on said engagement through the Technical Advisory Group on Children and Families identified in the *Agreement on Collaborative Action Concerning "Bringing Our Children Home" and Achieving the Reunification and Strengthening of First Nation Families*; and

WHEREAS, the regional engagement on the reform of CFS, has heard from community members and leadership on the services (or lack of services) provided to families in the CFS system; and

WHEREAS, the FNFAO has heard many situations where apprehended children in care could be sent home because they are not in need of protection.

.../2

**ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES
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**APR-17.04
Page 2 of 2**

**RE: A FILE BY FILE AUDIT OF CHILD AND FAMILY SERVICES
AGENCIES (cont'd)**

THEREFORE BE IT RESOLVED, Chiefs in Assembly seek to end the commodification of Indigenous children and call for a file by file audit of the CFS agencies to ensure that those children where there is no real concern for protection be immediately sent home to parents or home communities and said families provided support to keep their children home.

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Winnipeg, Manitoba**


Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES
RBC CONVENTION CENTRE
WINNIPEG, MANITOBA
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CERTIFIED RESOLUTION

APR-17.05

Moved by:

Chief Marcel Moody
Nisichawayasihk Cree Nation

Seconded by:

Chief Lance Roulette
Sandy Bay First Nation

CARRIED

RE: CHILDREN'S SPECIAL ALLOWANCE RECOVERIES

WHEREAS, under the federal *Children's Special Allowances Act*, 1992, c.48, (the Act) the Children's Special Allowance ("CSA") is a monthly payment provided to child welfare agencies by the federal government for each child in their care; and

WHEREAS, the Act provides for funds to be "applied exclusively toward the care, maintenance, education, training or advancement of the child in respect of whom it is paid" and are not subject to tax and cannot be assigned or given as security; and

WHEREAS, First Nation Child and Family Agencies use the CSA to supplement foster care costs and other needs of the child. The Province of Manitoba has required that each agency remit the CSA's received for "provincial" children (those not apprehended and placed on-reserve); and

WHEREAS, in 2006, Manitoba took the position that CSA's had to be remitted to the Province for any "provincial children." In 2013, the Province calculated the "CSA debt" owed by each Agency for outstanding CSA's since 2006, and subjected agencies to a 20% funding cut to pay back the CSA debts; and

WHEREAS, Manitoba and BC are the only provinces that clawback CSA for children that are wards of the province. In 2015-16, this remitted amount totaled between \$32 and \$34 million and the remitted money is returned to the province's general revenue fund.

THEREFORE, BE IT RESOLVED, that the Chiefs-in-Assembly fully canvas all legal options, and subject to financial resources, legally challenge the Province of Manitoba on its position on Children's Special Allowances.

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Winnipeg, Manitoba**


Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES
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**APR-17.06
Page 1 of 2**

RE: FIRST NATIONS LAW ON CHILDREN AND FAMILIES

Moved by:

Chief Stephanie Blackbird
O-Chi-Chak-Ko-Sipi
First Nation

Seconded by:

Chief Francine Meeches
Swan Lake First Nation

CARRIED

WHEREAS, the beliefs and values inherent in the worldview of the various First Nations across Manitoba as well as their precedents, customs, and experiences are deeply rooted in Indigenous decision-making processes; and

WHEREAS, “Wakometowin” “Éłelot’íneh hídlí” refers to family relationship – bloodline and immediate family; there remains customary law on “Wahkotowin” – this includes relationship to the other three Orders of Creation, or relationship to all creation. Customary law also includes “Mamawe-Ohpekenawasowin” “Nuheskēne benákánílní” which means collective child rearing lending to “Mitho Pmatesewin” “Honso Aynai” – good life; and

WHEREAS, the Supreme Court of Canada (SCC) has recognized that Aboriginal peoples in Canada have their own legal traditions, and recognition of customary laws is entrenched in Canadian law; and

WHEREAS, in 2000 the Aboriginal Justice Inquiry – Child Welfare Initiative (AJI-CWI) began and Memorandums of Understanding (MOUs) were entered into between the Province of Manitoba and: the AMC, on behalf of southern First Nations and the MKO on behalf of northern First Nations. Subsequently AMC and MKO, and the Province Manitoba entered into separate Protocol Agreements to establish a common process for implementing changes to the current system; and

WHEREAS, in 2007 the Chiefs-in-Assembly by way of Resolution JAN-07.05 discontinued negotiations until Canada demonstrates political will and commitment to a new approach; and

WHEREAS, The United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) addresses certain aspects of the rights of families and children, including:

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

**ASSEMBLY OF MANITOBA CHIEFS
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**APR-17.06
Page 2 of 3**

RE: FIRST NATION'S LAW ON CHILDREN AND FAMILIES (cont'd)

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture; and

WHEREAS, in the October 15, 2014, *Agreement on Collaborative Action Concerning "Bringing our Children Home" and Achieving the Reunification and Strengthening of First Nation Families* between AMC, MKO, SCO and the AFN Manitoba Regional Office and endorsed by the AMC Chiefs-in-Assembly, among other things, agree to:

- a. Restore and advance a First Nation Law on Families and Children; and
- b. Adopt and implement the findings and recommendations in the AMC *Bringing Our Children Home* report.

Subsequently, it was agreed MKO would advance a First Nation Law on Families and Children, and AMC would lead on implementing *Bringing our Children Home*; and

WHEREAS, in September 2015 the AMC sought guidance from a group of Anishinaabe (Ojibway), Nehetho (Cree) and Dakota Elders and Knowledge Holders, who prepared a Statement in alliance with Mother Earth—*Ogichi Tibakonigaywin, Kihche Othasowewin, Tako Wakan: The Great Binding Law*. The Statement was shared publicly on November 28, 2015; and

WHEREAS, the *Great Binding Law* is the overarching “Indigenous law” which encompasses many laws. It can potentially include a law on children and families. The AMC has already facilitated meetings with Elders and Knowledge Holders, listening to what they had to say in term of our own Indigenous laws and can use that process to develop a First Nation law on families and children.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly direct the AMC Secretariat to involve both men and women to draft a template First Nation customary law on families and children for each individual First Nations to consider to enact; and

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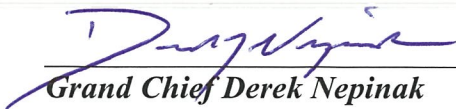
**APR-17.06
Page 3 of 3**

RE: FIRST NATION'S LAW ON CHILDREN AND FAMILIES (cont'd)

FURTHER BE IT RESOLVED, that the AMC Secretariat is directed to work with MKO and SCO to facilitate meetings to re-establish a common process to discuss changes to the current CFS system; and

FINALLY BE IT RESOLVED, that the AMC Secretariat regularly report to the Executive Council of Chiefs on the development of the draft template law and report back to the Chiefs-in-Assembly in one year.

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Winnipeg, Manitoba**


Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES
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CERTIFIED RESOLUTION

**APR-17.07
Page 1 of 2**

**RE: PARITY OF ON RESERVE INCOME ASSISTANCE AND ON-
RESERVE FOSTER CARE RATES**

Moved by:

Chief Arlen Dumas
Mathias Colomb
First Nation

Seconded by:

Chief Stephanie Blackbird
O-Chi-Chak-Ko-Sipi
First Nation

CARRIED

WHEREAS, First Nation child apprehensions are generally the result of a parent's struggle with poverty, addiction, mental health issues or family violence. Inadequate income assistance rates, the lack of safe and affordable housing and inaccessible childcare all negatively impact the ability of poor women and families to care for their children; and

WHEREAS, there is no specific federal legislation regulating essential services and programs to First Nations. Canada relies on directives from the Treasury Board to provide many of these services and programs, and Indigenous Affairs and Northern Development Canada (INAC) in turn develops policies based on the Treasury Board's directives; and

WHEREAS, in 1990, the Treasury Board entered into a Memorandum of Understanding (MOU) with INAC that consolidated existing authorities for all education and social development programs, stating that "the qualifying requirements and assistance schedules of the general assistance program of the province or territory" must be adopted for delivery of income assistance (IA) on-reserve; and

WHEREAS, amounts payable for IA shall be equivalent to the rates of the reference province or territory. INAC's contribution will be adjusted to reflect the provision of related federal or provincial/territorial benefits to avoid funding duplication. In Manitoba, a single person on reserve receives \$220 per month (vs \$194.00 off-reserve); and

WHEREAS, the federal on-reserve foster care rates vary based on a First Nation being South of 53, North of 53 and North of 53 with no road access. For children ages 0-10 these rates range from \$22.11, \$23.60 and \$26.14 accordingly. This equates to a maximum of \$785 per child per month; and

WHEREAS, poverty rates are highest for First Nations children on reserves in Manitoba at 76 per cent and there is a critical need to develop a poverty reduction plan for reserves including calls to increase income assistance support in order to help families.

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WINNIPEG, MANITOBA
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**APR-17.07
Page 2 of 2**

**RE: PARITY OF ON RESERVE INCOME ASSISTANCE AND ON-
RESERVE FOSTER CARE RATES (cont'd)**

THEREFORE, BE IT RESOLVED, that the Chiefs in Assembly call on Indigenous Affairs and Northern Development Canada to bring on-reserve income assistance rates in parity with on-reserve foster care rates.

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Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
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CERTIFIED RESOLUTION

**APR-17.08
Page 1 of 2**

**RE: INCOME ASSISTANCE COMPLIANCE REVIEWS AND
RECOVERIES**

Moved by:

Chief Arlen Dumas
Mathias Colomb
Cree Nation

Seconded by:

Chief Karen Batson
Pine Creek First Nation

CARRIED

WHEREAS, in 2013 the department of Indigenous and Northern Affairs Canada (INAC) began conducting income assistance compliance reviews for the fiscal years of 2013/14 to 2015/16 that resulted in recoveries identified in audits of First Nations; and

WHEREAS, the Chiefs-in-Assembly passed resolution SEPT.16-12 re: Social Assistance: reviews on the income assistance program in the Manitoba Region since April 1, 2013; and directed the AMC Grand Chief to meet with INAC representatives to stop financial recoveries generated through compliance; and

WHEREAS, on January 18, 2017 the Grand Chiefs office sent a letter to all Chiefs and Councils requesting that their Income Assistance Administrators work with the GCO to provide accurate information on the amount of the alleged financial recoveries identified by INAC, but there has been some hesitation from First Nations to share this information with AMC; and

WHEREAS, First Nations have been assured by INAC representatives that the Income Assistance recoveries would be removed from their audited financial statements; and

WHEREAS, at the April 12, 2017 bilateral meeting with INAC representatives and Social Development Advisors Technical Group, INAC informed the group that the compliance review will start up again and the Department will begin recovering the amounts owed from the previous compliance review within a one year time period.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly encourage each First Nation to share information about the compliance reviews recoveries with the Grand Chief Office solely for the purpose of exploring a potential legal challenge of INAC's approach to compliance review support; and

**ASSEMBLY OF MANITOBA CHIEFS
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**APR-17.08
Page 2 of 2**

**RE: INCOME ASSISTANCE COMPLIANCE REVIEWS AND
RECOVERIES (cont'd)**

FURTHER BE IT RESOLVED, that the Chiefs-in-Assembly call on the INAC minister to follow up on INAC commitments to remove the compliance recoveries from First Nations' audited financial statements; and

FINALLY BE IT RESOLVED, that the Chiefs-in-Assembly encourage First Nations to pass a Band Council Resolution that prevents any federal government representatives from conducting any further compliance reviews in their First Nation until Canada clarifies and follows up on INAC representations on the recoveries that does not further cause default or Third Party Management.

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Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON CHILD AND FAMILY SERVICES
RBC CONVENTION CENTRE
WINNIPEG, MANITOBA
April 25, 26 & 27, 2017**

CERTIFIED RESOLUTION

APR-17.09

**RE: NOMINATION OF THE FAMILIES OF JORDAN ANDERSON AND
PHOENIX SINCLAIR FOR AN ORDER OF CANADA**

Moved by:

Proxy Gilbert Fredette
Norway House Cree Nation

Seconded by:

Chief Gilbert Andrews
God's Lake First Nation

CARRIED

WHEREAS, at the April 24, 2017 Elders Council meeting, the AMC Secretariat was directed to look into what would be required for nominating Jordan Anderson and Phoenix Sinclair for an Order of Canada; and

WHEREAS, the eligibility requirements are as follows: All living Canadians are eligible for the Order of Canada, with the exception of federal and provincial politicians and judges while in office. Non-Canadians can be considered for "honorary" appointments if they have made a sustained and exceptional contribution to Canada. Members of the Royal Family can hold "extraordinary" appointments. There are no posthumous appointments; and

WHEREAS, the Elders have asked that the families of Jordan Anderson and Phoenix Sinclair be recognized for the national and regional calls to action that were brought about by the unfortunate circumstances surrounding these two children; and

WHEREAS, Jordan's Principle and the Phoenix Sinclair Inquiry have been essential mechanisms for ensuring both the federal and provincial governments recognize First Nation children and youth's human, constitutional, and treaty rights.

THEREFORE BE IT RESOLVED, that the Chiefs in Assembly direct the Grand Chief's Office to nominate the families of Jordan Anderson and Phoenix Sinclair for the Order of Canada.

CERTIFIED COPY

***of a Resolution Adopted
on April 25, 26 & 27, 2017
Winnipeg, Manitoba***



Grand Chief Derek Nepinak

**ASSEMBLY OF MANITOBA CHIEFS
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WINNIPEG, MANITOBA
April 25, 26 & 27, 2017**

**CERTIFIED RESOLUTION **

APR-17.10

**RE: RED RIVER COLLEGE INDIGENOUS EDUCATION
PROGRAMMING**

Moved by:

Chief Chris Baker
O-Pipon-Na-Piwin
Cree Nation

Seconded by:

Chief Elwood Zastre
Wuskwi Sipihk Cree Nation

CARRIED

WHEREAS, in the late 1980's and early 1990's AMC was involved on an Aboriginal Education Advisory Committee and other committees for the Red River College (RRC), and was also involved in the creation of some of the Indigenous programming including the creation of the position of Dean of Aboriginal Education and Institutional Diversity; and

WHEREAS, RRC Indigenous staff used to be invited to attend AMC's Education Directors' meetings to provide updates on new programming and establish relationships with Education Directors; and

WHEREAS, in March 2017, it was revealed that Red River College is cutting Indigenous Programs that includes, Aboriginal Self-Governance Administration, Computer Applications for Business, and reducing the Aboriginal Language Specialist to only Ojibway; and

WHEREAS, the Truth and Reconciliations Calls-to-Action numbers 6 to 12 deals specifically with Education for First Nations.

THEREFORE BE IT RESOLVED, the Chiefs-in-Assembly directs the Grand Chief to reestablish a working relationship with RRC and request a formal meeting with RRC to discuss the changes to Indigenous programming.

FINALLY BE IT RESOLVED, that the Grand Chief's office work with the RRC to develop a partnership that will be consistent with the Truth and Reconciliation Commission's Calls for Action, and explore opportunities for Indigenous students in different fields of study.

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**ASSEMBLY OF MANITOBA CHIEFS
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RBC CONVENTION CENTRE
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April 25, 26 & 27, 2017**

CERTIFIED RESOLUTION

**APR-17.11
Page 1 of 2**

RE: TREATY RIGHT TO HUNT AND FOOD SOVEREIGNTY

Moved by:

Chief Cameron Catcheway
Skownan First Nation

WHEREAS, two Elders Gatherings were held on the Customary Law of the Hunt on March 6 and April 5, 2017 to talk about the following:

Seconded by:

Chief Arlen Dumas
Mathias Colomb
First Nation

1. Province plan to prohibit night hunting altogether for all Manitobans under the premise of safety concerns; and,
2. The First Nation's concern about the continued abrogation of Treaty rights.

CARRIED

1 Abstention

WHEREAS, the Pallister government wrote the mandate letter to Minister Catherine Cox to curtail unsustainable and unsafe hunting practices such as night hunting to keep all Manitobans safe; and,

WHEREAS, a Summary Report on the Elders Gathering on Hunting Rights dated April 26, 2017 and the Elder's recommendations has been distributed and will be submitted to the provincial government; and,

WHEREAS, the Chiefs-in-Assembly calls for more dialogue on the hunting rights with First Nation communities.

THEREFORE BE IT RESOLVED, the Chiefs-in-Assembly hereby direct the AMC Grand Chief to put into action the following recommendations:

1. That Anishnaabe Law be applied to the discussion on night hunting. The Elders supports First Nations who have developed and codified their laws that sets out the protocols on hunting including night hunting.
2. A public apology from the Premier of Manitoba for the comments he made in Virden, Manitoba in relation to the "race war" on January 16, 2017.
3. A solution to the government preferred option to do away with the use of jack lighting equipment and hunting from provincial roads. To this end, the Elders recommend the creation of a Roundtable Discussion facilitated by the Treaty Relations Commission of Manitoba with the Anishnaabe Law as a basis of the discussion.
4. The Treaty right to hunt is not altered, diminished or abrogated in anyway; that, the recognition of food sovereignty and traditional diet of First Nation is taken as a priority.
5. That First Nations unfettered right of access to First Nation ancestral lands and resources are recognized by the government of Manitoba for the purposes of hunting, fishing, trapping and gathering and the commercial right to make a living off those resources.

..../2

**ASSEMBLY OF MANITOBA CHIEFS
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WINNIPEG, MANITOBA
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CERTIFIED RESOLUTION

**APR-17.11
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RE: TREATY RIGHT TO HUNT AND FOOD SOVEREIGNTY (cont'd)

6. Full recognition of the exercise the Treaty right to hunt and recommend the government to stop the deliberate harassment of Treaty hunters by enforcement officers; to stop the frivolous charges and to impose a penalty on enforcement officers where there is blatant evidence of mere harassment or deliberate ignorance.
7. The grassroots people are fully informed on night hunting regarding the potential impacts on the exercise of hunting as also recognized by the Supreme Court of Canada. This may require s. 35 consultations.
8. A local sample study be conducted on the preservation and better management of moose including data collection of wild life on the eastside of Manitoba. This study to be conducted locally by the women's group in Berens River First Nation.
9. That training on the customary law and safety on hunting be funded for the youth in First Nation communities taught by Elders. This training program to be designed by the Elders of the community; and,
10. To apply the teaching and principle of the seven generations in everything we do; that we have a responsibility for our future generations.

FURTHER BE IT RESOLVED, the Chiefs-in-Assembly support community and regional engagement, with the financial support of the province of Manitoba, to develop the critical discussion needed to ensure successful relationships are built in the context of treaty and Aboriginal rights to hunting.

FINALLY BE IT RESOLVED, the Chiefs-in-Assembly recognizes the right to Food Sovereignty and hereby endorse and adopt the Directive from Sovereign Nations of Treaty Nos. 1 to 11 dated January 24, 2017 (attached).

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Winnipeg, Manitoba


Grand Chief Derek Nepinak



SOVEREIGN NATIONS OF TREATIES 1-11

Suite 200 – 275 Portage Avenue Winnipeg, Manitoba R3B 2B3, (204)-806-3284

Directive # 1

Sovereign Nations of Treaties Nos. 1 to 11

Treaty Nos. 1 to 11 Spokesperson Meeting
January 24 & 25, 2017
Heritage Inn
Saskatoon, Saskatchewan
Treaty # 6 Territory

Re: Treaty between First Nations on Hunting, Fishing, Trapping, and Gathering relating to Food Sovereignty

WHEREAS, Food Sovereignty relates to the right to consume and the right to have free access to organic and traditional Indigenous foods and diets that contributes to good health for the Indigenous Peoples; and,

WHEREAS, Food Sovereignty is a right bestowed by the Creator to the Indigenous peoples on Turtle Island in which Treaty rights relating to hunting, fishing, trapping and traditional gathering are central to the exercise of this right; and,

WHEREAS, the Sovereign Nations of Treaties Nos. 1 to 11 recognizes the right of Food Sovereignty; and,

WHEREAS, Canada as a successor state including all its affiliate governments does not have the authority to intrude, infringe or limit the right to Food Sovereignty; and,

WHEREAS, Indigenous Peoples are being harassed by enforcement officers and charged indiscriminately for asserting their Treaty right to hunting, fishing and trapping that infringes on the right to Food Sovereignty; and.

WHEREAS, the Sovereign Nation Treaty Nos. 1 to 11 desire to protect and assert the right to Food Sovereignty and Indigenous Inherent and Treaty rights through an *Official Statement and Declaration* and by entering into a treaty between Indigenous Nations on hunting, fishing, trapping and gathering protocols.

THEREFORE BE IT RESOLVED, the Spokespersons of Sovereign Nations Treaties Nos. 1 to 11 endorse the following:

1. The development of a *Statement* or a *Declaration* on the right of Indigenous Food Sovereignty and the Inherent and Treaty rights.
2. The development of a *Protocol Agreement* or *Treaty* template on protocols of hunting, fishing, trapping and gathering in other jurisdictions and Treaty Territories and recognizing the management of natural resources of Indigenous governments; and,
3. The *Protocol Agreement* or a *Treaty* shall have the terms and conditions citing the limitations and conservation measures on hunting, fishing, trapping and gathering practices including notices when hunting in other Treaty Territory or as may be agreed to by the Parties, and, for greater certainty, acknowledging the right to Food Sovereignty.

MOVED BY: Chief Norman Bone, Keeseekoowenin First Nation – Treaty Two

SECONDED BY: Chief Margaret Bear – Ochapwace First Nation – Treaty Four

Certified by Treaties Nos. 1-11 Spokesperson

Spokesperson Eric Tootosis
Poundmaker Cree Nation, Treaty No. 6 Territory

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**APR-17.12
Page 1 of 2**

**RE: ASSEMBLY OF MANITOBA CHIEFS AND JORDAN'S PRINCIPLE
ENGAGEMENT AND SERVICE COORDINATION**

Moved by:

Chief Francine Meeches
Swan Lake First Nation

Seconded by:

Chief Betsy Kennedy
War Lake First Nation

CARRIED

WHEREAS, in January 2006 the AMC Chiefs-in-Assembly passed a resolution that called on the federal and provincial governments to implement the “child first principle” in resolving inter-governmental jurisdictional disputes, and, in honour of the memory of Jordan and with respect to his family and community, that this “child first principle” be termed “Jordan’s Principle” and be implemented without delay; and

WHEREAS, in January 2011 the AMC Chiefs-in-Assembly further called for the implementation of Jordan’s Principle by endorsing the “Declaration on Action for Implementation of Jordan’s Principle.” Among other things, the Declaration stated:

- The implementation of Jordan’s Principle must be demonstrated by action that meets the physical, emotional, mental and spiritual needs of the child at the point of which such a need is identified, and that the Crown government, or department in first contact with the child to deliver and pay for services and supports without delay or disruption.
- All sovereign power and authority within the territories of the First Nations of Manitoba declare the right and responsibility to protect the First Nations children in Manitoba and uphold their rights consistent with the sacred teachings of the Denesuline, Anishinabe, Ininew, Oji-Cree, and Dakota Nations.
- First Nations in Manitoba must be adequately represented, as determined in the collective capacity of the 63 Chiefs of Manitoba, and engaged in meaningful participation in all aspects of planning, development, decision-making, and implementation of Jordan’s Principle.

WHEREAS, the September 2016 AMC Chiefs-in-Assembly resolution “Immediate Implementation of the Canadian Human Rights Tribunal Decision re: First Nations CFS and Jordan’s Principle Program”, the Chiefs resolved, among other things, to support the CHRT Decision, and directed the AMC to follow up with INAC and Manitoba to ensure that it takes measure to immediately implement the full meaning and scope of Jordan’s Principle both on and off reserve; and

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**APR-17.12
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**RE: ASSEMBLY OF MANITOBA CHIEFS AND JORDAN'S PRINCIPLE
ENGAGEMENT AND SERVICE COORDINATION (cont'd)**

WHEREAS, the recent compliance order (September 2016) of the Canadian Human Rights Tribunal told Canada to fully implement Jordan's Principle on AND OFF reserves; and

WHEREAS, the AMC then submitted proposals for Jordan's Principle Engagement and Service Coordination which includes the continued funding of Special Needs Advocates at the EAGLE Urban Transition Centre (which has been in place since December 2015).

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly continue to endorse and support the work of the AMC Secretariat in working with the various government and First Nation partners to fully implement the spirit and intent of Jordan's Principle both on and off-reserve.

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CERTIFIED RESOLUTION

APR-17.13

**RE: LITIGATION AGAINST MANITOBA REGARDING SAND HILLS
CASINO**

Moved by:

Chief Dennis Meeches
Long Plain First Nation

Seconded by:

Chief Chris Baker
O-Pipon-Na-Piwin
Cree Nation

CARRIED

6 Abstentions
3 Against

BE IT RESOLVED, that the Chiefs-in-Assembly retain Olthius Kleer Townshend LLP (OKT) for the purposes of pursuing litigation against Manitoba regarding Sand Hills Casino.

FINALLY BE IT RESOLVED, that OKT be instructed to draft a Statement of Claim that would be ready to file within ten days for review by the Chiefs Gaming Committee.

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CERTIFIED RESOLUTION

APR-17.14

RE: GAMING FORUM

Moved by:

Chief Glenn Hudson
Peguis First Nation

BE IT RESOLVED, that the Chiefs-in-Assembly agree to hold a one day forum on gaming in order to develop a Manitoba First Nation Gaming Strategy.

Seconded by:

Chief Arlen Dumas
Mathias Colomb
Cree Nation

CARRIED

1 Against

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