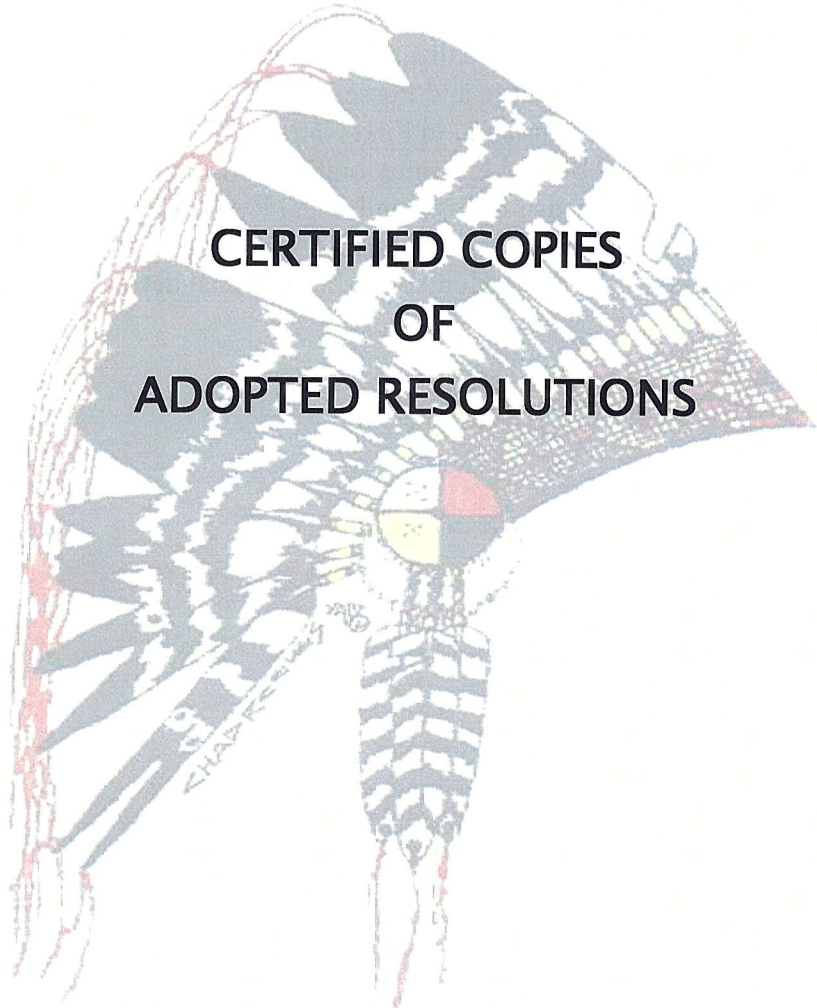


**ASSEMBLY OF MANITOBA CHIEFS
SECRETARIAT INC.**

34th ANNUAL GENERAL ASSEMBLY
Healing and Transformation



**CERTIFIED COPIES
OF
ADOPTED RESOLUTIONS**

OCTOBER 25, 26, 27, 2022

**Wyndham Garden
Makozhe Ballroom
460 Madison Street, Winnipeg, MB**

ASSEMBLY OF MANITOBA CHIEFS

34th Annual General Assembly

Wyndham Garden, Makozhe Ballroom

Winnipeg, MB

October 25, 26 & 27, 2022

CERTIFIED RESOLUTIONS

OCT-22.01	Inclusion and Support of Two-Spirit and LGBTQQIA+
OCT-22.02	Licensing and Criminalization of Bear Spray
OCT-22.03	Ban on the Purchase and Possession of Machetes
OCT-22.04	Seizure of Contraband in First Nations
OCT-22.05	Residential School Commemoration and Memorialization Activities
OCT-22.06	Action on Justice Reform and Legal Restoration
OCT-22.07	Direction to AFN Regional Chief Woodhouse following the October 24, 2022 Canadian Human Rights Tribunal decision

ASSEMBLY OF MANITOBA CHIEFS
34th Annual General Assembly
Wyndham Garden, 460 Madison Street
Winnipeg, MB

October 25, 26, 27, 2022

CERTIFIED RESOLUTION

OCT-22.01
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RE: INCLUSION AND SUPPORT OF TWO-SPIRIT AND LGBTQQIA+

Moved by:
Chief Angela Levasseur,
Nisichawayasihk Cree Nation

Seconded by:
Chief Gord Bluesky,
Brokenhead Ojibway Nation

CARRIED

WHEREAS, in July 2015, the AMC Chiefs-in-Assembly passed resolution Jul-15.01 *Endorsement of the Families First Report and Support for the Implementation of the Recommendations* that identified the inclusion and involvement of women, men and Two-Spirit people as they each have particular knowledge, experience, strengths and responsibilities; and

WHEREAS, the AMC Chiefs-in-Assembly endorsed the Final Report of the National Inquiry Into Missing and Murdered Indigenous Women and Girls (MMIWG) through resolution July 19.03; and

WHEREAS, the MMIWG National Inquiry Report called upon all governments and service providers to be inclusive of all perspectives in decision making, including those of the Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, and Asexual Plus (“Two-Spirit and LGBTQQIA+”); and

WHEREAS, Two-Spirit and LGBTQQIA+ people are unique and require a space, place and voice; and

WHEREAS, Article 5(2) of the AMC Constitution identifies that subsidiary committees or instruments can be established by the AMC Chiefs-in-Assembly as necessary or required.

THEREFORE BE IT RESOLVED, that the AMC Chiefs-in-Assembly supports the establishment of a formal Two-Spirit and LGBTQQIA+ Council, and directs the AMC Secretariat and Governance Renewal Committee to develop proposed amendments to the AMC Constitution to establish this new Council, and provide the appropriate notification to the Chiefs-in-Assembly so that it can be considered at the same time as other constitutional amendments are considered; and

FURTHER BE IT RESOLVED, that the AMC Chiefs-in-Assembly directs the AMC Secretariat to seek resources to engage First Nations in Manitoba on the inclusion of a Two-Spirit and LGBTQQIA+ Council within the AMC, and to prepare a report with recommendations for the AMC Women's Council to provide to the Chiefs-in-Assembly when it considers changes to the AMC Constitution to include the Council.

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RE: INCLUSION AND SUPPORT OF TWO-SPIRIT AND LGBTQIA+

CERTIFIED COPY
of a Resolution Adopted
on October 25, 26, 27, 2022
Winnipeg, MB



Grand Chief Cathy Merrick

ASSEMBLY OF MANITOBA CHIEFS
34th Annual General Assembly
Wyndham Garden, 460 Madison Street
Winnipeg, MB

October 25, 26, 27, 2022

CERTIFIED RESOLUTION

OCT-22.02
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RE: LICENSING AND CRIMINALIZATION OF BEAR SPRAY

Moved by:
Chief Angela Levasseur,
Nisichawayasihk Cree
Nation

Seconded by:
Chief Derek Nepinak,
Pine Creek First Nation

CARRIED

WHEREAS, the Assembly of Manitoba Chiefs wishes to support the reduction of crime and violence amongst First Nations citizens in Manitoba; and

WHEREAS, Nisichawayasihk Cree Nation ("NCN") is working with key stakeholders on the issue of violence in NCN and, as part of this initiative, is promoting the criminalization of sales of bear spray to youth under the age of eighteen and adults who sell or give this product to youth, and requiring licenses for adults who wish to purchase or possess bear spray; and

WHEREAS, bear spray and other forms of capsaicin/pepper spray are increasingly used weapons, causing harm not only in NCN but in First Nations across Manitoba and Canada; and

WHEREAS, in Manitoba, there are no laws limiting the sale of bear spray to youth, and the sale of bear spray is subject to minimal provincial regulations; and

WHEREAS, the use or possession of bear spray may, in some circumstances, be prohibited under the *Criminal Code*, but there are no *Criminal Code* provisions restricting the sale of bear spray.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly endorse and support NCN efforts to reduce crime, such as lobbying for further restrictions on the sale of bear spray, criminalizing the sale of bear spray to youth, and regulating the sale of bear spray through licensing; and

FURTHER BE IT RESOLVED, the Chiefs-in-Assembly direct the Grand Chief's Office and Secretariat of the Assembly of Manitoba Chiefs to assist NCN in its lobbying efforts and conduct further research and assessment regarding the possibility of criminalizing bear spray sales to youths and adults, as well as regulating bear spray sales by licensing.

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RE: LICENSING AND CRIMINALIZATION OF BEAR SPRAY

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Grand Chief Cathy Merrick

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CERTIFIED RESOLUTION

OCT-22.03
Page 1 of 2

Moved by:
Chief Angela Levasseur,
Nisichawayasihk Cree Nation

Seconded by:
Chief Derek Nepinak,
Pine Creek First Nation

CARRIED

RE: BAN ON THE PURCHASE AND POSSESSION OF MACHETES

WHEREAS, the Assembly of Manitoba Chiefs wishes to support the reduction of crime and violence amongst First Nations citizens in Manitoba; and

WHEREAS, the use of machetes as weapons is a growing concern for the citizens of First Nations in Manitoba, including Nisichawayasihk Cree Nation (“NCN”); and

WHEREAS, NCN is working with key stakeholders on the issue of violence in NCN and, as part of this initiative, is lobbying for a province wide ban on the sale, possession, and use of machetes; and

WHEREAS, there are currently no laws restricting the sale of machetes in Manitoba; and

WHEREAS, the *Criminal Code* and its regulations prohibit the unlawful sale and possession of “prohibited weapons” and “restricted weapons” but machetes are not considered “prohibited weapons” or “restricted weapons” under the *Criminal Code* and its regulations.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly endorse and support the efforts of NCN to reduce machete-related crime through, among other things, lobbying for further restrictions on the sale and possession of machetes, which may include a complete ban on the sale and possession of machetes; and

FURTHER BE IT RESOLVED, that the Chiefs-in-Assembly direct the Assembly of Manitoba Chiefs Office of the Grand Chief and the Secretariat to support NCN with its lobbying efforts and through further research and assessment of the issue of a province wide ban on machetes, in addition to other potential alternatives to a blanket ban, including the regulation of machetes through a licensing scheme.

*ASSEMBLY OF MANITOBA CHIEFS
34th Annual General Assembly
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October 25, 26, 27, 2022

CERTIFIED RESOLUTION

*OCT-22.03
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RE: BAN ON THE PURCHASE AND POSSESSION OF MACHETES

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Winnipeg, MB*



Grand Chief Cathy Merrick

ASSEMBLY OF MANITOBA CHIEFS
34th Annual General Assembly
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CERTIFIED RESOLUTION

OCT-22.04
Page 1 of 2

Moved by:
Chief Michael Yellowback,
Manto Sipi Cree Nation

Seconded by:
Councillor Stephen Bighetty,
Barren Lands First Nation

CARRIED

RE: SEIZURE OF CONTRABAND IN FIRST NATIONS

WHEREAS, the AMC Chiefs-in-Assembly passed resolution Nov-00.14 *Support for all First Nations Fight Against Drug & Alcohol Abuse* whereby the Chiefs-in-Assembly gave “their full cooperation, support and comradeship to all First Nation governments, people and communities in their fight against the crippling and devastating effects of alcohol and drugs”; and

WHEREAS, a statutory limitation currently exists whereby police are unable to search packages sent through Canada Post due to the Canada Post Corporation Act, 1981, 40(3) which states that, “Notwithstanding any other Act or law, but subject to this Act and the regulations and to the Canadian Security Intelligence Service Act, the Customs Act and the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, nothing in the course of post is liable to demand, seizure, detention or retention;” and

WHEREAS, legislation is being proposed to the Canada Post Corporation Act that would allow jurisdiction for police forces to search mail in the possession of Canada Post, if duly authorized with a search warrant, for the purpose of seizing contraband (including opioids, firearms, illegal alcohol, and counterfeit items), and

WHEREAS, opioids, firearms, illegal alcohol, and counterfeit items (“contraband”) are being sent through mail carriers and are an ongoing issue for First Nations in particularly in northern and isolated First Nations.

THEREFORE BE IT RESOLVED, that the AMC Chiefs-in-Assembly calls upon the federal government to amend existing legislation or create a new law to stop contraband entering First Nations. This includes ensuring law enforcement’s ability to search and seize mail through Canada Post is the same used by private mail carriers;

BE IT FURTHER RESOLVED, that any federal legislation to prevent contraband from entering First Nations should also provide First Nations police forces with the same powers as their federal, provincial, and municipal counterparts; and

FINALLY, BE IT RESOLVED, that the AMC Secretariat is directed to review any new legislation or amendments to the Canada Post Corporation Act and to inform First Nations of any impact on sovereignty and jurisdiction.

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RE: SEIZURE OF CONTRABAND IN FIRST NATIONS

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Grand Chief Cathy Merrick

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34th Annual General Assembly
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October 25, 26, 27, 2022

CERTIFIED RESOLUTION

OCT-22.05

Moved by:
Chief Michael Yellowback,
Manto Sipi Cree Nation

**RE: RESIDENTIAL SCHOOL COMMEMORATION AND
MEMORIALIZATION ACTIVITIES**

Seconded by:
Chief Murray Clearsky,
Waywayseecappo First
Nation

WHEREAS, since the Indian Residential Schools were established in the 1880's, more than 150,000 children have been displaced from their parents, homes, and nations, and the last school closed in 1996. According to the Truth and Reconciliation Commission, over 3,200 children died in Indian Residential Schools; and

CARRIED

WHEREAS, it was revealed in May 2021 that 215 remains of children as young as three years old had been discovered at the Kamloops Indian Residential School in Southern B.C. Since then, several First Nations in Manitoba are conducting their own searches for burial sites at former Indian Residential Schools, and the federal and provincial governments have provided the Assembly of Manitoba Chiefs and other organizations with funding for a number of activities related to unmarked graves at residential, including funding for commemoration and memorialization.

THEREFORE BE IT RESOLVED, the AMC Chiefs-in-Assembly direct the AMC Grand Chief's Office and Secretariat to work with the Southern Chiefs Organization and the Manitoba Keewatinowi Okimakanak on commemoration and memorialization activities including to collaborate on the design, construction and funding for a monument at The Forks to commemorate Indian Residential Schools Survivors and the children who never made it home.

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CERTIFIED RESOLUTION

OCT-22.06

Moved by:
Chief Clarence Easter,
Chemawawin Cree Nation

Seconded by:
Chief Angela Levasseur,
Nisichawayasihk Cree
Nation

CARRIED

RE: ACTION ON JUSTICE REFORM AND LEGAL RESTORATION

WHEREAS, the federal government has failed to recognize First Nations' inherent jurisdiction and right to self govern their own justice systems. Instead, it has imposed a justice system created for and by settlers which ignores the inherent rights and needs of Nations; and

WHEREAS, there has been chronic and long standing issues related to the underfunding policing, correctional and restorative justice programs that has led to decreased safety in First Nations in Manitoba; and

WHEREAS, the ongoing abuse of alcohol and illicit drugs continues to create violence on-reserve, and the persistent systemic racism in the justice system from policing, courts and corrections results in adverse impacts on the socio-economic well-being of First Nations; and

WHEREAS, the Assembly of Manitoba Chiefs (AMC) supports the restoration of First Nation laws and legal traditions and the need to develop its own legislative, program and policy initiatives in order to address the overrepresentation of First Nations and systemic discrimination in the Canadian justice system.

WHEREAS, the AMC Chiefs Committee on Justice passed a motion on October 26, 2022, supporting focus on three main components: Justice Reform; Manitoba First Nation Justice Restoration and Revitalization; and development of a pilot project – First Nation run court.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly endorses the Chiefs Committee on Justice's support for the approach to First Nation Justice Reform and Restoration Project that will reform justice for First Nations in Manitoba, restore and revitalize the legal traditions and laws respecting the five Nation/language groups in Manitoba, and development of a pilot project for a First Nation run court in Manitoba.

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OCT-22.07
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Moved by:
Chief Sheldon Kent,
Black River First Nation

Seconded by:
Chief David Monias,
Pimicikamak Cree Nation

CARRIED

**RE: DIRECTION TO AFN REGIONAL CHIEF WOODHOUSE
FOLLOWING THE OCTOBER 24, 2022 CANADIAN HUMAN
RIGHTS TRIBUNAL DECISION**

WHEREAS, on June 30, 2022, the Assembly of First Nations (“AFN”) and Canada signed a final settlement agreement (“FSA”) for \$20 billion to compensate First children and families impacted by Canada's discriminatory funding practices, and \$19.807 billion for fundamental reform to the First Nations Child and Family Services Program and Jordan's Principle; and

WHEREAS, one of the conditions of the FSA was that both the Canadian Human Rights Tribunal (“CHRT”) and the Federal Court of Canada endorse the Agreement; and

WHEREAS, on October 24, 2022, the CHRT released a letter decision rejecting the proposed FSA as the FSA does not fully satisfy its compensation orders; and

WHEREAS, on October 26, 2022, AFN Regional Chief Cindy Woodhouse provided an update to the Chiefs-in-Assembly and advised that she would be meeting shortly with the Prime Minister and other Ministers.

THEREFORE BE IT RESOLVED, that the AMC Chiefs-in-Assembly directs Regional Chief Cindy Woodhouse to inform the AFN and request Canada to ensure that the \$40 billion earmarked for compensation and long-term reform of the on-reserve child welfare system be put into trust, and that the AFN has the mandate to negotiate at minimum, \$40 billion for compensation and long-term reform of the on-reserve child welfare system provided by Canada, and that negotiations of this matter be resolved prior to any federal government election; and

FURTHER BE IT RESOLVED, that the AMC Chiefs-in-Assembly directs Regional Chief Cindy Woodhouse to request that Canada, in recognition of the harms that have been caused to First Nations children, make a commitment to continue to implement the enhancements to the First Nations Child and Family Services Program, including funding for prevention activities, supports for youth transitioning out of care into adulthood and for young adults, up to and including age 25, who were formerly in care, and First Nations representative services in Manitoba.

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**RE: DIRECTION TO AFN REGIONAL CHIEF WOODHOUSE
FOLLOWING THE OCTOBER 24, 2022 CANADIAN HUMAN
RIGHTS TRIBUNAL DECISION**

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