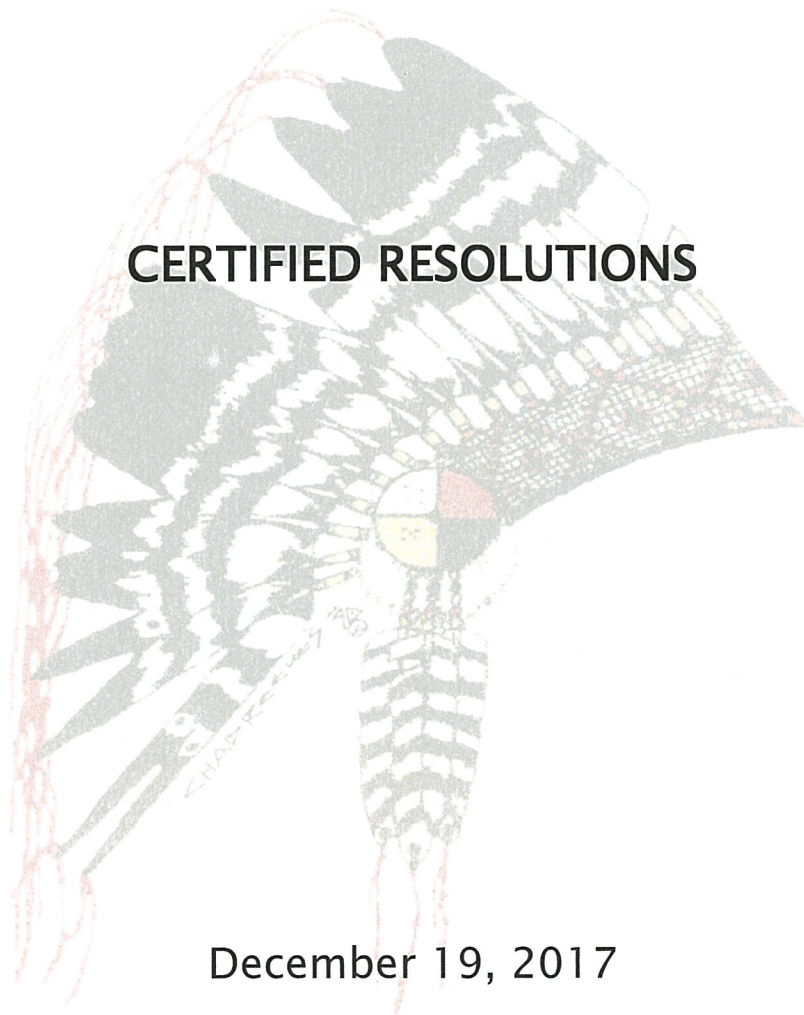


ASSEMBLY OF MANITOBA CHIEFS

EXECUTIVE COUNCIL OF CHIEFS

CERTIFIED RESOLUTIONS



December 19, 2017

ASSEMBLY OF MANITOBA CHIEFS
Executive Council of Chiefs
Victoria Inn – Regency Room
Winnipeg, Manitoba
December 19, 2017

CERTIFIED RESOLUTION	
ECC DEC-17.01	Manitoba First Nation Fisher (Keewatinook Fishers of Lake Winnipeg)
ECC DEC-17.02	Capital Allocation for Winter Roads
ECC DEC-17.03	The AMC dissolve the Manitoba First Nation Technology Council (MFNTC) and Mandate Clear Sky Connections to implement the building the Manitoba First Nations Network of the future and the Information and Communication Technology (ICT) Centre of Excellence
ECC DEC-17.04	Conflict of Interest
ECC DEC-17.05	Notice to the Province of Manitoba of First Nations' Inherent Jurisdiction on Children and Families
ECC DEC-17.06	Regional First Nation Education Funding Formula Options
ECC DEC-17.07	Removal of all the Deficits off First Nations Financial Statements

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-01
Page 1 of 2

RE: MANITOBA FIRST NATION FISHERS (Keewatinook Fishers of Lake Winnipeg)

Moved by:

Chief Cornell McLean
Lake Manitoba First Nation

Seconded by:

Chief David Crate
Fisher River Cree Nation

CARRIED

WHEREAS, the Manitoba Fishers are concerned with legislative amendments to the commercial fishery; and

WHEREAS, the Province of Manitoba amendments to the Provincial Fisheries Act, under Bill 23 will become law in December, 2017; and

WHEREAS, Manitoba's proposed withdrawal from the Freshwater Fish Marketing Corporation regime will have major impacts to First Nation Fishers; and

WHEREAS, to date there has been no consultation or accommodation of the concerns with First Nation Fishers on Lake Winnipeg with the exception of the Fisheries and Oceans who conducted Freshwater Fisheries Marketing Corporation Engagement meetings held between July 2017 to September 2017; and

WHEREAS, First Nation Fishers on Lake Winnipeg have experienced many harms including the destruction of Hydro projects, chemical run-off from Farmers, deterioration of fish habitat, changes to the navigability of Lake Winnipeg and surrounding waterways, high water levels and recurring flooding; and

WHEREAS, Lake Winnipeg continues to experience accelerated nutrient enrichments, algae blooms from rising phosphorous and nitrogen levels, invasive aquatic species like zebra mussels, climate change, and the negative impacts of the creation of the newly infrastructure channels from Lake Manitoba and Lake St. Martin, all of which are becoming destructive to the aquatic life and will have negative impacts on First Nations practicing traditional livelihoods and commercial fisheries; and

WHEREAS, the Manitoba First Nation Fishers have outlined to the Manitoba Chiefs a list of 11 recommendations from the Keewatinook Fishers of Lake Winnipeg (Appendix 1).

THEREFORE BE IT RESOLVED, the AMC Chiefs-in-Assembly is in support of the Manitoba First Nation Fishers/Keewatinook Fishers of Lake Winnipeg position that the recognition and implementation of Indigenous rights are at the core of reconciliation and First Nations must be supported in their participation, leadership and law making authority; and

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-01

Page 2 of 2

RE: MANITOBA FIRST NATION FISHERS (Keewatinook Fishers of Lake Winnipeg) cont'd

FURTHER BE IT RESOLVED, the Chiefs in Assembly directs the AMC Grand Chief to seek out resources to support the formation of a Fishing Committee to work on the governance of fisheries resources.

**CERTIFIED COPY
of a Resolution adopted on
December 19, 2017, Winnipeg, MB**



**Grand Chief Arlen Dumas, Chair
Executive Council of Chiefs**

**Recommendations of the Keewatinook Fishers of Lake Winnipeg
for the formation of a First Nations Fisheries Strategy**

1. A Regional Impact Assessment study be performed on Lake Winnipeg and its surrounding lands in partnership with the local rights-holders (the Indigenous fishers);
2. Any initiatives to remedy the health of Lake Winnipeg must be developed and implemented in partnership with the rights-holders;
3. Anishinaabe people must be consulted early in the legislative process to ensure respect for inherent, aboriginal and treaty rights and interests;
4. Successful and constitutionally compliant legislation will require an active role for Anishinaabe people – including Anishinaabe involvement in the legislative drafting process;
5. Canada must facilitate reconciliation with Anishinaabe people through the implementation of a rights recognition-based approach that respects the inherent right of Anishinaabe to govern the lands, waters, and resources in their traditional territories;
6. Canada must take a proactive role in promoting a recognition-based approach to Anishinaabe rights and strong working relationship with provincial governments;
7. Space must be created in Canadian legislative and regulatory processes, in accordance with a rights recognition-based approach, that respects the inherent right of Anishinaabe people to govern their traditional territories;
8. The *Canadian Environmental Assessment Act*, *National Energy Board Act*, *Fisheries Act*, and *Navigation Protection Act* must be amended to facilitate cooperation between federal and Anishinaabe jurisdictions, and to substitute federal jurisdiction with Anishinaabe jurisdiction to ensure respect for First Nations governance and that the highest environmental standards apply;
9. Canada must develop programs and policies that support the development on creased Anishinaabe participation and leadership; the coordination of multiple federal programs may be coordinated through federal Major Projects Management Offices and regional Compliance Offices; together these programs should be supported through federal funding and industry contribution;
10. The Aboriginal Fishing Strategy Program, Aboriginal Aquatic Resource and Oceans Management Program, and the Integrated Commercial Fisheries Program should receive increased funding and be expanded to support Anishinaabe peoples that are exercising their inherent rights to govern inland fisheries in Manitoba; this includes the creation of a Manitoba Integrated Commercial Fisheries Initiative.
11. Transport Canada, Canadian Environmental Assessment Agency, and Natural Resources Canada must develop programs in partnership with Anishinaabe peoples that will recognize and support the inherent governance rights of Anishinaabe people.

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-02

RE: CAPITAL ALLOCATION FOR WINTER ROADS

Moved by:

Chief David McDougall
St. Theresa Point First Nation

WHEREAS, Manitoba First Nations serviced by the winter roads system have to pay for the construction, operation and maintenance of winter road through their Band based capital allocation; and

Seconded by:

Chief Ted Bland
York Factory First Nation

WHEREAS, AMC Resolution SEPT-02.15 Capital Allocation of Winter Road Funds resolved that the all Manitoba First Nations serviced by the winter roads system and direct INAC and the Province to provide the winter road funds from sources other than First Nation Capital Allocation; and

CARRIED

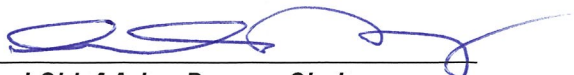
WHEREAS, the need for community programs and infrastructure remains high for many remote First Nations; and

WHEREAS, there are agreements in place between the Federal and Provincial Governments that provide funding for infrastructure.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly call on the federal government to cease and discontinue the practice of forcing First Nations to cover the cost of the construction, operation of maintenance capital for winter roads; and

FURTHER BE IT RESOLVED, that the AMC, MKO and SCO Grand Chiefs be directed to establish a Winter Road Negotiation Team immediately to address this issue and for the Grand Chiefs to take an active role in this initiative, including having these costs covered by way of Canada-Manitoba transfer arrangement.

**CERTIFIED COPY
of a Resolution adopted on
December 19, 2017, Winnipeg, MB**



**Grand Chief Arlen Dumas, Chair
Executive Council of Chiefs**

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-03

Page 1 of 2

**RE: THE ASSEMBLY OF MANITOBA CHIEFS (AMC) DISSOLVE THE
MANITOBA FIRST NATIONS TECHNOLOGY COUNCIL (MFNTC) AND
MANDATE CLEAR SKY CONNECTIONS TO IMPLEMENT THE
BUILDING THE MANITOBA FIRST NATIONS NETWORK OF THE
FUTURE AND THE INFORMATION AND COMMUNICATION
TECHNOLOGY (ICT) CENTRE OF EXCELLENCE**

Moved by:

Chief Harold Turner
Misipawistik Cree Nation

Seconded by:

Chief David McDougall
St. Theresa Point First
Nation

CARRIED

WHEREAS, AMC Resolutions MAY-09.01 and Jun-12.07 mandated the MFNs Technology Council (MFNTC) to secure funding and support from federal and provincial governments and the private and non-profit sectors in the development of a comprehensive MFNs Technology Plan – the core piece of the plan being high speed connectivity; and

WHEREAS, ECC resolution OCT-03.13 supported the MFNTC to Build the Manitoba First Nations Network of the Future Initiative; and

WHEREAS, The MFNTC's formed Sub-Committees: the Building the Manitoba First Nations Network of the Future Committee, the Technology Development Committee, and the Youth Information and Communication Technology (ICT) Committee; and

WHEREAS, The MFNs ICT Centre of Excellence was formerly under the MFNs eHealth Long Term Strategy and is a mandatory training base of the network that should be incorporated as the primary pillar of means to support the human resources required by First Nation communities once the network is built to maintain and provide the front line service; and

WHEREAS, Clear Sky Connections was incorporated on March 31, 2017, a federal not for profit Organization, and has submitted numerous funding applications to build the fibre optic high speed internet in MFN's communities; and

WHEREAS, Clear Sky Connections partnered with RFNOW Inc., to form Clear Sky Communications Incorporated a for-profit corporation.

THEREFORE BE IT RESOLVED, That the Assembly of Manitoba Chiefs dissolve the Manitoba First Nations Technology Council (MFNTC) and its Sub-Committees and mandate Clear Sky Connections to build the fibre optic network in First Nations and rural communities in MB, incorporating the former MFNTC Sub-Committees into its not-for-profit Corporation; and

.../2

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-03

Page 2 of 2

RE: THE ASSEMBLY OF MANITOBA CHIEFS (AMC) DISSOLVE THE MANITOBA FIRST NATIONS TECHNOLOGY COUNCIL (MFNTC) AND MANDATE CLEAR SKY CONNECTIONS TO IMPLEMENT THE BUILDING THE MANITOBA FIRST NATIONS NETWORK OF THE FUTURE AND THE INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) CENTRE OF EXCELLENCE cont'd

FURTHER BE IT RESOLVED, that the Assembly of Manitoba Chiefs mandate Clear Sky Connections in partnership with the Nanaandawewigamig eAniskopitak Stewards Circle and eHealth Secretariat to lead the Manitoba First Nations ICT Centre of Excellence and all funding required to bring it to fruition; and,

FURTHER BE IT RESOLVED, that the Clear Sky Connections Inc. is accountable to the AMC Chiefs-in-Assembly, and that it incorporate into its bylaws the requirement to annually report to the AMC Chiefs-in-Assembly; and

FINALLY BE IT RESOLVED, that the Assembly of Manitoba Chiefs reaffirms the support for Clear Sky Connections to pursue all necessary funding opportunities that are in line with the Building the Manitoba First Nations Network to include the direct or indirect benefits to each Manitoba First Nation; the regional initiative does not hinder or prevent community-led solutions already in place, it complements them.

CERTIFIED COPY
of a Resolution adopted on
December 19, 2017, Winnipeg, MB



***Grand Chief Arlen Dumas, Chair
Executive Council of Chiefs***

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-04

RE: CONFLICT OF INTEREST

Moved by:

Chief Ted Bland
York Factory First Nation

WHEREAS, Article 5.1 of the Assembly of Manitoba Chiefs (AMC) Constitution identifies the Chiefs-in-Assembly, the Executive Council of Chiefs, the Assembly of Manitoba Chiefs Secretariat Inc. and the Chiefs Committees of the Assembly of Manitoba Chiefs as principal instruments; and

Seconded by:

Chief David Crate
Fisher River Cree Nation

WHEREAS, Article 13 of the Assembly of Manitoba Chiefs Constitution addresses the role, authority and accountability of the Grand Chief; and

CARRIED

WHEREAS, the Assembly of Manitoba Chiefs Constitution makes no mention of conflict of interest; and

WHEREAS, Conflict of Interest policies address situations and circumstances in which a representative's personal interests are - or can appear to be - in conflict with the organization's interest and should therefore also assign responsibility for identifying and resolving actual and potential conflicts.

THEREFORE BE IT RESOLVED, that the AMC Secretariat be directed to develop clear rules regarding conflicts of interest as it relates to the Grand Chief, the Chiefs-in-Assembly, Executive Council of Chiefs, Chiefs Committees, and AMC mandated Board and Entities, and that effective guidelines be identified to govern the conduct of individuals during their term of office or appointment and in the performance of their duties and responsibilities that are reflective of the AMC Constitution.

BE IT FURTHER RESOLVED, that comprehensive rules and guidelines on conflict of interest be presented at the next AMC Chiefs-in-Assembly.

CERTIFIED COPY

**of a Resolution adopted on
December 19, 2017, Winnipeg, MB**



**Grand Chief Arlen Dumas, Chair
Executive Council of Chiefs**

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-05

Page 1 of 2

**RE: NOTICE TO THE PROVINCE OF MANITOBA OF FIRST NATIONS'
INHERENT JURISDICTION ON CHILDREN AND FAMILIES**

Moved by:

Chief Betsy Kennedy
War Lake First Nation

Seconded by:

Chief Sheldon Kent
Black River First Nation

CARRIED

WHEREAS, First Nations have and continue to possess the inherent jurisdiction over our children and families; and

WHEREAS, in 2014, the Chiefs-in-Assembly endorsed and adopted the ten recommendations presented in *Bringing Our Children Home: Summary Report on the Outcomes of the Open Citizens Forum and Recommendations for Leadership Consideration*. This included mandating the AMC Secretariat to develop a work plan to transform the child welfare system and to take back First Nations child welfare jurisdiction from the province, thereby returning it to AMC/Manitoba First Nations, where it rightfully belongs; and

WHEREAS, in September 2017, the AMC Executive Council of Chiefs reviewed and approved the *Keewaywin Engagement Manitoba First Nations CFS Reform* and *Jordan's Principle (JP) Implementation Reports* and their recommendations, including the recommendation that a work plan be developed to proceed with FNCFS Program reform and JP implementation, both of which the AMC Women's Council will oversee; and

WHEREAS, on October 12, 2017 Premier Brian Pallister and Families Minister Scott Fielding announced *Child Welfare System Reform*. Four key areas of Manitoba's reform process are:

- Community based prevention model that involves demonstration sites;
- Create life long connections for children through reunification and permanence (including permanency initiatives such as subsidized guardianship and modernized adoption);
- Funding for results through block funding; and,
- Reform legislation;

WHEREAS, on November 24, 2017, the Lieutenant Governor of Manitoba announced Manitoba will introduce "amendments to the *Child and Family Services Act* to remove barriers to guardianship that will be done by the spring of 2018." Manitoba has partnered with the MaRS Centre (a social impact bond proponent) to initiate Manitoba's first ever Social Impact Bond in Child Welfare; and

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-05

Page 2 of 2

**RE: NOTICE TO THE PROVINCE OF MANITOBA OF FIRST NATIONS'
INHERENT JURISDICTION ON CHILDREN AND FAMILIES**

WHEREAS, the proposed provincial CFS reform works against First Nations pursuits by adding another level of permanency to our children caught in the system. Promoting the removal of barriers to guardianship increases the likelihood that children in the care of non-Indigenous caregivers will be removed from our families, our communities and our First Nations permanently. Promoting Social Impact Bonds in Child Welfare allow financial institutions to turn human suffering and conditions into commodities.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly oppose the Province of Manitoba's *Child Welfare System Reform* including promoting permanent guardianship of our children and the promotion of Social Impact Bonds; and

FURTHER BE IT RESOLVED, that the Chiefs-in-Assembly assert our inherent jurisdiction over our children and families caught in the current CFS system; and

FURTHER BE IT RESOLVED, that the Chiefs-in-Assembly demand the Province of Manitoba be accountable to First Nations in the area of child and family services, and direct the Assembly of Manitoba Chiefs Grand Chief to work together with the Grand Chief of the Southern Chiefs Organization and the Grand Chief of the Manitoba Keewatinowi Okimakanak to take all necessary steps to prevent the unilateral approach to reform of Manitoba's Child Welfare System; and

FINALLY BE IT RESOLVED, that the Chiefs-in-Assembly demand that the Province of Manitoba cease any further unilateral actions that purport to reform Manitoba Child and Family Services including all policy and legislative developments regarding First Nations children and families.

CERTIFIED COPY
of a Resolution adopted on
December 19, 2017, Winnipeg, MB



Grand Chief Arlen Dumas, Chair
Executive Council of Chiefs

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-06

**RE: REGIONAL FIRST NATIONS EDUCATION FUNDING FORMULA
OPTIONS**

Moved by:

Chief David McDougall
St. Theresa Point First Nation

WHEREAS, the Assembly of Manitoba Chiefs (AMC) established the Manitoba First Nations Education Resource Centre (MFNERC) in 1998 to provide support services to First Nations Schools in Manitoba; and

Seconded by:

Chief David Crate
Fisher River Cree Nation

WHEREAS, AMC Resolution ECC Sept-10.02 supported the MFNERC to develop the Manitoba First Nations Education Systems Strategy and Action Plan; and

CARRIED

WHEREAS, the MFNERC has undertaken several research studies including a Draft Regional Education Funding Model and other costing studies; and

WHEREAS, the proposed 2017 Memorandum to Cabinet for First Nations Education may lead to increased levels of resourcing for First Nations Education in Canada, including funding to support the implementation of regional First Nations Education Funding Formulas.

THEREFORE BE IT RESOLVED, that the AMC Chiefs-in-Assembly support the continued coordination of research by the MFNERC which includes research on a draft regional Education Funding Formula, unique First Nations Cost Drivers, Nominal Roll, Immersion School Funding and analysis of the funding model for the new Manitoba First Nations School System; and

FURTHER BE IT RESOLVED, that the AMC Chiefs-in-Assembly direct the AMC Chiefs Committee on Education to oversee and direct the ongoing development of options for a regional draft First Nations Education formula that will involve working closely with the First Nations Education Directors, finance staff and other funding experts, and the MFNERC continuing to be involved with discussions on the funding formula and providing technical support; and

FINALLY BE IT RESOLVED, that the draft funding formula options be presented to the AMC Chiefs-in-Assembly for further direction in March 2018.

**CERTIFIED COPY
of a Resolution adopted on
December 19, 2017, Winnipeg, MB**



**Grand Chief Arlen Dumas, Chair
Executive Council of Chiefs**

**ASSEMBLY OF MANITOBA CHIEFS
EXECUTIVE COUNCIL OF CHIEFS
December 19, 2017**

CERTIFIED RESOLUTION

ECC DEC.17-07

RE: REMOVAL OF ALL THE DEFICITS OFF FIRST NATIONS FINANCIAL STATEMENTS

Moved by:

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

Seconded by:

Chief Ted Bland
York Factory First Nation

CARRIED


WHEREAS, over the years the AMC Chiefs-in-Assembly has identified the need for Canada to retire/write-off First Nation deficits; and

WHEREAS, there are many Manitoba First Nations with deficits with 43 Manitoba First Nations under some form of intervention pertaining to the *Default Prevention and Management Policy* and Manitoba is over represented in every area of intervention: 21 First Nations under a Recipient-Managed Action Plan; 16 under a Recipient-Appointed Advisor (Co-Management); and 6 under Third-Party Management.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly demand Canada remove Manitoba First Nations cumulative debt off of their financial records; and

FURTHER BE IT RESOLVED, that the Chiefs-in-Assembly support Grand Chief's initiative to develop an alternative and work with First Nations on a project to INAC's Intervention Policy that also will enhance First Nations capacity with the development of Centre of Excellence.

CERTIFIED COPY
of a Resolution adopted on
December 19, 2017, Winnipeg, MB


Grand Chief Arlen Dumas, Chair
Executive Council of Chiefs