# **ASSEMBLY OF MANITOBA CHIEFS**

□ ASSEMBLY SECRETARIAT

200 - 260 St. Mary Avenue Winnipeg, Manitoba R3C 0M6 Telephone: (204) 956-0610 Fax: (204) 956-2109 □ FRAMEWORK AGREEMENT INITIATIVE

200 - 260 St. Mary Avenue Winnipeg, Manitoba R3C 0M6 Telephone: (204) 942-0355 Fax: (204) 942-0441

# **CERTIFIED COPIES**

**OF** 

## ADOPTED RESOLUTIONS

SPECIAL CHIEFS ASSEMBLY DECEMBER 12, 13, 14, 1995

WINNIPEG CONVENTION CENTRE

# TABLE OF CONTENTS

Dec-95.01	AMC Review	
Dec.96-02	Comprehensive Treaty Land Entitlement Negotiations of 19 Manitoba First Nations Which Have Been On-Going Since June 1993	
Dec.95-03	Manitoba First Nations Social Policy Manual	
Dec.95-04	First Nation Justice within the Context of the Framework Initiative	
Dec.95-05	1996 Census	
Dec.95-06	Removal of Manager of Funding Services, Manitoba Region	
Dec.95-07	Independent Public Enquiry at Stony Mountain Institution	
Dec.95-08	The Dakota First Nation of the Dakota Nation	
Dec.95-09	Direction on Capital Funding Proposal	
Dec.95-10	Action Against AFN National Chief for Non-Support of Framework Agreement Initiative	
Dec.95-11	Incorporation of First Nation Cultural and Traditional Concepts, Philosophies and Values into the FAI Process	
Dec.95-12	Primacy of Jurisdictional Issues	
Dec.95-13	First Nations Taxation Issues	
Dec.95-14	Roseau River Anishinaabe First Nation Treaty Land Entitlement	
Dec.95-15	ducation Funding Cuts	
Dec.95-16	Health Canada Cuts	Dec. 95.02 is H Canada: outs

## **CERTIFIED RESOLUTION**

DEC-95.01

Moved by:

Chief Francis Flett Opaskwayak Cree Nation

Seconded by:

Chief Dennis Pashe Dakota Tipi First Nation

MOTION CARRIED

RE: A.M.C. REVIEW

WHEREAS, the Assembly of Manitoba Chiefs-in-Assembly are of the opinion that the Assembly of Manitoba Chiefs (A.M.C.) requires some reform to ensure greater effectiveness and efficiency.

THEREFORE BE IT RESOLVED, that the Executive Council of A.M.C. be mandated to review the present structure of A.M.C. to review and recommend options consistent with those presented, and to redefine the terms of reference and the roles and responsibilities of those instruments within the Constitution of the A.M.C. to be ratified by the Chiefs-in-Assembly.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

# **CERTIFIED RESOLUTION**

DEC-95.02

Moved by:

Chief Jackhead First Nation

Seconded by:

Chief Louis Young Bloodvein First Nation

MOTION CARRIED

RE: HEALTH CANADA CUTS

WHEREAS, Health Canada is proceeding to introduce budgetary cuts to First Nations health programs; and

WHEREAS, the health status of First Nations people remain far below national standards; and

WHEREAS, there can be no justification for reducing the health care resources of First Nations; and

WHEREAS, the 7th Annual Assembly of Manitoba Chiefs on June 12, 13, 14 & 15, 1995, passed a resolution that recommended specific action be taken to change Health Canada's budgetary cuts.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs reject Health Canada's budgetary cuts; and

FURTHER BE IT RESOLVED, that the Grand Chief of the Assembly of Manitoba Chiefs deal with this matter immediately and directly with the Minister of Health Canada.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

## **CERTIFIED RESOLUTION**

DEC-95.02

Moved by:

Chief
Jackhead First Nation

Seconded by:

Chief Louis Young Bloodvein First Nation

MOTION CARRIED

RE: HEALTH CANADA CUTS

WHEREAS, Health Canada is proceeding to introduce budgetary cuts to First Nations health programs; and

WHEREAS, the health status of First Nations people remain far below national standards; and

WHEREAS, there can be no justification for reducing the health care resources of First Nations; and

WHEREAS, the 7th Annual Assembly of Manitoba Chiefs on June 12, 13, 14 & 15, 1995, passed a resolution that recommended specific action be taken to change Health Canada's budgetary cuts.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs reject Health Canada's budgetary cuts; and

FURTHER BE IT RESOLVED, that the Grand Chief of the Assembly of Manitoba Chiefs deal with this matter immediately and directly with the Minister of Health Canada.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

#### **CERTIFIED RESOLUTION**

DEC14-95.02

Moved by:

Chief Francis Flett Opaskwayak Cree Nation

Seconded by:

Chief Arnold Ouskan War Lake First Nation

MOTION CARRIED

RE: COMPREHENSIVE TREATY LAND
ENTITLEMENT NEGOTIATIONS OF 19
MANITOBA FIRST NATIONS WHICH HAVE
REEN ONGOING SINCE JUNE 1993

#### WHEREAS:

- The TLE Committee which represents 19 Manitoba
  First Nations which recognized outstanding Treaty
  Land Entitlement has been engaged in negotiations
  with Canada to resolve their entitlement since June of
  1993; and
- Canada as the Treaty partner of the First Nations has the Treaty and Constitutional obligation to ensure the fulfilment of our Treaties and is failing or refusing to do so at this time; and
- 3. Manitoba has the constitutional obligation under the Manitoba Natural Resources Transfer Agreement to provide sufficient land to Canada to allow it to fulfill its Treaty obligations to the TLE First Nations and is failing or refusing to do so at this time; and
- Negotiations have reached an impasse primarily due to a dispute between Canada and Manitoba on costsharing related to the MNRTA obligations of Manitoba; and
- The availability of sufficient land and resources for all First Nations is a fundamental importance to our future economic self-sufficiency; and

### **CERTIFIED RESOLUTION**

DEC14-95.02

- RE: COMPREHENSIVE TREATY LAND ENTITLEMENT NEGOTIATIONS OF 19 MANITOBA FIRST NATIONS WHICH HAVE BEEN ONGOING SINCE JUNE 1993
- 6. This Assembly considers the resolution of Canada's 100 year old Treaty debt to the member First Nations of the TLE Committee.

#### THEREFORE BE IT RESOLVED,

- A. THAT, this Assembly considers Canada to be in breach of its Treaty, fiduciary and constitutional obligations to the First Nations who are members of the TLE Committee; and
- B. THAT, the Minister of Indian Affairs be reminded that this Assembly agreed to undertake the dismantling initiative on the understanding that sufficient land and resources would be provided to our First Nations to ensure our economic and political autonomy; and
- C. THAT, this Assembly views the resolution of TLE of primary importance to the overall self-government initiative in Manitoba; and
- D. THAT, this Assembly will support the TLE Committee in taking such steps as it deems appropriate to ensure the completion of an agreement in principle.

Certified copy of a Resolution Adopted on December/14, 1995; WINNIPEG, Manitoba

#### **CERTIFIED RESOLUTION**

DEC-95.03 Page 1 of 2

Moved by:

Chief Oliver Nelson Roseau River First Nation

Seconded by:

Chief Louis Young Bloodvein First Nation

MOTION CARRIED

RE: MANITOBA FIRST NATIONS SOCIAL POLICY MANUAL

WHEREAS, the Regional Director General in the Manitoba Region has submitted a letter to all Manitoba Chiefs and Councils dated November 6, 1995 recommending the implementation of the First Nation Social Policy Manual on April 1, 1996; and

WHEREAS, the First Nations have agreed to include the Comparative Study recommendations to the First Nations Social Policy Manual prior to April 1, 1996 and complete the amendments with the proper cost coverage for consultation fees; and

WHEREAS, a comprehensive consultation process with First Nations and Tribal Councils of Manitoba is required for acceptance of the proposed First Nations Social Policy Manual; and

WHEREAS, First Nations of Manitoba and the Department of Indian and Northern Affairs Canada jointly agree to resolve outstanding issues related to Service Delivery and Adult Care arising from the proposed First Nations Social Policy Manual and formally requested in the November 6, 1995 Indian and Northern Affairs Canada letter.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs support the implementation process to accept the First Nations Social Policy Manual on April 1, 1996; and

## **CERTIFIED RESOLUTION**

DEC-95.03 Page 2 of 2

RE: MANITOBA FIRST NATIONS SOCIAL POLICY MANUAL (Continued)

FURTHER BE IT RESOLVED, that the Department of Indian Affairs Canada provide funds to complete the consultation process to the First Nations Policy Manual prior to April 1, 1996.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

#### **CERTIFIED RESOLUTION**

DEC-95.04

Moved by:

Chief Francis Flett Opaskwayak Cree Nation

Seconded by:

Chief Oliver Nelson Roseau River First Nation

**MOTION CARRIED** 

RE: FIRST NATION JUSTICE WITHIN THE CONTEXT OF THE FRAMEWORK AGREEMENT INITIATIVE

WHEREAS, the inherent right of self-government of First Nations includes jurisdiction over justice; and

WHEREAS, the objectives, principles and mutual commitments of the Framework Agreement on Self-Government apply fully to justice areas; and

WHEREAS, existing federal aboriginal justice programs and policies do not reflect or adequately support the Self-Government Framework Process.

THEREFORE BE IT RESOLVED, that the A.M.C. secure agreements with Justice Canada and Solicitor General Canada which are consistent with the Framework Agreement initiative and which identify a process, workplan and resources for meeting the goals of self-government in justice; and

FURTHER BE IT RESOLVED, that the Assembly of Manitoba Chiefs Committee on Justice oversee the development of agreements with Justice and Solicitor General with support from the A.M.C. Secretariat and the F.A.I. office.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

## **CERTIFIED RESOLUTION**

DEC-95.05

Moved by:

Chief Louis Stevenson Peguis First Nation

Seconded by:

Chief Francis Flett Opaskwayak Cree Nation

**MOTION CARRIED** 

**RE: 1996 CENSUS** 

WHEREAS, another census will be conducted in Canada in 1996; and

WHEREAS, it is important to confirm the statistics as they apply to First Nations in Manitoba, especially to verify the high levels of unemployment on most First Nations, to justify job creation support from the Federal Government.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs support the Census 1996 program on reserves.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

### **CERTIFIED RESOLUTION**

DEC-95.06

Moved by:

Chief Jack Fiddler Garden Hill First Nation

Seconded by:

Chief Francis Flett Opaskwayak Cree Nation

**MOTION CARRIED** 

RE: REMOVAL OF MANAGER OF FUNDING SERVICES, MANITOBA REGION

WHEREAS, First Nations in Manitoba have experienced distressing situations primarily due to ill-conceived decisions by the Manager of Funding Services; and

WHEREAS, First Nations of Manitoba have obtained information that this Manager has unilaterally made decisions on his own which have adversely impacted the funding for First Nations; and

WHEREAS, Manitoba First Nations have previously demanded that this Manager be removed from the Manitoba Regional Office because of his blatant lies to First Nations such as Bill C-31 and housing funding; and

WHEREAS, First Nations in Manitoba have learned that there is concerns over his activities which could jeopardize the First Nation processes.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs call on the Minister of Indian Affairs, Ron Irwin, to direct the Regional Director General to remove immediately the Manager of Funding Services, Arun Dighe from the Manitoba Region to another Government Department which does not have any working relationship with First Nations in Canada.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

#### **CERTIFIED RESOLUTION**

DEC-95.07

Moved by:

Chief Dennis Pashe Dakota Tipi First Nation

Seconded by:

Chief Bill Traverse Jackhead First Nation

**MOTION CARRIED** 

RE: INDEPENDENT PUBLIC ENQUIRY AT STONY MOUNTAIN INSTITUTION

WHEREAS, First Nation members Bertrand Myron and Glenn Moar recently died as a result of incidents while incarcerated at Stony Mountain Institution or in the custody of Corrections Canada; and

WHEREAS, allegations have been made of improper and inadequate handling of these individuals, including withholding of prompt medical care by Corrections personnel; and

WHEREAS, these incidents have created a dangerous atmosphere of tension at Stony Mountain Institution; and

WHEREAS, witnesses to these incidents are available and willing to speak publicly.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs demands that an independent public enquiry be convened by the appropriate authorities to investigate and receive evidence related to these incidents.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

#### **CERTIFIED RESOLUTION**

DEC-95.08 Page 1 of 2

Moved by:

Chief Dennis Pashe Dakota Tipi First Nation

Seconded by:

Chief Oliver Nelson Roseau River First Nation

MOTION CARRIED

RE: THE DAKOTA FIRST NATION OF THE DAKOTA NATION

WHEREAS, the Dakota First Nation of the Dakota Nation has lived a way of life on the Great Plains since time immemorial, exclusively and mutually with other First Nations; and

WHEREAS, the immigrant foreign people have divided the territory into Canada and the United States; and

WHEREAS, a Treaty of Allegiance with the British Crown was agreed to during the war of 1812; and

WHEREAS, the Dakota arrived in Canada in 1863 to re-use the traditional aboriginal territory, to live with relatives already here and to re-call the British Crown obligations of 1812; and

WHEREAS, the Canadian Government views Dakotas as refugees and denies Treaty and Aboriginal Rights of the Dakota peoples.

#### THEREFORE BE IT RESOLVED:

1. That the Assembly of Manitoba Chiefs support the Dakota Nation's right to a proper and adequate land base; and

## **CERTIFIED RESOLUTION**

DEC-95.08 Page 2 of 2

RE: DAKOTA FIRST NATION OF THE DAKOTA NATION (Continued)

2. That the Assembly of Manitoba Chiefs support the Dakota First Nation for a Dakota Treaty, or Treaty adhesions, as decided and requested by the Dakota Nations.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

## **CERTIFIED RESOLUTION**

DEC-95.09

Moved by:

Chief Francis Flett Opaskwayak Cree Nation

Seconded by:

Chief Louis Stevenson Peguis First Nation

**MOTION CARRIED** 

#### RE: DIRECTION ON CAPITAL FUNDING PROPOSAL

WHEREAS, the F.A.I. identifies the transfer of the D.I.A.N.D. Capital Programs to First Nations as an expedited item; and

WHEREAS, the severe housing and infrastructure crisis in First Nations requires urgent action by the Chiefs; and

WHEREAS, the A.M.C. Grand Chief has presented to the Assembly a preliminary concept and outline of a plan to dramatically accelerate capital funding and construction in First Nations communities, by the creation of a capital pool that could leverage capital to better address the capital needs of First Nations.

#### THEREFORE BE IT RESOLVED:

- 1. That the Chiefs-in-Assembly direct the Grand Chief to continue work on the capital proposal by further examining and developing the concept, including full details on the structure, administrative costs and risks associated with the proposal; and
- 2. That the Grand Chief present a more developed and detailed proposal to the A.M.C. Executive for consideration prior to presentation at the February 1996 Chiefs Assembly.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

### **CERTIFIED RESOLUTION**

DEC-95.10

Moved by:

Chief Harold Turner Grand Rapids First Nation

Seconded by:

Chief Hubert Kematch Sapotaweyak Cree Nation

**MOTION CARRIED** 

RE: ACTION AGAINST A.F.N. NATIONAL CHIEF FOR NON-SUPPORT OF FRAMEWORK AGREEMENT INITIATIVE

WHEREAS, the A.F.N. National Chief was directed by resolution of the Chiefs-in-Assembly at the 1995 A.F.N. Annual Assembly to support regional initiatives, including the Manitoba Framework Agreement Initiative (F.A.I.); and

WHEREAS, the National Chief has taken it upon himself to act against the Chiefs of Canada and more specifically against the Chiefs of Manitoba, most recently by statements made on CBC national television on December 13, 1995; and

WHEREAS, the A.M.C. feels compelled to take immediate action to counteract the National Chief's damaging statements, and to strongly advise National Chief Mercredi that he is bound by the direction of the Chiefs of Canada to support the F.A.I. agreement and process.

#### THEREFORE BE IT RESOLVED:

- 1. That the A.M.C. issue a news release countering the statements of the National Chief and clarifying the true nature and intent of the F.A.I.; and
- That the A.M.C. Chiefs-in-Assembly conduct a vote of non-confidence in the A.F.N. National Chief before the assembly concludes today; and
- 3. That the A.M.C. consider and decide what relationship, if any, that the Chiefs of Manitoba want to have with the A.F.N. National Chief.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

### **CERTIFIED RESOLUTION**

DEC-95.11

Moved by:

Chief Florence McLean Lake Manitoba First Nation

Seconded by:

Chief Harvey Nepinak Waterhen First Nation

MOTION CARRIED

RE: INCORPORATION OF FIRST NATION CULTURAL AND TRADITIONAL CONCEPTS, PHILOSOPHIES AND VALUES INTO THE F.A.I. PROCESS

WHEREAS, the F.A.I. process has long-term implications for Manitoba First Nations people; and

WHEREAS, the Manitoba Chiefs-in-Assembly feel that there has not been enough emphasis on our traditional concepts, philosophies and values.

**THEREFORE BE IT RESOLVED,** that the A.M.C. Secretariat and the F.A.I. process incorporate First Nation cultural and traditional concepts, philosophies and values in all future activities; and

FURTHER BE IT RESOLVED, that the A.M.C. Secretariat and F.A.I. staff be directed to seek the advice and assistance of First Nation elders, cultural teachers, leaders and advisors and to incorporate such concepts in all future documents.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

## **CERTIFIED RESOLUTION**

DEC-95.12

Moved by:

Chief Joe Guy Wood St. Theresa Point First Nation

Seconded by:

Chief Sydney Garrioch Cross Lake First Nation

MOTION CARRIED

**RE: PRIMACY OF JURISDICTIONAL ISSUES** 

WHEREAS, the Framework Agreement on Self-Government is fundamentally concerned with First Nation jurisdiction; and

WHEREAS, progress on the framework process through various fast-track approaches must not detract from basic issues of jurisdiction.

THEREFORE BE IT RESOLVED, that workplans and priorities in the framework process place jurisdictional issues in the forefront; and

**FURTHER BE IT RESOLVED,** that A.M.C. develop an approach to deal comprehensively with issues of First Nation jurisdiction.

Certified copy of a Resolution Adopted on December 14, 1995, WINNIPEG, Manitoba

#### **CERTIFIED RESOLUTION**

DEC-95.13

Moved by:

Chief Joe Guy Wood St. Theresa Point First Nation

Seconded by:

Chief Florence McLean Lake Manitoba First Nation

**MOTION CARRIED** 

### **RE: FIRST NATIONS TAXATION ISSUES**

WHEREAS, First Nations in Manitoba have entered into a Framework Agreement to realize the inherent right of self-government; and

WHEREAS, the imposition of federal and provincial taxation regimes on First Nations is not consistent with the inherent right of self-government or the treaty rights of First Nations; and

WHEREAS, resolution of longstanding issues of taxation is essential to the realization of self-government.

**THEREFORE BE IT RESOLVED,** that A.M.C. establish a process to address taxation issues fully and comprehensively in conjunction with the framework process; and

FURTHER BE IT RESOLVED, that the process to address taxation be directed to the realization of First Nations jurisdiction in areas of taxation.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

### **CERTIFIED RESOLUTION**

**DEC-95.14** 

Moved by:

Chief Oliver Nelson Roseau River First Nation

Seconded by:

Chief Bill Traverse Jackhead First Nation

MOTION CARRIED

RE: ROSEAU RIVER ANISHINAABE FIRST NATION TREATY LAND ENTITLEMENT

WHEREAS, the Roseau River Anishinaabe First Nation ratified its outstanding Treaty Land Entitlement on November 23, 1995; and

WHEREAS, Manitoba and Canada have not been able to reach agreement on cost-sharing of Treaty Land Entitlement in Manitoba; and

WHEREAS, Canada is now refusing to fulfill the Roseau River Anishinaabe First Nation ratified Treaty Land Entitlement Agreement to pressure Manitoba to make a decision on cost-sharing Treaty Land Entitlement in Manitoba.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs Grand Chief Phil Fontaine call the Minister of Indian Affairs Ron Irwin to change his decision and allow the fulfilment of the Treaty Land Entitlement for the Roseau River Anishinaabe First Nation.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba

## **CERTIFIED RESOLUTION**

DEC-95.15

Moved by:

Chief Joe Guy Wood St. Theresa Point First Nation

Seconded by:

Chief Francis Flett Opaskwayak Cree Nation

MOTION CARRIED

**RE: EDUCATION FUNDING CUTS** 

WHEREAS, the education of our people is regarded as a critical component of self-government process; and

WHEREAS, the Manitoba Region of the Department of Indian and Northern Affairs has arbitrarily changed the index guidelines to transfer the service centre of some First Nations from Winnipeg to Thompson; and

WHEREAS, this has resulted in a significant reduction of these First Nation education funding.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly direct Brenda Kustra, Regional Director General of Manitoba immediately reinstate index guidelines with Winnipeg as the service centre.

Certified copy of a Resolution Adopted on December 14, 1995; WINNIPEG, Manitoba