

ASSEMBLY OF MANITOBA CHIEFS 22ND ANNUAL GENERAL ASSEMBLY



CERTIFIED COPIES OF ADOPTED RESOLUTIONS

**Brokenhead Ojibway Nation
July 13, 14 & 15, 2010**

**ASSEMBLY OF MANITOBA CHIEFS
22nd ANNUAL GENERAL ASSEMBLY
BROKENHEAD OJIBWAY NATION
July 13-15, 2010**

CERTIFIED RESOLUTIONS

- JUL-10.01** Adoption and Implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
- JUL-10.02** Bill C-3 – Equity in First Nations Membership Funding and Training
- JUL-10.03** Bill S-4 “Family Homes on Reserves and Matrimonial Interests or Rights Act”
- JUL-10.04** Bill C-21 Repeal of Section 67 (Amendment of the Canadian Human Rights Act)
- JUL-10.05** Federal Funding to Address the Missing & Murdered Women Issues
- JUL-10.06** Support for Federal and Provincial Funding of Enhancement Framework and Funding Model for Child & Family Services
- JUL-10.07** Province of Manitoba and Assembly of Manitoba Chiefs Joint Committee (*Duty to Consult and Accommodate*)

**ASSEMBLY OF MANITOBA CHIEFS
22ND ANNUAL GENERAL ASSEMBLY
BROKENHEAD OJIBWAY NATION
JULY 13, 14, & 15, 2010**

CERTIFIED RESOLUTION

JUL-10.01

**RE: ADOPTION AND IMPLEMENTATION OF THE UNITED
NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS
PEOPLES (UNDRIP)**

Moved by:

Chief Ovide Mercredi
Misipawistik Cree Nation

WHEREAS, as the original peoples of these lands, First Nations assert and affirm our Inherent Right to Self-Determination as Indigenous Peoples; and

Seconded by:

Chief Norman Bone
Keeseekoowenin Ojibway
Nation

WHEREAS, the *United Nations Declaration on the Rights of Indigenous Peoples* is an international standard and serves to uphold the rights of First Nations as Indigenous Peoples with a right to self-determination; and

CARRIED

WHEREAS, the UNDRIP adopted by the United Nations General Assembly on September 13, 2007 does not require the State's acceptance to be enforceable at international law and exists as an international standard binding against all States; and

THEREFORE BE IT RESOLVED, That the AMC Chiefs-in-Assembly adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* to pursue, preserve and protect our Inherent Right to Self-Determination as Indigenous Peoples; and

BE IT FURTHER RESOLVED, That the AMC Chiefs-in-Assembly collectively undertake to develop a strategic plan through the AMC Chiefs Committee on Self-Determination and Treaties, to be brought back to the Chiefs-in-Assembly for review and ratification to start September 1, 2010.

CERTIFIED COPY

of a resolution adopted

on July 13-15, 2010

Brokenhead Ojibway Nation, Manitoba



Grand Chief Ron Evans

**ASSEMBLY OF MANITOBA CHIEFS
22ND ANNUAL GENERAL ASSEMBLY
BROKENHEAD OJIBWAY NATION
JULY 13, 14, & 15, 2010**

CERTIFIED RESOLUTION

**JUL-10.02
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**RE: BILL C-3 – EQUITY IN FIRST NATIONS MEMBERSHIP
FUNDING AND TRAINING**

Moved by:

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

Seconded by:

Chief Deborah Chief
Brokenhead Ojibway
Nation

1 Opposed

CARRIED

WHEREAS, on March 11, 2010 Bill C-3 “An Act to promote gender equity in Indian registration” was introduced into the House of Commons in response to the Court of Appeal for British Columbia decision in *McIvor v. Canada* (Registrar of Indian & Northern Affairs); and

WHEREAS, Bill C-3 does not resolve the issue of discrimination against First Nations women, including the issue of financial responsibility and the rights to benefits of becoming registered under the Indian Act; and

WHEREAS, Bill C-3 will proceed to third reading in September 2010 and INAC was granted an extension to January 2011 by the courts to amend the Indian Act legislation; and

WHEREAS, in preparation for the implementation of Bill C-3, the INAC Department has already implemented steps to hire and train federal personnel for the new application process for Indian registration; and

WHEREAS, funding to First Nations has not been considered and will not be considered until the legislation is passed; and

WHEREAS, INAC has a responsibility to provide appropriate and equitable resources to support increases in First Nations membership; and

WHEREAS, current funding to First Nations for Indian Registration Administration is limited and requires capacity development in preparation for the new applicants.

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**RE: BILL C-3 – EQUITY IN FIRST NATIONS MEMBERSHIP
FUNDING AND TRAINING (cont'd)**

THEREFORE BE IT RESOLVED, That the Chiefs in Assembly direct the Grand Chief to meet with INAC to secure additional resources to address increases in First Nations membership; and

BE IT FURTHER RESOLVED, That the Chiefs in Assembly direct the Grand Chief to advocate for funding to support training and capacity development of the First Nations Membership Clerks in advance of the implementation of Bill C-3 to ensure First Nations preparedness.

CERTIFIED COPY

***of a resolution adopted
on July 13-15, 2010***

Brokenhead Ojibway Nation, Manitoba



Grand Chief Ron Evans

**ASSEMBLY OF MANITOBA CHIEFS
22ND ANNUAL GENERAL ASSEMBLY
BROKENHEAD OJIBWAY NATION
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CERTIFIED RESOLUTION

*JUL-10.03
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RE: BILL S-4 “FAMILY HOMES on RESERVES and MATRIMONIAL INTERESTS or RIGHTS ACT”

Moved by:

Chief Betsy Kennedy
War Lake First Nation

Seconded by:

Chief Deborah Chief
Brokenhead Ojibway
Nation

1 Opposed

CARRIED

WHEREAS, on June 2005 the Senate Standing Committee on Aboriginal and Northern Affairs put forth the short and long term recommendations to deal with the issue of matrimonial real property and recommended consulting with the Native Women’s Association of Canada and the Assembly of First Nations to begin the process of setting up dialogues across Canada; and

WHEREAS, by resolution AUG-06.07, the Chiefs in Assembly directed AMC’s Grand Chief and Chief Debbie Chief, Chair of AMC’s First Nations Women’s Committee to seek clarity from the Minister on the federal Matrimonial Real Property (MRP) mandate to ensure that the consultation process is consistent with the recognition and affirmation of s.35 of the Constitution Act, 1982 and that AMC submit a proposal to access funding for regional consultations on MRP; and

WHEREAS, on November 2006, AMC and AFN hosted separate MRP dialogue sessions whereby First Nations communities identified that further education and information was required in order to address the MRP legislation impacts; and

WHEREAS, First Nations expressed that this new legislation intrudes on First Nation jurisdiction and law-making practices and has potential impacts on First Nations’ collective rights, Aboriginal title and Treaty rights. The legislation disregards First Nations authorization and efforts in this area and would rely on the already overburdened provincial courts to deal with First Nation real property disputes; and

WHEREAS, on July 6, 2010 INAC announced that Bill S-4 with amendments was passed in Senate and will be debated in the House of Commons in September 2010.

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**RE: BILL S-4 "FAMILY HOMES on RESERVES and MATRIMONIAL
INTERESTS or RIGHTS ACT" (cont'd)**

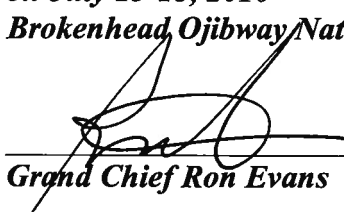
THEREFORE BE IT RESOLVED, That the Chiefs in Assembly directs the AMC Grand Chief to support the First Nations Women's Committee and other Chiefs on behalf of men, women, youth and children today and future generations to develop a First Nations driven approach to Matrimonial Real Property regional action plan that respects and recognizes the law-making authority of First Nations in this area and protects all First Nations citizens regardless of residence; and

BE IT FURTHER RESOLVED, That the Chiefs in Assembly support the First Nations Women's Committee in seeking funding from INAC to compile the data for the regional action plan.

CERTIFIED COPY

*of a resolution adopted
on July 13-15, 2010*

Brokenhead Ojibway Nation, Manitoba



Grand Chief Ron Evans

**ASSEMBLY OF MANITOBA CHIEFS
22ND ANNUAL GENERAL ASSEMBLY
BROKENHEAD OJIBWAY NATION
JULY 13, 14, & 15, 2010**

CERTIFIED RESOLUTION

**JUL-10.04
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**RE: BILL C-21 REPEAL of SECTION 67 (AMENDMENT of the
CANADIAN HUMAN RIGHTS ACT)**

Moved by:

Chief Betsy Kennedy
War Lake First Nation

Seconded by:

Chief David Crate
Fisher River Cree Nation

1 Opposed

CARRIED

WHEREAS, on December 13, 2006, the Government of Canada introduced Bill C-44 which was an Act to amend the *Canadian Human Rights Act* (CHRA). The purpose was to repeal Section 67 which exempted any decisions or actions made under the authority of the *Indian Act* and did not apply on-reserve; and

WHEREAS, on November 13, 2007, subsequent to the prorogation of Parliament the bill was re-introduced as Bill C-21 and came with similar amendments proposed by the Assembly of First Nations (AFN). The amendments focused on addressing the transition period, a need for interpretive and non-derogation clauses, and processes for identifying successful implementation of the bill; and

WHEREAS, on June 18, 2008, Bill C-21 was passed and included the whole or part of the proposed amendments regarding the transition period, an Interpretive Clause and a Non-Derogation Clause. This Bill will take effect on June 18, 2011 will apply on-reserves meaning First Nations compliance with the CHRA; and

WHEREAS, in 2009, the AFN and the Canadian Human Rights Commission undertook dialogue sessions with First Nations regions across Canada. The dialogue was to assess the '*readiness*' of First Nation communities for the repeal of s.67; and

WHEREAS, on January 29, 2010 the AMC Executive Council directed that Grand Chief send a letter to the Canadian Human Rights Commission requesting funding for a Chiefs Assembly on changes to the Canadian Human Rights Act; and, further a Chiefs Task Force be established to develop a strategic position for the Chiefs in Assembly that includes the creation of a First Nation Human Rights Act.

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**RE: BILL C-21 REPEAL of SECTION 67 (AMENDMENT of the
CANADIAN HUMAN RIGHTS ACT) (cont'd)**


THEREFORE BE IT RESOLVED, That the Chiefs in Assembly support the First Nations Women's Committee to be identified as the First Nations political representatives Task Force (along with other Chiefs as required) to develop a draft position paper for review by leadership; and

BE IT FURTHER RESOLVED, That the AMC continues to seek funds to support a Special Chiefs Assembly in an effort to prepare communities for the repeal of s.67 of the CHRA in June 2011.

CERTIFIED COPY

***of a resolution adopted
on July 13-15, 2010***

Brokenhead Ojibway Nation, Manitoba



Grand Chief Ron Evans

**ASSEMBLY OF MANITOBA CHIEFS
22ND ANNUAL GENERAL ASSEMBLY
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CERTIFIED RESOLUTION

**JUL-10.05
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**RE: FEDERAL FUNDING TO ADDRESS THE MISSING AND
MURDERED WOMEN ISSUES**

Moved by:

Chief Francine Meeches
Swan Lake First Nation

Seconded by:

Chief Deborah Chief
Brokenhead Ojibway
Nation

CARRIED

WHEREAS, by resolution AUG-09.06, the AMC Chiefs in Assembly directed and supported the AMC Grand Chief to call on the Federal and Provincial governments to hold a Public Inquiry and ensure that AMC had representation on the Integrated Task Force Steering Committee on Missing and Murdered First Nations and Aboriginal Women; and

WHEREAS, by resolution AUG-09.07, the AMC Chiefs in Assembly directed the Assembly of Manitoba Chiefs Grand Chief to establish a process to engage Indian and Northern Affairs Canada regional office in policy analysis with respect to missing First Nation citizens; and

WHEREAS, AMC presently has a First Nations Community Liaison RCMP member operating from the AMC office and is a member of the Integrated Task Force Steering Committee; and

WHEREAS, in March, 2010 the federal government announced 10 million dollars over two years to address the high numbers of Missing and Murdered Women and to enhance the Federal Victims Strategy to support families that are victims of crime; and

WHEREAS, in April 2010, the Native Women's Association of Canada announced that there were over 580 missing and murdered aboriginal women in Canada; and

WHEREAS, of the 580 missing and murdered women in Canada, 84 are from Manitoba; and

WHEREAS, on June 30, 2010 there is still no announcement of allocation of the 10 million dollars for missing and murdered women issues.

**ASSEMBLY OF MANITOBA CHIEFS
22ND ANNUAL GENERAL ASSEMBLY
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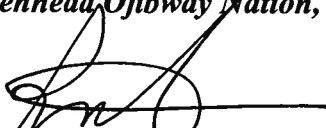
**JUL-10.05
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**RE: FEDERAL FUNDING TO ADDRESS THE MISSING AND
MURDERED WOMEN ISSUES (cont'd)**

THEREFORE BE IT RESOLVED, That the First Nations Women's Committee take the lead on behalf of First Nations and secure the necessary resources to ensure appropriate action in addressing the issue; and

BE IT FURTHER RESOLVED, That the First Nations Women's Committee partners with relevant organizations and the families of victims to address the issue of missing and murdered women.

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of a resolution adopted
on July 13-15, 2010
Brokenhead Ojibway Nation, Manitoba



Grand Chief Ron Evans

**ASSEMBLY OF MANITOBA CHIEFS
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CERTIFIED RESOLUTION

*JUL-10.06
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**RE: SUPPORT FOR FEDERAL & PROVINCIAL FUNDING OF
ENHANCEMENT FRAMEWORK AND FUNDING MODEL FOR
CHILD & FAMILY SERVICES**

Moved by:

Chief Betsy Kennedy
War Lake First Nation

Seconded by:

Chief Francine Meeches
Swan Lake First Nation

*1 Opposed
1 Abstained*

CARRIED

WHEREAS, by resolution AUG-07.02, the Assembly of Manitoba Chiefs (AMC) Chiefs in Assembly mandated AMC to work jointly with Indian & Northern Affairs Canada (INAC) and Manitoba to establish a Tripartite Table to pursue an enhanced model of prevention and intervention with new funding; and

WHEREAS, the Partnership for Results Table was established with INAC, Manitoba Family Services and Consumer Affairs, Northern & Southern Authorities, North & South Child & Family Services agency representatives, Manitoba Keewatinowi Okimakanak (MKO) and AMC, along with two subcommittees developed a Made in Manitoba Enhancement Framework and a new Funding Model; and

WHEREAS, during the period October 2008 to April 2009, a significant majority of Manitoba First Nations provided written support for the new framework and funding model; and

WHEREAS, the Manitoba Treasury Board advised the Federal Government and the Tripartite Table that the Manitoba government was prepared to commit their share of the funding, pending a Federal INAC funding commitment; and

WHEREAS, in their July 2009 announcement, INAC did not fund Manitoba region but chose to support regions with less children in care or families in crisis; and

WHEREAS, in December 2009, AMC Grand Chief Evans, MKO Grand Chief Harper, and Manitoba Minister MacIntosh travelled to Ottawa to meet INAC Minister Strahl to discuss investment of significant funding for Manitoba First Nations Child & Family Services agencies.

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*JUL-10.06
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**RE: SUPPORT FOR FEDERAL & PROVINCIAL FUNDING OF
ENHANCEMENT FRAMEWORK AND FUNDING MODEL FOR
CHILD & FAMILY SERVICES cont'd)**

THEREFORE BE IT RESOLVED, That the AMC Chiefs in Assembly endorse and support the Made in Manitoba Enhancement Framework and Funding Model; and

BE IT FURTHER RESOLVED, That the AMC Chiefs in Assembly support and advocate for federal and provincial funding of the Enhancement Framework and Funding Model to go directly to the Manitoba First Nations governments and their Child & Family Services agencies.

CERTIFIED COPY

*of a resolution adopted
on July 13-15, 2010*

Brokenhead Ojibway Nation, Manitoba



Grand Chief Ron Evans

**ASSEMBLY OF MANITOBA CHIEFS
22ND ANNUAL GENERAL ASSEMBLY
BROKENHEAD OJIBWAY NATION
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CERTIFIED RESOLUTION

**JUL-10.07
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**RE: PROVINCE OF MANITOBA AND ASSEMBLY OF MANITOBA
CHIEFS JOINT COMMITTEE (Duty to Consult and Accommodate)**

Moved by:

Chief Derek Nepinak,
Pine Creek First Nation

Seconded by:

Chief Arlen Dumas,
Mathias Colomb Cree
Nation

CARRIED

WHEREAS, the AMC Chiefs-in-Assembly passed and supported Resolution AUG 08.12 re *Special Assembly on the Crown Duty to Consult* which provided direction to hold a Special Assembly on the Duty to Consult; and

WHEREAS, the AMC Regional Forum / Workshop on Consultation and Accommodation was held on March 18 and 19, 2009; and

WHEREAS, Minister Eric Robinson wrote AMC Grand Chief on March 17, 2009 confirming their agreement to co-host a roundtable on consultation and accommodation; and

WHEREAS, the AMC Executive Council of Chiefs at its July 9, 2009 meeting directed the Grand Chief to write a letter to SCO and MKO and set up a team to develop a regional Consultation and Accommodation Work plan and to present it at the AMC General Annual Assembly for further discussion; and

WHEREAS, the AMC Grand Chief wrote letters of invitation to SCO and MKO on August 11, 2009 and November 10, 2009 to work together on developing a regional plan on consultation and accommodation and to set up a team to conduct the work; and

WHEREAS, Minister Robinson wrote the AMC Grand Chief on November 20, 2009 confirming AMC accepts the Province of Manitoba's invitation to co-host a roundtable on consultation and accommodation, and that a team consist of members from AMC with invitations to SCO and MKO; and

WHEREAS, the AMC Executive Council of Chiefs passed a motion to accept the duty to consult budget as presented on November 29, 2009; and

WHEREAS, the AMC Grand Chief wrote SCO and MKO on January 8, 2010 and April 16, 2010 to encourage a united strategy and inviting them to participate on developing a regional plan on consultation and accommodation; and

.../2

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CERTIFIED RESOLUTION

*JUL-10.07
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**RE: PROVINCE OF MANITOBA AND ASSEMBLY OF MANITOBA
CHIEFS JOINT COMMITTEE (Duty to Consult and Accommodate)
(cont'd)**

WHEREAS, the AMC Executive Council of Chiefs on April 29, 2010 passed a motion to support the creation of a six member Chiefs Committee on Consultation and Accommodation; and

WHEREAS, the Chiefs Committee on Consultation and Accommodation met on May 12 and 28, 2010 in preparation of the Roundtable on Consultation and Accommodation; and

WHEREAS, the Manitoba / Assembly of Manitoba Chiefs Roundtable on Consultation was held on June 4, 2010; and

WHEREAS, the AMC Chiefs in attendance at the Roundtable shared their views, concerns and issues they had with Manitoba in the area of the duty to consult and accommodate; and

WHEREAS, among other commitments that were made by Manitoba at the Roundtable, Minister Robinson committed to work together with AMC Chiefs and the Manitoba Aboriginal Issues Committee of Cabinet on Manitoba's consultation policy and guidelines and to examine the issue of resource revenue sharing; and

WHEREAS, the Chiefs Committee on Consultation and Accommodation met on July 2, 2010 and July 12, 2010 and recommended that the Chiefs in Assembly agree to participate in a First Nations Committee of Chiefs and the Aboriginal Issues Committee of Cabinet, and that it deal with the following priorities: NRTA, consultation and accommodation, resource and revenue sharing, and the review of all provincial legislation to ensure the protection of First Nations rights; and

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**JUL-10.07
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**RE: PROVINCE OF MANITOBA AND ASSEMBLY OF MANITOBA
CHIEFS JOINT COMMITTEE (Duty to Consult and Accommodate)
(cont'd)**

WHEREAS, Article 7, ss. 2 of the AMC Constitution declares "We accept that where it is necessary to identify, prioritize and initiate collective action on certain issues, that such decisions shall occur at regularly convened assemblies."

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly agree to participate in a First Nations Committee consisting of AMC Chief representatives and the Manitoba Aboriginal Issues Committee of Cabinet ("AICC/AMC Joint Committee"); and

BE IT FURTHER RESOLVED, That the participation of the AMC / AICC Joint Committee is based on having it deal with priorities of the NRTA, consultation and accommodation, resources revenue sharing, and a review of all Manitoba legislation to ensure the protection of First Nations rights; and

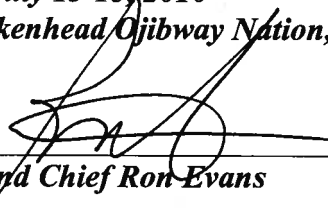
BE IT FURTHER RESOLVED, That the mandate of the Chiefs Committee on Consultation and Accommodation be extended in order to participate on the AICC / AMC Joint Committee and develop the necessary Principles, Protocol, Terms of Reference and Work Plan.

CERTIFIED COPY

of a resolution adopted

on July 13-15, 2010

Brokenhead Ojibway Nation, Manitoba



Grand Chief Ron Evans