

CERTIFIED COPIES

OF

ADOPTED RESOLUTIONS

GENERAL ASSEMBLY

ON THE

FRAMEWORK AGREEMENT INITIATIVE

OPASKWAYAK CREE NATION

NOVEMBER 27-29, 2001

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**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
FRAMEWORK AGREEMENT INITIATIVE
OPASKWAYAK CREE NATION
NOVEMBER 27-29, 2001**

CERTIFIED RESOLUTION

NOV-2001.01

Moved by:

Chief John Thunder
Buffalo Point First Nation

**RE: AMENDMENT OF ASSEMBLY OF MANITOBA CHIEFS
CONSTITUTION - SECTION 3 - APPENDIX B - QUORUM**

Seconded by:

Chief Dennis Meeches
Long Plain First Nation

WHEREAS, On March 5-9, 2001, the Chiefs-in-Assembly passed a resolution to amend the constitution to address ambiguities in the Chiefs-in-Assembly Rules and Procedures, Appendix B of the AMC constitution; and

MOTION CARRIED

WHEREAS, The Chiefs-in-Assembly have reviewed and recommended changes to amend the appropriate provisions as provided in the above noted resolution.

THEREFORE BE IT RESOLVED, That Sections 3 be amended as follows:

- 3.1 To commence the Assembly ~~each day~~, a quorum of delegates representing the majority of member First Nations must be registered on the first day of the Assembly.
- 3.3 Once a quorum is established at the commencement of an Assembly pursuant to Section 3.1, the Chiefs-in-Assembly with a minimum of twenty-one (21) Chiefs present at the Assembly may conduct business and may pass resolutions notwithstanding a quorum does not exist throughout the remainder of the Assembly.

THEREFORE BE IT RESOLVED, That Section 3.1 and 3.3 will read as follows:

- 3.1 To commence the Assembly, a quorum of delegates representing the majority of member First Nations must be registered on the first day of the Assembly.
- 3.3 Once a quorum is established at the commencement of an Assembly pursuant to Section 3.1, the Chiefs-in-Assembly with a minimum of twenty-one (21) Chiefs present at the Assembly may conduct business and may pass resolutions notwithstanding

CERTIFIED COPY of a Resolution Adopted
on November 27-29, 2001, OPASKWAYAK CREE NATION, Manitoba



Dennis White Bird, Grand Chief

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
FRAMEWORK AGREEMENT INITIATIVE
OPASKWAYAK CREE NATION
NOVEMBER 27, 28, 29, 2001**

CERTIFIED RESOLUTION

NOV-2001.02
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Moved by:

Chief Dennis Meeches
Long Plain First Nation

Seconded by:

Chief John Thunder
Buffalo Point First Nation

MOTION CARRIED

**RE: AMENDMENT OF ASSEMBLY OF MANITOBA CHIEFS
CONSTITUTION**

WHEREAS, On August 28-30, 2001, the Chiefs-in-Assembly passed a resolution to amend the AMC constitution to allow Dakota Plains Wahpeton First Nation, who do not have an elected council, to designate a proxy in the absence of the Chief at the assemblies; and

WHEREAS, The Chiefs-in-Assembly recommended changes to amend the appropriate provisions as provided in the above noted resolution.

THEREFORE BE IT RESOLVED, That Article 6 be amended by adding sub-section 4 and will read as follows:

6. 4. In the absence of a Chief who may not have an elected Council, designated representatives or proxies who are accredited officially in writing by that member First Nation for that purpose, may participate fully in the Chiefs-in Assembly forum.

THEREFORE BE IT RESOLVED, That Section 1 - Appendix B: Chiefs-in-Assembly Rules and Procedures - Official Delegates be amended as follows:

- 1.1 The delegate must be a ~~duly elected~~ Chief of ~~each~~ a First Nation in Manitoba who upon registration shall be automatically recognized as the official delegate.
- 1.2 In the absence of a ~~duly elected~~ Chief, designated elected representatives or **elected** proxies, who are accredited officially in writing by that member First Nation for that purpose, may participate fully in the Chiefs-in-Assembly forum.

New Clause Added

- 1.4 **In the absence of a Chief who may not have an elected Council, designated representatives or proxies who are accredited officially in writing by that member First Nation for that purpose, may participate fully in the Chiefs-in-Assembly forum.**

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
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**NOV-2001.02
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**RE: AMENDMENT OF ASSEMBLY OF MANITOBA CHIEFS
CONSTITUTION (CON'T)**

THEREFORE BE IT RESOLVED, That Section 1 - Appendix B: Chiefs-in-Assembly Rules and Procedures - Official Delegates read as follows:

- 1.1 The delegate must be a Chief of a First Nation in Manitoba who upon registration shall be automatically recognized as the official delegate.
- 1.2 In the absence of a Chief, designated elected representatives or elected proxies, who are accredited officially in writing by that member First Nation for that purpose, may participate fully in the Chiefs-in-Assembly forum.
- 1.4 In the absence of a Chief who may not have an elected Council, designated representatives or proxies who are accredited officially in writing by that member First Nation for that purpose, may participate fully in the Chiefs-in-Assembly forum.

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on November 27-29, 2001, OPASKWAYAK CREE NATION, Manitoba**



Dennis White Bird, Grand Chief

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
FRAMEWORK AGREEMENT INITIATIVE
OPASKWAYAK CREE NATION
NOVEMBER 27, 28, 29, 2001**

CERTIFIED RESOLUTION

NOV-2001.03

Moved by:

Chief Dennis Meeches
Long Plain First Nation

Seconded by:

Chief Morris Shannacappo
Rolling River First Nation

MOTION CARRIED

**RE: PROVINCIAL INVOLVEMENT IN THE FRAMEWORK
AGREEMENT INITIATIVE (FAI)**

WHEREAS, Article 7.4 of the Framework Agreement states that “*At mutually agreed upon times and terms and on mutually agreed upon issues, such as those dealing with provincial jurisdictions, the Province of Manitoba will be invited to participate in the Project*”; and

WHEREAS, the Chiefs-in-Assembly by way of Resolution Jan.97.01 directed no provincial involvement in agreements negotiated between the federal government and AMC; and

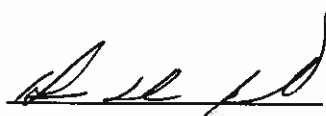
WHEREAS, the Chiefs-in-Assembly by way of a further resolution May.00.01 clarified provincial involvement in the education negotiations to mean “limited as determined by the Chiefs Committee on the Framework Agreement and further that this participation shall not include being a party to a negotiated agreement between First Nations and Canada”; and

WHEREAS, negotiations have determined that in order to address issues such as portability of treaty rights, prevention of federal offloading of responsibility and Canadian Constitutional division of powers, the Province of Manitoba may be invited to participate in the negotiation process.

THEREFORE BE IT RESOLVED, That the Province will be invited to participate in negotiations, provided that the invitation and participation is pursuant to the inherent and treaty relationship with Her Majesty the Queen in Right of Canada as recognized in Section 35 (1) of the Constitution Act of 1982, and in accordance with the provisions of the respective treaties and inherent rights.

BE IT FURTHER RESOLVED, That provincial involvement shall be through a double-bilateral agreement.

CERTIFIED COPY
*of a Resolution Adopted
on November 27-29, 2001,
OPASKWAYAK CREE
NATION, Manitoba*



**Dennis White Bird, Grand
Chief**

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
FRAMEWORK AGREEMENT INITIATIVE
OPASKWAYAK CREE NATION
NOVEMBER 27, 28, 29, 2001**

CERTIFIED RESOLUTION

**NOV-2001.04
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Moved by:

Chief Ken Whitecloud
Sioux Valley Dakota Nation

Seconded by:

Chief Jerry Primrose
Nisichawayasihk Cree Nation

MOTION CARRIED

**RE: DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN
DEVELOPMENT (“DIAND”) TERMINATION OF FUNDING
TO THE SOUTHERN AND NORTHERN MANITOBA FIRST
NATIONS REPATRIATION PROGRAMS**

WHEREAS, Adoption policies and practices of the Governments of Canada is a continuation of policies on assimilating First Nations through the separation of First Nation children from their families and communities; and

WHEREAS, the effects of government policies and practices on assimilation have devastated and tragically affected the well-being of the First Nation family, community and culture; and

WHEREAS, beginning from the “sixties scoop”, approximately 4,000 First Nation and Aboriginal children were removed from their homes and sent out of Manitoba for adoption; and

WHEREAS, the long-term social, economic, cultural and physical effects of these assimilative practices and policies continue to be felt in every First Nation community; and

WHEREAS, these children and their biological families are searching for family, culture and identity to assist them with essential healing requirements to live a better life; and

WHEREAS, the demand for assistance to facilitate searches and organize reunions is immense; and

WHEREAS, the repatriation programs have successfully facilitated over 310 reunions since the programs’ inception in 1992; and

.../2

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
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**RE: DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN
DEVELOPMENT ("DIAND") TERMINATION OF FUNDING
TO THE SOUTHERN AND NORTHERN MANITOBA FIRST
NATIONS REPATRIATION PROGRAMS (CON'T)**

WHEREAS, DIAND has determined that there is no longer a need for repatriation services and funding for repatriation services has been eliminated.

THEREFORE BE IT RESOLVED, That the Chiefs-in-Assembly recognize the work of the repatriation programs in re-uniting First Nation children with their family and community; and

FURTHER BE IT RESOLVED, That the Chiefs-in-Assembly support and assist the First Nations communities, through lobbying efforts, to secure adequate funding for repatriation programs from the Federal and Provincial Governments of Canada; and

FURTHER BE IT RESOLVED, That the Chiefs-in-Assembly promote the principles and agendas of the repatriation programs and the efforts to educate governments on the devastating effects government instituted assimilative policies continue to have on First Nation families and communities.

**CERTIFIED COPY of a Resolution Adopted
on November 27- 29, 2001, OPASKWAYAK CREE NATION, Manitoba**



Dennis White Bird, Grand Chief

**ASSEMBLY OF MANITOBA CHIEFS
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CERTIFIED RESOLUTION

NOV-2001.05

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Moved by:

Chief Wesley Harper
Red Sucker Lake First Nation

**RE: INDIAN AND NORTHERN AFFAIRS CANADA (INAC)
INTERVENTION POLICY/GARDEN HILL FIRST NATION
AND RED SUCKER LAKE FIRST NATION**

Seconded by:

Chief Frank Whitehead
Opaskwayak Cree Nation

WHEREAS, the Government of Canada through INAC has imposed or will impose the Intervention Policy against the Garden Hill First Nation and Red Sucker Lake First Nation and other First Nations; and

MOTION CARRIED

WHEREAS, the Intervention Policy includes the imposition of a Third Party arrangement on First Nations whose fiscal positions have exceeded the Department's deficit benchmark of 8% of its annual funding; and

WHEREAS, the fiscal problems of Garden Hill First Nation and Red Sucker Lake First Nation are in part, the result of extenuating circumstances; and

WHEREAS, the current Chief and Council has diligently carried out its fiscal responsibilities in formulating and implementing suitable and viable fiscal remedies; and

WHEREAS, the imposition of a Third Party Intervention against the Garden Hill First Nation and Red Sucker Lake First Nation will result in negative consequences to the Chief and Council's efforts in continuing Self-Government and fiscal management.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs ("AMC") support and advocate on behalf of the Garden Hill First Nation and Red Sucker Lake First Nation in their negotiations with INAC to oppose the Intervention Policy; and

BE IT FURTHER RESOLVED, that the AMC will support and advocate for the Garden Hill First Nation and Red Sucker Lake First Nation to properly identify the causes contributing to the First Nations funding shortfall; and

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
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**RE: INDIAN AND NORTHERN AFFAIRS CANADA (INAC)
INTERVENTION POLICY/GARDEN HILL FIRST NATION
AND RED SUCKER LAKE FIRST NATION (CON'T)**

BE IT FURTHER RESOLVED, that the AMC will support and advocate for the First Nations to ensure the Crown's fiduciary responsibility is upheld in the contribution of the First Nation's fiscal requirements and to ensure community consultation and approval is attained with respect to fiscal arrangements; and

FURTHER BE IT RESOLVED, that the Chiefs not participate in the application of the Intervention Policy until AMC and their affiliates complete the review, analysis and political position on the Intervention Policy, and to ensure Assembly of First Nations input is ascertained on the Intervention policy issue.

**CERTIFIED COPY of a Resolution Adopted
on November 27-29, 2001, OPASKWAYAK CREE NATION, Manitoba**



Dennis White Bird, Grand Chief

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
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NOVEMBER 27, 28, 29, 2001**

CERTIFIED RESOLUTION

**NOV-2001.06
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Moved by:

Chief Jerry Primrose
Nisichawayasihk Cree Nation

**RE: SUPPORT FOR THE NEGOTIATION OF A SECTORAL
AGREEMENT IN PRINCIPLE OVER CHILD AND FAMILY
MATTERS FOR THE TRANSFER OF FULL JURISDICTION**

Seconded by:

Chief John Thunder
Buffalo Point First Nation

WHEREAS, the Assembly of Manitoba Chiefs signed the Framework Agreement Initiative in 1994 and Child and Family Services was identified by the Assembly of Manitoba Chiefs as a fast track jurisdictional area under the Framework Agreement; and

WHEREAS; the Minister of Indian Affairs has unilaterally imposed the Child and Family Agreement in Principle process by stipulating that negotiations must be toward a substantive Agreement in Principle and has periodically withdrawn the funding of the FAI until there is substantial progress on the FAI; and

MOTION CARRIED

WHEREAS, the Chiefs in Assembly have also demanded substantial progress on the FAI; and

WHEREAS, AMC Resolution #March-01.36 was ratified in March 2001 delegating full authority to the Grand Chiefs of AMC, MKO and SCO to negotiate and develop a comprehensive package under the FAI process; and

WHEREAS, the Grand Chiefs of AMC, MKO and SCO endorsed a recommendation from the Internal CFS Working Group that the CFS Table develop and negotiate a Sectoral Agreement in Principle on Child and Family Services, subject to the approval of the CCOFAI; and

WHEREAS, through a mutual agreement between AMC, MKO and SCO, MKO was delegated the lead on child and family services negotiations within the FAI process; and

**ASSEMBLY OF MANITOBA CHIEFS
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**NOV-2001.06
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**RE: SUPPORT FOR THE NEGOTIATION OF A SECTORAL
AGREEMENT IN PRINCIPLE OVER CHILD AND FAMILY
MATTERS FOR THE TRANSFER OF FULL JURISDICTION
(CON'T)**

WHEREAS, the sectoral child and family table is progressing rapidly, and sectoral Agreements in Principle have been well received by Canada and have stated they are very pleased with the quality of work by the MKO and SCO Child and Family Jurisdiction projects; and

WHEREAS, the Province of Manitoba is willing to participate at the negotiation table for the restoration of full jurisdiction over child and family services to First Nation Governments and Canada has stated on several occasions they are prepared to move forward with substantive negotiations.

THEREFORE BE IT RESOLVED, That the Chiefs in Assembly endorse and support the child and family table to negotiate a Sectoral Agreement in Principle for full Jurisdiction over Child and Family in a manner which is consistent with the objectives of the FAI; and

THEREFORE BE IT FURTHER RESOLVED, That the Chiefs in Assembly endorse and support the Grand Chief of the MKO and SCO to oversee the negotiation of a sectoral Agreement in Principle on child and family matters with proper representation from the AMC subject to approval of the CCOFAI and consistent with the objectives of the FAI.

**CERTIFIED COPY of a Resolution Adopted
on November 27-29, 2001, OPASKWAYAK CREE NATION, Manitoba**



Dennis White Bird, Grand Chief

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
FRAMEWORK AGREEMENT INITIATIVE
OPASKWAYAK CREE NATION
NOVEMBER 27, 28, 29, 2001**

CERTIFIED RESOLUTION

NOV-2001.07

Moved by:

Chief Vera Mitchell
Poplar River First Nation

Seconded by:

Chief Ken Whitecloud
Sioux Valley Dakota Nation

MOTION CARRIED

**RE: ASSEMBLY OF MANITOBA CHIEFS ("AMC")-
SOUTHERN CHIEFS ORGANIZATION ("SCO")
AGREEMENT ON EDUCATION – LEAD ROLE**

WHEREAS, SCO is fully capable of becoming a major participant within the Framework Agreement Initiative ("FAI") process and can assume the lead role in Education; and

WHEREAS, SCO is prepared to work with all First Nations and Education Authorities to develop and reach agreement on Education; and

WHEREAS, there is a need to negotiate an adequate resource base to exercise the education jurisdiction.

THEREFORE BE IT RESOLVED, That the AMC resolve that SCO assume the lead role on education under the FAI with continued representation from the AMC; and

BE IT FURTHER RESOLVED, That the SCO negotiate and manage the Manitoba FAI Education process and utilize the existing reporting structures of the FAI; and

BE IT FURTHER RESOLVED, That the Chiefs Committee on FAI support this resolution and meet with the SCO Chiefs on this matter as soon as possible.

**CERTIFIED COPY of a Resolution Adopted
on November 27-29, 2001, OPASKWAYAK CREE NATION, Manitoba**


Dennis White Bird, Grand Chief

**ASSEMBLY OF MANITOBA CHIEFS
GENERAL ASSEMBLY ON THE
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OPASKWAYAK CREE NATION
NOVEMBER 27-29, 2001**

CERTIFIED RESOLUTION

NOV-2001.08

Moved by:

Chief Dennis Pashe
Dakota Tipi First Nation

Seconded by:

Chief Jerry Primrose,
Nisichawayasihk Cree Nation

MOTION CARRIED

RE: FIRST NATION COURT CASE DEFENSE

WHEREAS, the Assembly of Manitoba Chiefs Constitution as adopted by the Chiefs in Assembly, September 14, 1994 states "*that the Constitution of Canada is an instrument which protects our Aboriginal title, Aboriginal rights, collective and individual, international treaty rights and the inherent right to self-determination*"; and

WHEREAS, the federal government through the "Court Challenges Program" and the Manitoba Provincial Government through the "Legal Aid Program" funds individuals to challenge First Nation Governments; and

WHEREAS, many First Nations are not funded for legal court cases; and

WHEREAS, the cost of defending court cases places undue financial burden on many First Nations.

THEREFORE BE IT RESOLVED, that the Assembly of Manitoba Chiefs lobby the federal and provincial governments to equally fund First Nations so as to defend our collective and individual rights.

**CERTIFIED COPY of a Resolution Adopted
on November 27-29, 2001, OPASKWAYAK CREE NATION, Manitoba**


Dennis White Bird, Grand Chief