



***ANISHINABEK NATION
FALL ASSEMBLY 2019***

***CHIPPEWAS OF THE
THAMES FIRST NATION***

RESOLUTIONS

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RESOLUTION – #2019-18

Subject: Appointment of the Anishinabek Nation Children's Commissioner
Mover: Dan Kohoko (Proxy), Algonquins of Pikwakanagan First Nation
Seconder: Chief Veronica Waboose, Long Lake #58 First Nation
Status: Carried
Opposed: Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek
Abstentions: None

WHEREAS:

The Anishinabek Nation Child Well-Being Law was approved in principle by the Anishinabek Chiefs in Assembly by Grand Council Resolution #2015/09 for the review and approval by the Anishinabek First Nations;

To date, twenty-one (21) Anishinabek First Nations have enacted the *Anishinabek Nation Child Well-Being Law*, which includes the requirement for the appointment of an Anishinabek Nation Children's Commissioner;

Each of the First Nations that are members of the Anishinabek Nation will decide for themselves, whether the *Anishinabek Nation Child Well-Being Law* will apply in their First Nation;

The Anishinabek Nation Children's Commissioner will oversee the implementation, compliance, and enforcement of the *Anishinabek Nation Child Well-Being Law* in accordance with the First Nation laws;

The Anishinabek Nation has appointed a Commissioner on Governance – Grand Council Chief Glen Hare; a Citizenship Commissioner – Jeannette Corbiere Lavell; a Language Commissioner – Chief Nelson Toulouse; and a Chief Water Commissioner – Autumn Peltier; to oversee the work of the Anishinabek Nation in relation to governance, citizenship, language and water, respectively;

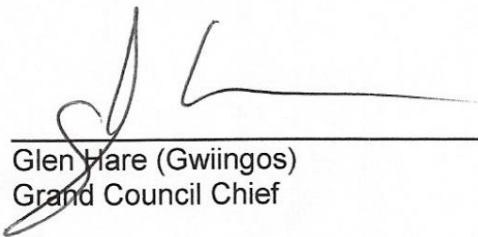
The Social Development Department asked the Anishinabek First Nations at the four regional meetings held in October 2019, to confirm a recommendation from each region on a candidate for appointment as the Children's Commissioner; and

The Leadership Council reviewed the recommendations received from the four regional meetings, and are advancing this resolution to the Anishinabek Chiefs-in-Assembly for approval.

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THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

Appoint **Ogimaa Duke Peltier** as the Anishinabek Nation Children's Commissioner.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

RESOLUTION – #2019-19

Subject: Strengthening Resources with Ontario Native Women's Association
Mover: Saga Williams (Proxy), Curve Lake First Nation
Seconder: Chief Valerie Richer, Atikameksheng Anishnawbek
Status: Carried
Opposed: None
Abstentions: None

WHEREAS:

Indigenous women are exposed to a level of racialized violence and lack of safety that is unprecedented in our country. 16% of all women being murdered in Canada are Indigenous yet represent only 4% of the population;

The 2015 RCMP report named 1,180 Indigenous women and girls who were murdered or missing. 80% of the murdered women were mothers;

Colonization made Indigenous women targets for hate. This targeted, racialized violence, that we now know to be genocide, has manifested into sexual violence within and outside of our communities, domestic violence in our own families and in murders and disappearances of Indigenous women and girls;

The Ontario Native Women's Association (ONWA) has worked over the last 48 years to build capacity with Indigenous women to ensure they can restore their roles as leaders in their lives, family, community, and nations so that women can address the issues that have finally been validated in the RCAP Report and now more recently in the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) Report; and

The Anishinabek Nation practices harm reduction, decolonized actions, advocacy for human rights and equality to prompt meaningful solutions/responses to human trafficking and MMIWG.

- In 2013, the Anishinabek Nation joined the Northeastern Ontario Research Alliance on Human Trafficking (NORAHT), a partnership between Amelia Rising Sexual Assault Centre of Nipissing, the AIDS Committee of North Bay and Area and Nipissing University to examine human trafficking and sexual exploitation in northeastern Ontario. The Social Sciences and Humanities Research Council of Canada generously supports this research.
- The Anishinabek Nation has also developed targeted social media campaigns to highlight concerns, share updates, and provide supports, education and awareness on both human trafficking and MMIWG.

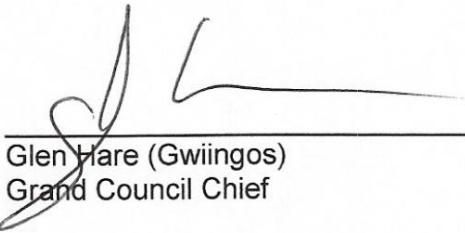
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THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:


Support the following ONWA recommendations made to the MMIWG National Inquiry:

- Restoring Balance through Healing: We support the reinstatement of The Aboriginal Healing Foundation that focusses on the creation of healing programs and services requested by Indigenous women and identified as necessary to support individual, family and community healing. These programs should apply a trauma informed, Indigenous, gender-based approach;
- Restoring Safety: We support the development and implementation of a Sexual Violence Action Plan - a coordinated, integrated approach to addressing sexual violence that includes healing and accountability and advocate for it to be supported by all levels of government;
- We support efforts in addressing and ending the Human Trafficking of Indigenous women and girls so that we can also adequately address the connection it has with MMIWG; and

Direct the Social Development Department to work with the Anishinabek Nation Kwe-Wuk Council and ONWA to strengthen resources on addressing and ending human trafficking from Indigenous women's perspectives, collaborate on implementation of the MMIWG National Inquiry's recommendations, and work together to strengthen resources to support the restoration of Indigenous women's leadership roles and responsibilities.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

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RESOLUTION – #2019-20

Subject: Further Recognition of Anishinabek Military Veterans
Mover: Chief Marcus Hardy, Red Rock Indian Band
Seconder: Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek
Status: Carried
Opposed: None
Abstentions: None

WHEREAS:

Anishinabek veterans volunteered for military service and fought to defend our lands and our ways of life;

Anishinabek military veterans hold vast experience in leadership and in providing security for others;

Too often, veterans and their affairs do not receive the respect, services and attention that they have earned and deserve; and

Many veterans are facing challenges due to a lack of appropriate supports and services in areas of life including, but not limited to, mental health, homelessness, and physical health.

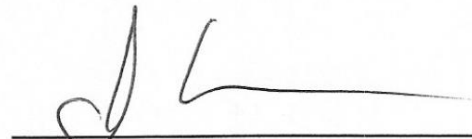
THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

Direct the Anishinabek Nation to establish a Chief's Veterans Committee to explore and implement programs to support Anishinabek veterans and their families;

Direct the Anishinabek Nation to establish an Anishinabek Nation Sergeant-at-Arms from within the Chiefs Veterans Committee, or other veterans where directed by the Chiefs Veterans Committee, to maintain order at meetings of the Chiefs-in-Assembly, and to provide security to said meetings; and

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Direct the Anishinabek Nation to work with the Governments of Canada and Ontario to advocate for resources to support the work of the Chiefs Veterans Committee and the Sergeant-at-Arms.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

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RESOLUTION – #2019-21

Subject: Impact Assessment Regional Advisory Committees and Joint Advisory Council

Mover: Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek

Seconder: Chief Dean Roy, Sheshegwaning First Nation

Status: Carried

Opposed: None

Abstentions: None

WHEREAS:

On August 28, 2019, the *Impact Assessment Act* came into force. The *Impact Assessment Act* created a new Impact Assessment Agency of Canada, and repealed the *Canadian Environmental Assessment Act, 2012*;

Impact Assessments involve the study of potential impacts from a proposed project on the environment, and the health, social and economic conditions of the public, including Indigenous people;

Anishinabek First Nations are encouraged to undertake their own impact assessments whenever possible to ensure their First Nation has oversight of any projects that may affect their lands and waters;

Traditional Knowledge is an important consideration in any impact assessment. Anishinabek First Nations are encouraged to enter into agreements or protocols with the Crown, proponent or other researchers to ensure that their rules, customs and traditions are respected;

Anishinabek First Nations require support to develop their own impact assessments that can be harmonized with the new federal legislation. They would also accord with First Nation laws, traditional practices and systems of governance.

Anishinabek First Nations must have a seat at the table when decisions are being made related to resource development projects that will affect their land and water; and

Anishinabek First Nations have a responsibility to oversee the management, sharing, and interpretation of Traditional Knowledge. Anishinabek knowledge and perspectives are needed now more than ever in this era of resource development and climate change.

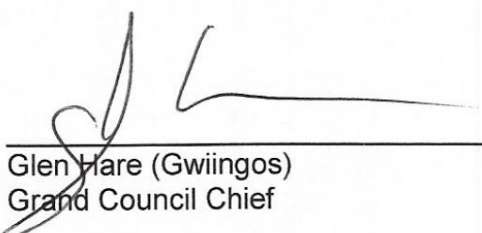
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THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:


Continue to support Resolution #2019-11: Canada and Ontario Environmental Assessments and Addressing the Regulatory Gap on First Nations;

Direct the Anishinabek Nation to seek capacity funds that will support environmental stewardship and establish four (4) Regional Anishinabek Nation Impact Assessment and Stewardship Advisory Committees that will review the Impact Assessments, provide and share technical advice, as well as support First Nation monitoring and compliance and environmental stewardship. Each region will have a maximum of five (5) First Nation technical representatives that will include an Elder; and

Direct the Anishinabek Nation to establish a Joint Anishinabek Nation / Canada Council on Environment and Impact Assessment that will provide support to the regional Anishinabek Nation Impact Assessment and Stewardship Advisory Committees to ensure all identified concerns, impacts, interests and opportunities are addressed.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

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RESOLUTION – #2019-22

Subject: Establishing a Relationship with Canada as Represented by the Department of Fisheries and Oceans Canadian Coast Guard

Mover: Art Jocko (Proxy), Whitefish River First Nation

Seconder: Chief Chris Plain, Aamjiwnaang First Nation

Status: Carried

Opposed: None

Abstentions: Chief Marcus Hardy, Chief Melvin Hardy

WHEREAS:

The Anishinabek have the inherent right and sacred responsibility from the creator to protect the land, water, resources, fish and wildlife;

The Anishinabek have utilized the Great Lakes watershed for economic, social and traditional purposes since time immemorial;

The Anishinabek have the inherent right to enhance the safety of their citizens who utilize water resources; and

The Canadian Coast Guard is seeking to establish a relationship with Anishinabek First Nations through various initiatives such as, but not limited to, support for workshops, coordinated feedback on projects, identifying synergies, opportunities and needs for marine safety, identifying priority areas within Anishinabek territory and recruitment and cultural initiatives.

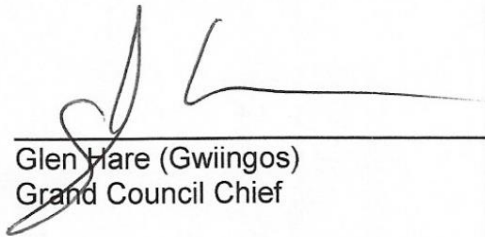
THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

Direct the Anishinabek Nation to establish a relationship with the Canadian Coast Guard that supports marine safety and Anishinabek engagement with, and participation in the activities of the Coast Guard in Anishinabek waters;

Direct the Anishinabek Nation to explore capacity building, framework agreements, information exchange, and education and awareness initiatives with the Canadian Coast Guard; and

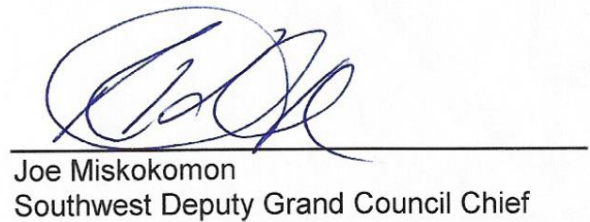
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Direct the Anishinabek Nation to report on the evolving relationship with the Canadian Coast Guard to the Chiefs-in-Assembly.



A handwritten signature in black ink, consisting of a large 'G' followed by a horizontal line.

Glen Hare (Gwiingos)
Grand Council Chief



A handwritten signature in blue ink, featuring a large 'J' and 'M' intertwined.

Joe Miskokomon
Southwest Deputy Grand Council Chief

RESOLUTION – #2019-23

Subject: Approval of the Anishinabek Nation Cannabis Work Plan
Mover: Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek
Seconders: Chief Guy Monague, Beausoleil First Nation
Status: Carried
Opposed: None
Abstentions: None

WHEREAS:

The Chiefs-in-Assembly passed resolution #2017-21 at the 2017 Anishinabek Nation Fall Assembly, mandating the Anishinabek Nation to seek resources from the federal and provincial governments to support the development of a cannabis strategy that would support Anishinabek First Nations preparations for the implementation of the Cannabis Act;

The Chiefs-in-Assembly also directed the Anishinabek Nation to ensure that the strategy was developed and informed through an Anishinabek Nation expertise forum on cannabis, and that it include aspects of health, jurisdiction, social, and economic development;

The Anishinabek Nation held a Cannabis forum on March 6 and 7, 2018, a Cannabis Think Tank on January 30, 2019, a Cannabis webinar on July 18, 2019, a Cannabis Forum on September 25 and 26, 2019, and an online community perspectives survey with Anishinabek Nation leadership;

Through the various engagement sessions identified above, Anishinabek Nation leadership identified seven (7) priority areas of concern including but not limited to: Regulation, Jurisdiction, Enforcement, Product Safety, Health and Safety, Prohibition, and Economic Opportunities; and

The Anishinabek Nation has developed a draft work plan with proposed actions to address the seven (7) priority areas of concern.


THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

Approve the draft work plan as presented at the November 2019 Anishinabek Nation Fall Assembly, and direct the Anishinabek Nation to proceed with implementing the proposed actions identified;

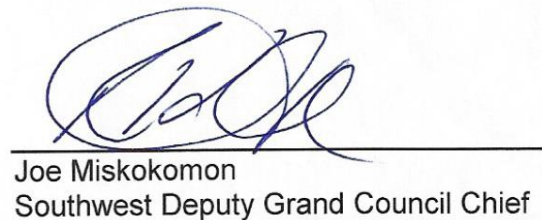
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Direct the Anishinabek Nation to advocate with both the federal and provincial government to ensure that Anishinabek First Nations are consulted on any cannabis related activity that will directly or indirectly impact an Anishinabek First Nation; and

Direct the Anishinabek Nation to report to the Chiefs-in-Assembly at the June 2020 Grand Council Assembly regarding the status of the work plan implementation, and advocacy efforts.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

RESOLUTION – #2019-24

Subject: Gasoline, Tobacco, and Cannabis Regulation, Law-Making and Revenue Generation – Negotiation Protocol

Mover: Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek

Seconder: Chief Dean Roy, Sheshegwaning First Nation

Status: Carried

Opposed: None

Abstentions: None

WHEREAS:

The Anishinabek Nation entered into an Agreement-in-Principle (AIP) dated March 8, 2018 to support the Anishinabek First Nations' interest in law-making and revenue generation related to jurisdiction over gasoline and tobacco;

The Anishinabek Nation and the Government of Ontario wish to continue to work together on mutually-beneficial agreement(s) regarding revenue generation and regulation through the sale of gasoline and tobacco in participating First Nations;

Following the legalization of cannabis on October 18, 2018, after the execution of the AIP, there is a desire by the Anishinabek Nation Gas & Tobacco Steering Committee and the Government of Ontario to expand the scope of their discussions to incorporate cannabis law-making and revenue generation; and

Progress to date and the recent legalization has led to the need for developing a negotiation protocol to guide the discussions and the development of potential models for First Nation regulation of gasoline, tobacco, and now cannabis for participating communities.

THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

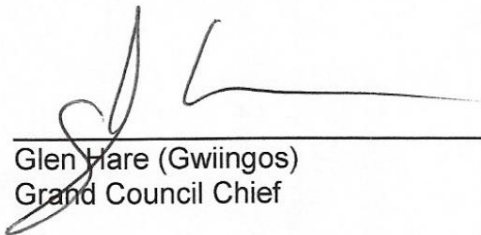
Direct the Anishinabek Nation to develop a draft negotiation protocol so that Anishinabek First Nations that are interested in regulation, law making, and revenue generation related to jurisdiction over gasoline, tobacco, and cannabis may do so from a position of strength and coordination;

Direct the Anishinabek Nation to work with Ontario to collectively engage the federal government with regards to revenue sharing with Anishinabek Nation communities as it pertains to the Federal Excise Tax on cannabis products;

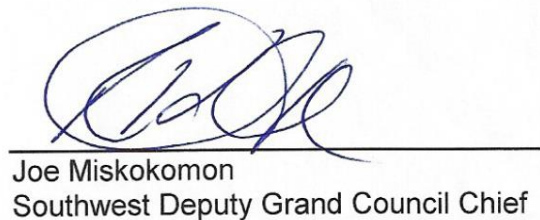
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Direct the Grand Council Chief to call upon Canada to amend Bill C-45 to recognize and allow for First Nations jurisdiction and regulation as it pertains to cannabis licensing, production, distribution, sale, taxation, revenue sharing and consumption of legalized cannabis that incorporates community safety and well-being, particularly for children and youth; and

Direct the Anishinabek Nation to advocate for the federal government to recognize and support Anishinabek First Nations' assertion of inherent jurisdiction over cannabis licensing, taxation, regulation, and revenue sharing through First Nations' territories.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

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RESOLUTION – #2019-25

Subject: Employment Ontario Services Transition
Mover: Chief Marcus Hardy, Red Rock Indian Band
Seconder: Chief Chris Plain, Aamjiwnaang First Nation
Status: Carried
Opposed: None
Abstentions: None

WHEREAS:

Anishinabek First Nations have participated in national federally funded employment and training programs (Pathways, Regional Bilateral Agreements, AHRDS-1, AHRDS-2, ASETS, ISETP) since 1992 and Provincial Employment Services since 1996;

Ontario is transforming its provincially funded employment services into a new Ontario Employment Service Model with three prototypes that will be phased-in beginning in 2019;

Employment programs for mainstream Ontario Works (OW) and the Ontario Disability Support Program (ODSP) are being integrated into Employment Ontario services;

First Nation Community OW and ODSP services on-reserve are not within the scope of the Employment Ontario Services Transformation. There is no indication whether Ontario's Employment Service Transformation will impact our communities;

A new local delivery model for employment services is being implemented and Ontario will select organizations through a competitive process to determine who will manage the employment services system in each catchment area in Ontario;

First Nations can participate in the upcoming competitive process in the Spring/Summer of 2020 as service system managers, managing and/or delivering services outside of First Nations communities; and

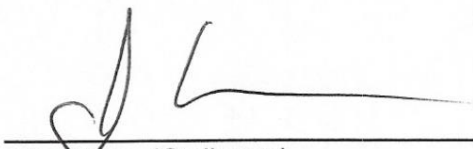
Anishinabek Nation Indigenous Skills and Employment Program Agreement Holders have commenced discussions about the impact that the Ontario Employment Service Transformation will have on Anishinabek First Nation Employment Services.

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THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

Direct the Anishinabek Nation Labour Market Development Department to engage Ontario representatives and coordinate consultations with Anishinabek First Nations and Anishinabek Indigenous Skills and Employment Training Program Agreement Holders about the impact that the Ontario's Employment Service Transformation will have on Anishinabek First Nations Employment Services; and

Direct the Anishinabek Nation Labour Market Development Department to report back to the Chiefs-in-Assembly with information with updates on the progress, direction and challenges related to Ontario's Employment Service Transformation.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

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RESOLUTION – #2019-26

Subject: Further Anishinabek First Nation Jurisdictional Negotiations
Mover: Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek
Seconder: Chief Roger Thomas, Munsee-Delaware Nation
Status: Carried
Opposed: None
Abstentions: None

WHEREAS:

The Anishinabek First Nations have declared their commitment to the *Ngo Dwe Waangizid Anishinaabe* and that we are *One Anishinaabe Family*;

Anishinabek First Nations have been very successful in jurisdictional advancement in regards to education and governance and those areas are complete in regards to negotiations;

There are successful existing intergovernmental discussions concerning Child and Youth Well-Being and Health Transformation involving the Anishinabek Nation, the Government of Canada and the Province of Ontario;

By resolution #95/25, the Anishinabek Chiefs-in-Assembly directed the Union of Ontario Indians to enter into self-government negotiations with the federal government in all areas including, among others, governance, education, lands, resources, justice and social services;

Resolution #2005/09 directed the Anishinabek Nation to explore a new revised comprehensive negotiation framework;

The Anishinabek Nation is developing a long-term strategic plan to support the priority areas identified in resolution #95/25 in addition to language and culture, economic development, citizenship, health and housing and infrastructure as future jurisdictional priorities;

The Anishinabek Nation has completed a socio-demographic study concerning Population and Demographic Characteristics, Language and Identity, Population Projections, Education Attainment, Employment and Income, and Housing; and

The Anishinabek First Nations have been successful in reaffirming key principles fundamental to negotiations: *The Anishinabek Declaration*, *Ngo Dwe Waanagizid Anishinaabe*, *Anishinabek Chi-Naaknigewin*, *E'Dbendaagizidjig Naaknigewin*, promotion of Anishinaabe traditional governance, Ezhi-nbwaachiding.

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THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:


Direct the Grand Council Chief to advocate for future comprehensive arrangements based on the priority jurisdictional areas identified;

Direct the Anishinabek Nation to put forward a new negotiations, communications and consultation framework that strengthens Anishinabek First Nation capacity development and the Anishinabek Nation to support the framework; and

Declare that this resolution will not abrogate or derogate from any existing negotiations processes or any future negotiations that will be undertaken by Anishinabek First Nations.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

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RESOLUTION – #2019-27

Subject: Ontario Mining Capacity and Resourcing
Mover: Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek
Seconder: Kevin Mossip, Zhiibaahaasing First Nation
Status: Carried
Opposed: 5
Abstentions: 3

WHEREAS:

The Government of Ontario has repeatedly stated their intention to expand mining development within the Province of Ontario;

Proponents have described mining initiatives as being in the best interest of the Province of Ontario and of Canada as a whole due to its potential as a major economic driver for the future;

Mining development in Ontario presents a number of social and ecological challenges to Anishinabek territory and its people;

A plan has now been developed for the establishment of all-weather roads connecting Ontario mining initiatives with the provincial highway network;

Mining in Ontario will involve the extraction of nickel and copper concentrates. These early minerals are planned to be transported to and processed in Anishinabek Territory at Sudbury;

It has been announced that a massive Ferrochrome smelter will be constructed at Sault St. Mare that will process Chromite that will pass through Anishinabek Territory by road, rail and boat;

The Anishinabek Nation has yet to be consulted on the potential impacts from this initiative; and

The Anishinabek Nation has identified some immediate needs in order to develop a position on the impacts and the rights and interests of Anishinabek communities.

THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

Direct the Anishinabek Nation to develop a draft strategy and action plan to address the challenges and opportunities with regards to mining;

Direct that the draft strategy and action plan include an analysis of the issues, opportunities,

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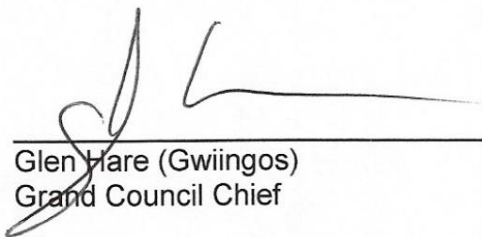
options and recommendations;

Direct that the issues to be analysed will include, but not be limited to the following areas:

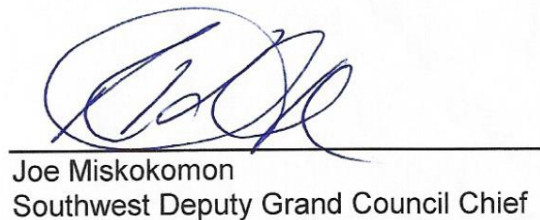
- Environmental stewardship including lands, waters and natural resource management
- Anishinabek Nation engagement
- Economic impacts
- Potential impacts to Aboriginal and Treaty rights
- Health Impacts

Direct the Anishinabek Nation Lands and Resources Department to present the draft strategy and action plan to the Anishinabek Nation Chiefs-in-Assembly at the June 2020 Grand Council Assembly; and

Declare that this resolution shall not abrogate or derogate from any arrangements planned or implemented by Anishinabek First Nations.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

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RESOLUTION – #2019-28

Subject: Addressing the *Better for People, Smarter for Business Act, 2019*
Mover: Chief Melvin Hardy, Biinjitiwaabik Zaaging Anishinaabek
Seconder: Guy Monague, Beausoleil First Nation
Status: Carried
Opposed: None
Abstentions: None

WHEREAS:

The United Nations Declaration on the Rights of Indigenous Peoples Article 25 recognizes;

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal and other resources and to uphold their responsibilities to future generations in this regard;

As declared in the *Anishinaabe Chi-Naaknigewin* preamble, *Ngo Dwe Waangizid Anishinaabe*, Fire, Water, Land and Air were given to us to look after by the Creator;

Failure to protect our water and other resources is a contravention of our sacred responsibilities, traditional laws and our collective Inherent Rights; and

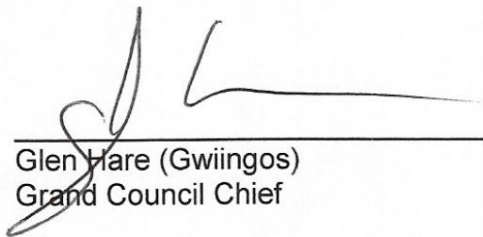
As First Nation people, we have the constitutionally protected right to consultation and decision-making concerning new, renewed or continued land and natural resource use that potentially impact our Aboriginal or Treaty rights.

THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

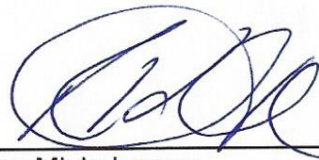
Call upon the Government of Ontario to uphold the duty and honor of the Crown by recognizing the unique rights of Anishinabek Nations and to provide the time and resources needed to analyze and communicate changes to more than 60 pieces of legislation and regulations contained in the *Better for People, Smarter for Business Act*; and

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Direct the Anishinabek Nation staff to work with Ontario in supporting consultation of Anishinabek Nations on any proposed activity that has potential to impact the lands and waters we defend and rely upon.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief

RESOLUTION – #2019-29

Subject: Breach of Robinson Superior Treaty Nations Jurisdiction Over Child Welfare

Mover: Chief Peter Collins, Fort William First Nation

Seconder: Chief Veronica Waboose, Long Lake #58 First Nation

Status: Carried

Opposed: 2

Abstentions: 6

WHEREAS:

The Anishinabek Nations who are signatories or adherents to the Robinson Superior Treaty (the “Robinson Superior Treaty First Nations”) have always asserted and exercised inherent jurisdiction with respect to children and families within their territories;

Their right to exercise inherent jurisdiction has never been surrendered or extinguished through treaty or any other instrument;

The territory referred to as the City and District of Thunder Bay falls within the territory over which Robinson Superior Treaty First Nations have and have always had inherent jurisdiction in relation to children and families;

The territory over which Fort William First Nation, one of the Robinson Superior Treaty First Nations, has and has always had inherent jurisdiction includes the City of Thunder Bay;

Recent decisions by Ontario and its Minister(s) purport to grant other nations, including members of the Nishnawbe Aski Nation served by Tikiagan Child and Family Services, jurisdiction for the provision of child welfare services within the territory of Fort William;

These decisions by the Government of Ontario also require Indigenous children and families to be served by a non-Indigenous agency, namely Thunder Bay Children's Aid Society;

The Robinson Superior Treaty First Nations were not consulted by Ontario or its Minister(s) prior to the making of these decisions;

The Robinson Superior Treaty First Nations and Fort William First Nation have repeatedly advised Ontario that granting other First Nations jurisdiction over child welfare services constitutes a breach of their inherent, Aboriginal, and treaty rights; and

The actions of First Nations in setting up child welfare agencies to purport to govern within the territory of other First Nations without the consultation and consent of those First Nations. Constitutes a violation of inherent jurisdiction and authority and the duty to consult.

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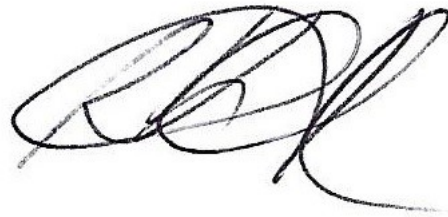
THEREFORE BE IT RESOLVED THAT WE, THE ANISHINABEK CHIEFS-IN-ASSEMBLY:

Declares that Ontario to has breached the inherent, Aboriginal and treaty rights of the Robinson Superior Treaty First Nations and of Fort William First Nation, by granting Tikinagan Child and Family Services jurisdiction over child welfare in the City of Thunder Bay and area, over the objection and without proper consultation with the Anishinabek First Nations; and

Declares that this resolution will not abrogate or derogate from any position any Anishinabek First Nation takes on First Nation inherent jurisdiction over child welfare.



Glen Hare (Gwiingos)
Grand Council Chief



Joe Miskokomon
Southwest Deputy Grand Council Chief