

R E S O L U T I O N S

ANISHINABEK GRAND COUNCIL

MAY 22, 23 & 24, 1984

CHIPPEWAS OF SARNIA

RESOLUTION # 1:

BE IT RESOLVED THAT we accept the proposed agenda, as amended to include a discussion on the DIAND Housing Policy concerning the classification of Urban/Rural Reserves for housing capital funding.

Moved by: Chief Peter Akiwenzie, Chippewas of Nawash
Seconded by: Chief Earl Commanda, Serpent River

CARRIED.

RESOLUTION # 2:

WHEREAS the representative Elders of the Anishinabek met previous to the AFN Special Assembly on the Penner Report on February 4th, 1984, and at the Union of Ontario Indians Offices on April 16th, 1984, to consider the role of Elders within the Anishinabek Nation; and,

WHEREAS a report was presented by the Elders at the Grand Council in Sarnia on May 22nd, 1984.

THEREFORE BE IT RESOLVED THAT the Anishinabek Grand Council accept this report and its enclosed recommendations.

Moved by: Chief Earl Commanda, Serpent River
Seconded by: Patrick Madahbee, Sucker Creek

CARRIED.

RESOLUTION # 3:

BE IT RESOLVED THAT the Grand Council accept the Rules of Procedure as read out by the Executive Director of the Union of Ontario Indians; and,

THAT appropriate amendments be included concerning the attendance by "interested Indian persons" other than invited guests.

Moved by: Frank Shawbedees, Saugeen
Seconded by: Chief Norman Aguonie, Sheguiandah

CARRIED.

RESOLUTION # 4:

WHEREAS the Ontario Indian Policing Agreement, 1981, establishes an advisory body to be called the Ontario Indian Police Commission; and,

WHEREAS Indian Governments recognize the need for a high degree of Indian involvement in the development, implementation and management of Indian policing, both on and off Indian land; and,

WHEREAS one of the mandates of policing negotiations is to build an Indian Police Commission which will retain authority to deal with all aspects of policing that affects Indians; and,

WHEREAS currently there are no terms of reference under which the Ontario Indian Police Commission can operate; and,

WHEREAS the ultimate duties, powers, and responsibilities of the Ontario Indian Police Commission have been identified in a document entitled "Policing Policy Discussion Paper", pages 4 - 5; and,

WHEREAS in order to carry out the above noted duties, powers and responsibilities, it is necessary for the Ontario Indian Police Commission to have full power to administer and full responsibility for the policing function affecting status Indians.

THEREFORE BE IT ACKNOWLEDGED THAT amended or new legislation must be enacted creating the Ontario Indian Police Commission as an administrative board which is able to develop its own terms of reference in co-operation with the federal and provincial governments.

THEREFORE BE IT RESOLVED THAT the Union of Ontario Indians, on behalf of the Indian governments that form its membership, shall have the mandate to negotiate the duties, powers and responsibilities of the Ontario Indian Police Commission as set out in this resolution and in the "Policing Policy Discussion Paper".

Moved by: Chief Ether DeLeary, Chippewas of the Thames
Seconded by: Chief Ray Rogers, Chippewas of Sarnia

CARRIED.

RESOLUTION # 5:

BE IT RESOLVED THAT the position of Police Commissioner, as representative of the Anishinabek, be posted for a period of six weeks; and,

FURTHER THAT the Board of Directors be responsible for the selection of the Commissioner no later than four weeks from closing date for receiving applications/ resumes.

Moved by: Chief Roger Jones, Shawanaga
Seconded by: Percy Pawis, Shawanaga

CARRIED.

RESOLUTION # 6:

WHEREAS the Ojibways of Shawanaga Band have been reclassified from "rural" to urban without their direct participation; and,

WHEREAS John Munro has supported the rejection of the Shawanaga Band appeal without giving opportunity for them to make direct presentation in spite of acknowledging the justice of Shawanaga's position and indicating his opinion that no urban Bands exist in Ontario; and,

WHEREAS Indian First Nations were never consulted regarding the development of criteria for these policies of classification; and,

WHEREAS these policies undermine Indian Self-Government and future negotiations for adequate funding; and,

WHEREAS these decisions reduce previous levels of Band Support and Housing Funds; and,

WHEREAS John Munro has not honoured commitments to meet directly with Bands regarding these issues.

THEREFORE BE IT RESOLVED THAT:

1. The Anishinabek support the Ojibways of Shawanaga Band in their efforts;
2. The Anishinabek demand restoration of 1983-84 funding levels as a minimum requirement, and reclassification of the Shawanaga Band to rural category III;
3. The Anishinabek direct the Union of Ontario Indians to press politically for a direct meeting between Chiefs and the Minister;
4. Develop a presentation to the Parliamentary Standing Committee on Indian Affairs;
5. Organize a lobby for Members of Parliament; and,

6. Carry this resolution forward to the All Ontario Chiefs' Conference in Thunder Bay, and the Annual Assembly of First Nations in Quebec City, for support and action.

Moved by: Chief Roger Jones, Shawanaga
Seconded by: Chief Earl Commanda, Serpent River

CARRIED.

RESOLUTION # 7:

WHEREAS research funds for Indian Education are being made available to the Assembly of First Nations (National Indian Education Council); and,

WHEREAS the West Bay Band has a Band-controlled education system and has begun to offer special education services to its students; and,

WHEREAS funding for special education for special students is not presently available from DIAND.

THEREFORE BE IT RESOLVED by the Anishinabek Grand Council that the National Indian Education Council (NIEC) consider, as an "action research component" of their over-all study, the special education program of the West Bay Band; and,

✓ THAT the Union of Ontario Indians Executive encourage the Assembly of First Nations to enter into negotiated arrangements for research which would be beneficial to both the West Bay Band and the National Indian Education Council.

Moved by: Chief Joe Hare, West Bay
Seconded by: Chief Norman Aguonie, Sheguiandah

CARRIED.

RESOLUTION # 8:

WHEREAS the Grand Council passed resolution #20 on August 5, 1983, directing the Executive Council to canvas each region to delegate two representatives to work on a Steering Committee to set up the guidelines for a structure of a membership court of appeal; and that this resolution #20 spelled out issues to be considered.

BE IT RESOLVED THAT the Grand Council direct each region to delegate these representatives to this Special Steering Committee at the next Regional Chiefs Meeting; and,

THAT this Committee work on a draft report for review by the Board of Directors; and,

THAT this draft report be sent out to all the Chiefs of the Anishinabek within six months from this Grand Council.

Moved by: Chief Ether DeLeary, Chippewas of the Thames
Seconded by: Gerald Maness, Chippewas of Sarnia

CARRIED.

RESOLUTION # 9:

WHEREAS some First Nations political leaders have associated themselves with Canadian political parties to an extent that goes beyond rightful and acceptable personal interest; and,

WHEREAS these political affiliations are a growing cause of disunity between First Nations due to mistrust of leaders, fears of political patronage and contradictions to the principles of Indian Self-Government and Sovereignty.

THEREFORE BE IT RESOLVED THAT First Nations leaders shall disassociate themselves from being members from any political party whether it's federal or provincial, in keeping with principles of Indian First Nations Government; and,

FURTHER THAT this resolution be introduced at the All Ontario Chiefs' Conference at Thunder Bay, Ontario, next week, and the Annual Assembly of First Nations in June at Quebec City, in the Province of Quebec.

Moved by: Chief Aubrey Coppaway, Curve Lake
Seconded by: Patrick Madahbee, Sucker Creek

CARRIED.

RESOLUTION #10:

WHEREAS the Serpent River Band has suffered the pollution effects of the ✓Cutler Acid Factory for over two decades; and,

✓WHEREAS the Band Council has completed an environmental study to document the pollution effects of this abandoned acid factory; and,

WHEREAS three options for reclamation with cost estimates have been worked out and included in the report; and,

WHEREAS the Band Council has selected one of those options and has applied to DIAND for this funding; and,

WHEREAS the DIAND has not placed a priority on this reclamation project.

BE IT RESOLVED THAT the Grand Council of the Anishinabek recognize the intolerable situation that this pollution poses to the Band and that DIAND has been unwilling to make this a priority funded project; and,

THEREFORE the Grand Council places the highest political priority on funding this project.

Moved by: Chief Earl Commanda, Serpent River
Seconded by: Chief Roger Jones, Shawanaga

CARRIED.

RESOLUTION #11:

✓ WHEREAS all First Nations in Ontario have interest in the issues that surround the 1924 Land Agreement, since principles may be established in defining relationships and mutual jurisdictions between provincial and First Nations governments; and,

WHEREAS there is a political mandate for the Union of Ontario Indians to represent and protect the interests of its member Bands; and,

WHEREAS no mandate exists directing the Union to deal with the specific issues of the 1924 Land Agreement; and,

WHEREAS the issues surrounding the 1924 Land Agreement are complex and legalistic, and each First Nation's specific concerns may vary within our membership.

THEREFORE BE IT RESOLVED THAT the Board of Directors of the Union of Ontario Indians, acting within its authority as Executive of the Grand Council of the Anishinabek, direct the Union of Ontario Indians to be involved in discussions and negotiations of the 1924 Land Agreement to the following extent:

That the Union of Ontario Indians, through its designated personnel, and with appropriate legal assistance, attempt the negotiation of a document of general understanding to be acknowledged by First Nations, that shall require the federal and provincial governments to negotiate specific agreements in a First Nation by First Nation approach on a government to government basis.

Moved by: Chief Ether DeLeary, Chippewas of the Thames
Seconded by: Chief Roger Jones, Shawanaga

3 Abstentions; 1 Opposed

CARRIED.

RESOLUTION #12:

THAT the discussion on Indian Self-Government Framework Legislation be eliminated from the agenda.

Moved by: Patrick Madahbee, Sucker Creek
Seconded by: Chief Roger Jones, Shawanaga

CARRIED.

RESOLUTION #13:

WHEREAS the Shawanaga Band Council has jurisdiction on an important fishery and spawning grounds on the Shawanaga River; and,

WHEREAS the Shawanaga Band has entered into agreements with the Province of Ontario for the protection, management and probagation of this fishery; and,

WHEREAS the Township of Archipeligo has proposed to locate a waste disposal site in a sand pit which drains into the Shawanaga River; and,

WHEREAS the Band predicts that waste leachate will pollute this river and fishery in future.

BE IT RESOLVED THAT the Grand Council direct the federal and provincial governments to become involved in the review of the environment impact of this future garbage dump on the river; and,

THAT the Band Councils of the Anishinabek remind the federal government of their trust responsibility to maintain the integrity of the land and water held in trust for Indian people; and,

THAT the federal government must take a more active role in maintaining a monitoring role on the activities of Townships and provincial government which threaten pollution on federal lands and waters; and,

THAT funds to retain environmental studies by the Bands be made available in order to document these future potential pollution hazards; and,

THAT Regional Office of DIAND should allocate funds from their environmental planning budget.

Moved by: Chief Roger Jones, Shawanaga
Seconded by: Chief Earl Commanda, Serpent River

CARRIED.

RESOLUTION #14:

WHEREAS Mr. Cameron Kearley was adopted as a young Indian child in Manitoba by white parents in the U.S.A.; and,

WHEREAS Mr. Kearley was sexually abused for over eight years by his foster father; and,

WHEREAS Mr. Kearley has killed his foster father, and has received a criminal sentence of 18 years.

BE IT RESOLVED THAT the Grand Council of the Anishinabek request that the Minister of Justice investigate this situation and request supporting information from the Director of Children Services in the Dakota Ojibway Tribal Council, Mr. Tim Maloney; and,

THAT the Minister of Justice approach the U.S. Justice Department and State Justice Department involved in this case and request a dismissal, reduction, parole of this unjust sentence for an Indian child who was mishandled by the child adoption system in Canada.

Moved by: Chief Norman Aguonie, Sheguiandah
Seconded by: Chief Peter Akiwenzie, Chippewas of Nawash

CARRIED.

RESOLUTION #15:

WHEREAS member Bands of the Anishinabek Nation accept the generality of Indian Self-Government; and,

WHEREAS the Band Chiefs and Councils recognize that for the prosperity of any Nation, national leadership must provide for the needs of that Nation's citizens; and,

FURTHER THAT all Indian Bands of the Anishinabek Nation are concerned regarding sub-standard housing on Reserves.

BE IT THEREBY RESOLVED THAT Treasury Board make available, through the Department of Indian Affairs, adequate funding to Bands to complete comprehensive housing studies to determine:

1. the back-log in housing needs
2. renovations to bring existing housing up to standard.

Moved by: Chief Ether DeLeary, Chippewas of the Thames
Seconded by: Chief Earl Commanda, Serpent River

CARRIED.

RESOLUTION #16:

WHEREAS the Minister of Indian Affairs and Northern Development will not honour his commitment to the Indian Nations.

FURTHER THAT no Indian Nations endorse his candidacy in any position whatsoever within his party.

BE IT RESOLVED THAT the Anishinabek Nation demand his resignation as Minister of Indian Affairs and Northern Development as for his

agreement that if he can not honour his commitments to the Indian Nations he will resign.

Moved by: Frank Shawbedees, Saugeen
Seconded by: Merle Fisher, Chippewas of the Thames

3 In Favour; 5 Abstentions; 23 Opposed

DEFEATED

RESOLUTION #17:

WHEREAS the provincial Ministry of Community and Social Services has proposed that Child Welfare Legislation be introduced by May, 1984; and,

✓ WHEREAS Indian Control of Indian Social Services under Indian authority is still the goal of the Chiefs of Ontario; and,

WHEREAS the federal trust responsibility, as recognized by Section 91(24) of the B.N.A. Act, 1867, is not to be seen as being abrogated or delegated to the Province of Ontario through the Chiefs of Ontario participation in this process; and,

WHEREAS this input is first and foremost an interim step only in the eventual exercise of full authority in this area; and,

WHEREAS this participation in drafting provincial legislation has been undertaken because of the critical and immediate affect the Child and Family Services Act could have on Indian communities and families; and,

WHEREAS the loss of one or more Indian child to one or more non-Indian family or agency is an event that can no longer be tolerated.

✓ THEREFORE BE IT RESOLVED THAT the Chiefs of the Anishinabek acknowledge the Child Welfare Legislation as an interim measure and provide support to the Anishinabek Drafting Team to continue and complete efforts in this process; and,

FURTHERMORE BE IT RESOLVED THAT the federal and provincial governments must provide and guarantee funding to Bands enabling them to effectively plan for and develop their Child Welfare Services.

Moved by: Chief Aubrey Coppaway, Curve Lake
Seconded by: Chief Norman Aguonie, Sheguiandah

CARRIED.

RESOLUTION #18:

WHEREAS the attached objectives have directed the Health & Environment Program for the past four years; and,

WHEREAS these objectives involve work at the Band Council, Regional Chiefs and central office levels of activity; and these objectives are leading to a draft policy paper for the Anishinabek.

BE IT RESOLVED THAT the Chiefs and delegates of the Anishinabek Grand Council endorse the goals and objectives of the Health & Environment Program.

Moved by: Chief Norman Aguonie, Sheguiandah
Seconded by: Chief Aubrey Coppaway, Curve Lake

CARRIED.

RESOLUTION #19:

WHEREAS the Anishinabek Grand Council of 1980 in Sault Ste. Marie mandated the Health Steering Committee to draft a health policy paper for the Band Councils of the Anishinabek; and,

WHEREAS some draft chapters of that paper have been written by the Health Steering Committee and distributed to the Chiefs at the May Regional Chiefs Meetings of this year; and some copies have been given to Community Health Representatives in Anishinabek Communities.

BE IT RESOLVED THAT each Band Council in the Anishinabek Nation will review, criticize and pass on their comments on these draft health policy chapters to the Health Staff before next year's Grand Council; and,

THAT at the 1985 Grand Council, the Band Councils will be prepared to accept or reject those draft health policy statements.

Moved by: Chief Norman Aguonie, Sheguiandah
Seconded by: Chief Aubrey Coppaway, Curve Lake

CARRIED

RESOLUTION #20:

WHEREAS there exists a problem with the functioning and structure of the Regional Native Alcohol and Drug Abuse Board of Ontario; and,

WHEREAS a report on these problems is contained in the Health Report to the Grand Council at Sarnia, May 24, 1984; and,

WHEREAS the Chiefs and delegates did not have sufficient time to deal with this issue.

THEREFORE BE IT RESOLVED THAT the Grand Council give the mandate to the Union of Ontario Indians Executive to deal with the situation and make recommendations to the Regional Director of Medical Services of Health and Welfare Canada.

Moved by: Chief Phil Goulais, Nipissing
Seconded by: Chief Norman Aguonie, Sheguiandah

2 Abstentions

- Chief Peter Akiwenzie, Chippewas of Nawash
- Barney Keeshig, Chippewas of Nawash

CARRIED.