

RESOLUTIONS

Anishinabek Grand Council
Kettle & Stony Point First Nation
July 13, 14, 15, 1993

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ANISHINABEK GRAND COUNCIL
JULY 13, 14, 15, 1993
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Anishinabek Grand Council

Statement

Supported by consensus of Chiefs in Assembly

Kettle and Stony Point First Nation - July 13-15, 1993

Background

The oppression from Euro-Canadian society through the Indian Act continues to frustrate the objectives of the Anishinabek and has led to many outstanding issues of representation and accountability.

A history of colonialism has left many Anishinabe apathetic and with a feeling that they can not affect change.

Position

We must begin to re-build the Anishinabe family through the re-assertion of respect for every members' involvement.

Power resides with the people and therefore must be the source of direction:

- in particular the elders must be given the opportunity to provide a vision to the leadership; and,
- it will be the responsibility of First Nation governments to act accordingly.

Conclusion

Anishinabek First Nations, as represented by the Chiefs in Assembly, commit to involve all membership in a dialogue to address the issues of representation, consultation, participation and service to all members regardless of location.

**RESOLUTION #93.1: ACCEPTANCE OF THE 93/94 GRAND COUNCIL
AGENDA**

WHEREAS the Chiefs in Assembly have reviewed and made additions to the draft agenda:

THEREFORE BE IT RESOLVED that the Agenda for the Anishinabek Grand Council, July 13-15, 1993; be accepted as amended

MOVER: Chief Eugene Manitowabi, Wikwemikong First Nation

SECONDER: Chris Belleau, Proxy Garden River First Nation

CARRIED

RESOLUTION #93.2: RESOLUTION 92/93 REPORT

WHEREAS the report of follow-up to the resolutions of the Anishinabek Grand Council 92/93 have been presented:

THEREFORE BE IT RESOLVED the Chiefs in Assembly accept the report of the resolutions 92/93.

MOVER: Chief Patrick Madahbee, Ojibways of Sucker Creek

SECONDER: Chief Tom Bressette, Kettle and Stony Point First Nation

CARRIED

RESOLUTION #93.3: 1992-93 AUDITED FINANCIAL STATEMENTS

WHEREAS the Finance Committee has reviewed the audited financial statements and recommended the approval of the statements to the Board of Directors; and,

WHEREAS the Board of Directors has approved the recommendation of the Finance Committee:

THEREFORE BE IT RESOLVED that the March 31, 1993 audited financial statements be accepted as presented.

MOVER: Chief Philip Maness, Chippewas of Sarnia First Nation

SECONDER: Chief Tom Bressette, Kettle and Stony Point First Nation

CARRIED

RESOLUTION #93.4: 1993-94 AUDITORS

BE IT RESOLVED that the auditing firm of Pogue, Betsworth, Leong be appointed as the auditors for the fiscal year 1993-94.

MOVER: Chief Tom Bressette, Kettle & Stony Point first Nation

SECONDER: Chief Joe Hare, West Bay First Nation

CARRIED

RESOLUTION #93.5: DEFICIT RECOVERY PLAN OF ONTARIO

WHEREAS the Government of Ontario has taken measures to address the Ontario deficit through the proposed Deficit Recovery Plan and the Social Contract for Ontario; and,

WHEREAS these measures will impact on Ontario health services and possibly the Ontario Health Insurance Plan; and,

WHEREAS many Aboriginal health services in the province of Ontario are the delegated responsibility of the Government of Ontario through the fiduciary responsibility of the Government of Canada:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly oppose any measure that will diminish or alter Aboriginal health services without the consent of the First Nations; and,

BE IT FURTHER RESOLVED that the Chiefs in Assembly direct the Grand Council Chief to meet with the Government of Ontario to state this position of the Anishinabek and ensure that it is considered as Ontario attempts to reduce its deficit.

MOVER: Chief Eugene Manitowabi, Wikwemikong First Nation

SECONDER: Chief Nora Bothwell, Alderville First Nation

CARRIED

RESOLUTION #93.6: ANISHINABEK CONSERVATION AND FISHING AGREEMENT

WHEREAS the Union of Ontario Indians was mandated by the Grand Council of the Anishinabek to work with the Anishinabek Fishing Committee to enter into negotiations towards a framework fishing agreement with the Government of Ontario; and,

WHEREAS these negotiations have led to the Anishinabek Conservation and Fishing Agreement which provides a framework for Anishinabek First Nations to enter into negotiations with Ontario in relation to fisheries conservation, management and allocation to accord with aboriginal and treaty rights; and,

WHEREAS the Anishinabek Conservation and Fishing Agreement in no way pre-determines or binds the position of any member First Nation; nor does it derogate from the aboriginal and treaty rights of First Nations ; nor does it establish precedents in law, practice, or policy ; and,

WHEREAS the Anishinabek Conservation and Fishing Agreement makes provision for economic development and training opportunities as well as the creation of a Fisheries Resource Centre:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly acknowledge and respect that the Garden River First Nation does not wish to ratify or in any way be a party to the Anishinabek Conservation and Fishing Agreement until that community has held an information meeting and subsequently notified the Union of Ontario Indians of their decision; and,

BE IT FINALLY RESOLVED that the Chiefs in Assembly endorse the Anishinabek Conservation and Fishing Agreement.

MOVER: Chief Tom Bressette, Kettle and Stony Point First Nation

SECONDER: Chief Mike Esquega, Rocky Bay First Nation

ABSTAINED: Chris Belleau, Proxy, Garden River First Nation
Chief Keith Knott, Curve Lake First Nation

CARRIED

RESOLUTION #93.7: ANISHINABEK JUSTICE

WHEREAS the statistics of Native over-representation in Correctional facilities reveal that the Canadian and Ontario systems of justice fail to meet the needs of Native people; and,

WHEREAS the traditional values of the Anishinabe point to a very different approach to justice which promotes healing and understanding:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly support the creation of an Anishinabek Justice Committee to work with the Union of Ontario Indians - Intergovernmental Affairs staff to consult and consider options and approaches to an alternate Anishinabek system of justice; and,

BE IT FINALLY RESOLVED that the Intergovernmental Affairs staff work to secure funding for this examination and possible pilot project to further explore the issue of an Anishinabek system of justice.

MOVER: Chief Joe Hare, West Bay First Nation

SECONDER: Chief Leroy Dolson, Munsee-Delaware First Nation

CARRIED

**RESOLUTION# 93.8: MINISTRY OF NATURAL RESOURCES
HARASSEMENT**

WHEREAS the Red Rock First Nation has experienced continual harassment by the Ministry of Natural Resources in the Nipigon district; and,

WHEREAS this action contravenes the rights guaranteed under the Robinson Superior Treaty of 1850; and,

WHEREAS this is a fundamental right recognized and affirmed under Section 35.1 of Canada Act of 1982; and,

WHEREAS the Ministry of Natural Resources has recently confiscated personal property from two members of the Red Rock First Nation (Jeremy Hardy and Jim Logan), for fishing on an inland lake, namely Georgia Lake; and,

WHEREAS the Ministry of Natural Resources has stated that charges may be pending as a result of this seizure upon further investigation:

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly demand that harassment from the Ministry of Natural Resources in the Nipigon District be stopped; and,

BE IT FURTHER RESOLVED that the Ministry of Natural Resources immediately return all personal property and caught fish to the members of the Red Rock First Nation; and,

BE IT FINALLY RESOLVED that the Chiefs-in-Assembly mandate the Grand Council Chief to meet with the Minister of Natural Resources to confirm the interpretation of the Sparrow Case to ensure that Aboriginal and Treaty Rights are not interfered with.

MOVER: Chief Mike Esquega, Rocky Bay First Nation

SECONDER: Chief Pat Madahbee, Ojibways of Sucker Creek

CARRIED

RESOLUTION #93.9: ANISHINABEK GAMING COMMISSION

WHEREAS the Anishinabek, through resolutions of Grand Council 89.29 and 90.20; endorsed the Anishinabek Gaming Commission concept; and,

WHEREAS the Anishinabek Gaming Committee has been struck to consider and develop the commission document and other issues related to gaming; and,

WHEREAS the Government of Ontario has initiated discussions on First Nation gaming:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly support the ongoing work of the Union of Ontario Indians Intergovernmental Affairs staff and the Anishinabek Gaming Committee for the evolution of the Anishinabek Gaming Commission and to participate in discussions with the Government of Ontario.

MOVER: Chief Phil Maness, Chippewas of Sarnia First Nation

SECONDER: Chief Patrick Madahbee, Ojibways of Sucker Creek

CARRIED

**RESOLUTION#93.10: DIABETES PROGRAM COMMITTEE FOR
SOUTHWEST AND SOUTHEAST**

WHEREAS the Ministry of Health notified the Union of Ontario Indians, in January 1993, that \$500,000 was available for Aboriginal Diabetes programming in Southern Ontario; and,

WHEREAS two Union of Ontario Indians communities appointed their CHRs plus the Union of Ontario Indians Board of Directors portfolio-holder to draft terms of reference for a diabetes committee to receive funding to eventually fund projects, build teaching aids and hire treatment and prevention diabetes workers to serve First Nations in Southern Ontario; and,

WHEREAS Gloria Coppaway and Barbara Shipley have attended four meetings with on and off reserve Aboriginal groups to develop five options for such a group to be structured, which could receive funding for diabetes in Southern Ontario, and these meetings have not produced positive results; and,,

WHEREAS the Northern Ontario Tribal Councils and First Nations can apply to the northern diabetes corporation for funding for programs and resources for workers:

THEREFORE BE IT RESOLVED THAT the Anishinabek Grand Council formally appoint the two CHRs and Board Member with the Health portfolio to negotiate funding from the Ministry of Health utilizing the principles put forward in the Statement of Political Relationship to develop a diabetes delivery program for First Nations in the Southeast and Southwest Regions of the Union of Ontario Indians.

MOVER: Chief Leroy Dolson, Munsee - Delaware First Nation

SECONDER: Chief Phil Maness, Chippewas of Sarnia First Nation

CARRIED

**RESOLUTION#93.11: PROVINCIAL ABORIGINAL HEALTH POLICY
AND PROGRAMMING**

WHEREAS the Aboriginal Health Policy consultation draft document was reviewed by the Anishinabek Grand Council, 1993; and,

WHEREAS the Long Term Care consultation draft document was reviewed by the Anishinabek Grand Council, 1993; and,

WHEREAS the strategy for Aboriginal Family Healing draft document with its unique model for implementation was reviewed by the Anishinabek Grand Council, 1993; and,

WHEREAS several Tribal Councils and First Nations within the Union of Ontario Indians territory are ready immediately to apply for funding and implement Aboriginal Health Promotion; Long Term Care and Family Healing:

THEREFORE BE IT RESOLVED that the Aboriginal Health Policy document, Long Term Care consultation document and Family Healing strategy document be adopted by the Anishinabek Grand Council subject to further review on the implementation models especially for Family Healing Strategy for Ontario; and,

BE IT FURTHER RESOLVED that the Chiefs in Assembly mandate a Chiefs negotiation committee composed of the Union of Ontario Indians Board health portfolio and Chiefs from the four regions to review these implementation models and approach the Ontario Minister of Health under the principles of the Statement of Political Relationship to negotiate the flow of Aboriginal Health Policy, Long Term Care and Family Healing Strategy by specific Tribal Councils and First Nations with the Union of Ontario Indians.

MOVER: Chief Earl Commanda, Serpent River First Nation

SECONDER: Chief Robert Whiteduck, Algonquins of Golden Lake

CARRIED

RESOLUTION#93.12: WORLD EXPOSITION 1996

WHEREAS the World Exposition will be held in Budapest in 1996; and,

WHEREAS the Native Canadian Centre of Toronto is taking a lead role in organizing a First Nation's presence at this World Exposition; and,

WHEREAS promotion of Native business and industry and the vibrant traditions and customs of the first Nation's people will dispel the stereotype of the 'vanishing Indian' and the 'end of the trail' image to the world:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly endorse the participation of First Nations in the World Exposition.

MOVER: Chief Joe Hare, West Bay First Nation

SECONDER: Chris Belleau, Proxy Garden River First Nation

CARRIED

RESOLUTION#93.13: POST SECONDARY EDUCATION

WHEREAS there are a number of training initiatives have been launched in Ontario under programs such as Pathways to Success and the Aboriginal Intergovernmental Committee on Training; and,

WHEREAS the Ministry of Education and Training, Aboriginal Educational and Training Strategy is not mandated to deal with the creation of accredited free-standing aboriginal controlled post-secondary institutes; and,

WHEREAS there are institutes in Anishinabek territory that are involved in training and post-secondary education; and,

WHEREAS initial discussions with Ministry of Education officials have resulted in the expectation that only one or two Aboriginal post-secondary institutes will be recognized in Ontario; and,

WHEREAS there are currently forty-three existing provincial post-secondary institutes in Ontario none of which are Aboriginal controlled; and

WHEREAS Ontario has recently created three francophone post-secondary institutes in Ontario; and,

WHEREAS there are twenty-five Aboriginal controlled institutes in the United States and Aboriginal controlled institutes in other provinces in Canada; and,

WHEREAS the revisions of Social Welfare programs and the administration thereof, significantly include resources to train clients,

WHEREAS as of May 31, 1993, the College Registration Centre has received 135,000 applicants for 85,000 available are being included:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly instruct the Union of Ontario Indians

Education staff to develop a model for an Anishinabek post-secondary institution; and,

BE IT FURTHER RESOLVED that this model include provision for satellite campuses including a community-based delivery system; and,

BE IT FINALLY RESOLVED that the Union of Ontario Indians begin negotiations with the Governments of Canada and Ontario to accredit and fund the operation of Anishinabek post-secondary institutions.

MOVER: Chief Joe Hare, West Bay First Nation

SECONDER: Chief Earl Commanda, Serpent River First Nation

CARRIED

RESOLUTION#93.14: ANISHINABEK EDUCATOR TRAINING

WHEREAS there is a need for highly trained Native School Trustees, Native Counsellors and Native Administrators; Native Educators for First Nation and provincial schools; and,

WHEREAS the Aboriginal Teacher Education Group is focusing on amending Regulation 297 of the Education Act which will allow for alternative training procedures and on improving the quality of existing Faculty of Education's programs, and thus do not deal with bringing teacher education under the control of First Nations; and,

WHEREAS research conducted by the Union of Ontario Indians has revealed that the five existing university Native Teacher Education Programs in the province do not include Native specific programming; such as Native pedagogy; curriculum development principles, cultural and historical components; and,

WHEREAS the Ontario Ministry of Education and training has recently mandated some Ontario School Boards to offer Board specific teacher training leading to an Ontario Teaching Certificate (O.T.C.); and,

WHEREAS teacher training is under the control of First Nations in several places in the United States, such as the Navaho Nation; and,

WHEREAS teacher training must be brought under the control and jurisdiction of First Nations in order to be community-based and culturally sensitive and relevant and accountable to First Nations:

THEREFORE BE IT RESOLVED that the Union of Ontario Indians Education technicians be instructed to develop a model for Aboriginal controlled teacher, counsellor, trustee and education administration training and to negotiate with the federal and provincial governments for the control and funding of these programs;and,

BE IT FURTHER RESOLVED that these training programs will be designed to be of superior quality and duration than exists in current provincial training programs.

MOVER: Chief Leroy Dolson, Munsee-Delaware First Nation

SECONDER: Chief Eugene Manitowabi, Wikwemikong First Nation

**RESOLUTION#93.15: ABORIGINAL HIGH SCHOOL IN THE
ROBINSON-SUPERIOR REGION**

WHEREAS approximately 750 Native students attend high school in Thunder Bay, contributing approximately \$1,200,000 in tuition revenue to the Lakehead Board of Education; and,

WHEREAS there is a high incidence of Native student drop-out, one Native teacher employed in the high school, no Native School Trustee for the Board and an absence of tuition agreements; and,

WHEREAS First Nations could offer a superior high school system if it was Aboriginal controlled; and,

WHEREAS there is a need to advance educational self-governance by controlling all levels of education:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly support the Robinson-Superior Chiefs in their efforts to create an Aboriginal controlled high school; and,

BE IT FURTHER RESOLVED that the Union of Ontario Indians Education staff be directed to provide assistance and support to this initiative.

MOVER: Chief Mike Esquega, Rocky Bay First Nation

SECONDER: Chief Evelyn Stone, Michipicoten First Nation

CARRIED

**RESOLUTION#93.16: LEGAL DEFENSE FUND - INTER-TREATY
HARVESTING**

WHEREAS the Anishinabek First Nations have the right to determine harvesting within their Treaty area by other Treaty members; and,

WHEREAS the Grand Council of the Anishinabek have endorsed the Inter-Treaty Harvest Accord in relation to that right at the Special Assembly of the Anishinabek in Thunder Bay, Oct.21-22, 1991 (resolution #91.17); and,

WHEREAS the Government of Ontario does not recognize the accord or this right of Inter-Treaty harvesting; and,

WHEREAS the Government of Ontario - Ministry of Natural Resources continue to charge members harvesting within other treaty areas irrespective of the Inter-Treaty Harvesting Accord:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly direct the Union of Ontario Indians through the Intergovernmental Affairs staff to bring forward a court challenge relevant to this issue; and,

BE IT FURTHER RESOLVED that partial funding for this challenge be allocated from the Legal Defense fund; and,

BE IT FINALLY RESOLVED that outside sources of funding be acquired to support this challenge.

MOVER: Chief Earl Commanda, Serpent River First Nation

SECONDER: Chief Bill McCue, Georgina Island First Nation

CARRIED

RESOLUTION#93.17: FUNDING FORMULA

WHEREAS the Anishinabek Grand Council has reviewed the Modified Berger Funding Formula and the implications for funding allocations to First Nations on programs such as Brighter Futures and Family Violence; and,

WHEREAS it was noted that the modified Berger Funding formula was heavily based on a population of First Nation factor that produced large inequities between First Nations for setting up future programming of Health and Social Services; and, //

WHEREAS it was the wish of the Anishinabek First Nations that the population factor not be stressed, but rather other factors be considered for funding formulas involving existing infrastructure, available trained First Nation staff, available services off-reserve, isolation and willingness of First Nations to work jointly with other First Nations in program delivery:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly direct that a working group, composed of Chief Joe Hare, Chief Arlene Wawia, Gloria Daybutch, representation from the United Indian Councils, Chief Leroy Dolson, and Chief Joyce Tabobondung, work with Union of Ontario Indians staff to build an option for a distribution formula; and,

BE IT FURTHER RESOLVED that this working group determine an option which is based on the principles of equitability and accessibility for all Anishinabe incorporating a needs-based and holistic approach to health and other programming; and,

BE IT FINALLY RESOLVED that this option be distributed and presented to the All Ontario Chiefs Conference in August 10-13, 1993.

MOVER: Chief Joyce Tabobondung, Wausauksing First Nation

SECONDER: Chief Arlene Wawia, Red Rock First Nation

CARRIED

RESOLUTION#93.18: FIRST NATION MEMBERSHIP

WHEREAS many First Nations have enacted membership codes to determine regulations governing eligibility for their membership; and,

WHEREAS the Department of Indian and Northern Affairs continues to determine membership categories on the basis of sections 6(1) and 6(2) of the Indian Act without respect to membership codes enacted by First Nations:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly condemn any discrimination against any classification of First Nation members contrary to First Nation membership codes; and,

BE IT FURTHER RESOLVED that the Chiefs in Assembly mandate the Grand Council Chief to meet with the Minister of Indian and Northern Affairs to make formal objection to such discrimination and to request that this issue be placed on the agenda of the AFN General Assembly.

MOVER: Chief Patrick Madahbee, Ojibways of Sucker Creek

SECONDER: Chief Joe Hare, West Bay First Nation

CARRIED

**RESOLUTION#93.19: ALTERNATIVE LEGISLATIVE PROPOSALS
PURSUANT TO SECTION 91(24)
CONSTITUTION ACT, 1867**

WHEREAS there are initiatives underway that are directed at developing optional or alternative federal legislative proposals to enable First Nations to withdraw from the Indian Act regime in favour of other regimes; and,

WHEREAS any such proposals may have a prejudicial impact on First Nation's rights and interests; and,

WHEREAS the proposed Optional Chartered Land Act is an example of such optional or alternative legislation; and,

WHEREAS the Anishinabek are obligated to express their view and position with respect to such developments for purposes of protecting their rights and interests; and,

WHEREAS the Anishinabek intend to express such view and position at the earliest opportunity and in a methodical manner:

THEREFORE BE IT RESOLVED that the Chiefs in Assembly direct the Union of Ontario Indians to establish a Working Committee to examine the proposed Optional Chartered Land Act and other such proposed legislation for the purposes of ensuring that Anishinabek First Nations rights are not prejudiced; and,

BE IT FURTHER RESOLVED that the working Committee be mandated to carry out such examination and to develop a position by resolution for consideration by the Anishinabek First Nations at a Special Chiefs meeting to be held prior to the All Ontario Chiefs Assembly, 1993.

MOVER: Chief Earl Commanda, Serpent River First Nation

SECONDER: Chris Belleau, Proxy Garden River First Nation

CARRIED

RESOLUTION#93.20: ANISHINABEK NATION-BUILDING

WHEREAS the traditions of the Anishinabe are to respect all people as the decision makers of the First Nations; and,

WHEREAS our greatest resource is our people including elders, past leaders and children; and,

WHEREAS there is a need to empower all members regardless of their location in the interest of the re-affirmation of the Anishinabek Nation:

THEREFORE BE IT RESOLVED that all members of the Anishinabek Nation be given the opportunity to participate in elections of the Union of Ontario Indians; and,

BE IT FURTHER RESOLVED that all appropriate legislative changes within the Constitution of the Anishinabek be made to accommodate the involvement of all members in the election to take place at the Grand Council of the Anishinabek 1994.

MOVER: Chief Earl Commanda, Serpent River First Nation

SECONDER: Chief Mike Esquega, Rocky Bay First Nation

CARRIED

RESOLUTION#93.21: LOCATION OF GRAND COUNCIL 1994

THEREFORE BE IT RESOLVED that the Grand Council of Anishinabek, 1994 be convened in the Robinson -Superior region.

MOVER: Chief Patrick Madahbee, Ojibways of Sucker Creek

SECONDER: Chief Phil Maness, Chippewas of Sarnia

CARRIED