

Union of Ontario Indians  
Anishinabek Special Assembly  
November 13, 14 & 15, 2001  
Holiday Inn, Sault Ste. Marie, Ontario

Resolution # 2001/29

**SUBJECT: ESTABLISHMENT OF PROTOCOL WITH THE NATIONAL FISCAL RELATIONS UNIT.**

**Moved by:**  
Chief Tom  
Bressette,  
Chippewas of  
Kettle and Stony  
Point

**Whereas** the Anishinabek Chiefs in Assembly see great importance in the issue of Fiscal Relations with respect to our self-determination; and,

**Whereas** the Anishinabek Chiefs in Assembly are exploring Fiscal Relations in the context of self-determination of First Nations and the speech from the throne; and,

**Whereas** the Anishinabek Chiefs in Assembly wish to gain a better understanding of First Nation Fiscal Relations issues at a National level.

**Seconded by:**  
Chief Bill McCue,  
Chippewas of  
Georgina Island  
First Nation

**Therefore be it resolved** that the Union of Ontario Indians develop a protocol agreement with the National Fiscal Relations Unit of the Assembly of First Nations with the goal of improving communications with our Fiscal Relations processes and the National level Fiscal Relations initiatives; and

**CARRIED**

**Be It Further Resolved** that the Fiscal Relations Process shall not affect the tax immunity status in section 87 and 89 of the *Indian Act*.

  
Vernon Roote  
Grand Council Chief

  
Nelson Toulouse  
Deputy Grand  
Council Chief

Union of Ontario Indians  
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Resolution # 2001/30

**SUBJECT: SUPPORT FOR ANISHINABEK POLICING STUDY**

**Moved by:**  
Chief Tom  
Bressette,  
Chippewas of  
Kettle Stony

**Whereas** First Nation Policing in Ontario suffers from a chronic lack of financial resources; and,

**Whereas** a number of First Nations do not have a proper level of police service in their communities; and,

**Seconded by:**  
Chief Joe  
Miskokomon,  
Chippewas of the  
Thames

**Whereas** there are a number of unresolved jurisdictional issues between First Nations and the governments of Canada and Ontario which subsequently raise liability issues of First Nations; and,

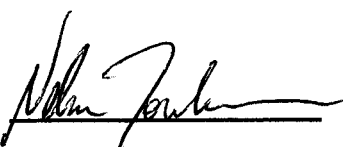
**Whereas** the information derived from this study will benefit other Anishinabek First Nations.

**CARRIED**

**Therefore be it resolved** that the Anishinabek Chiefs in Assembly direct the Union of Ontario Indians to develop a workplan/proposal for a comprehensive policing study for the Anishinabek Nation that would inventory, analyze needs as identified by the First Nation for future negotiations and develop a distribution formula; and,

  
Vernon Roote  
Grand Council Chief

**Be it finally resolved** that the Union of Ontario Indians distribute any information derived from this study that may be useful to other First Nations in the area of policing at the next Anishinabek Grand Council Assembly.

  
Nelson Toulouse  
Deputy Grand  
Council Chief

Anishinabek Grand Council Assembly  
November 13 – 15, 2001  
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Resolution #2001/31

**Subject: Taxation of Income Derived from Off-Reserve Commercial Harvesting Activity**

**Moved by:** **Whereas** the communities of the Anishinabek Nation have since time immemorial conducted activities across the Anishinabek Nation territory and traditional lands to provide sustenance for their families and communities as a whole; and,  
**Chief Mike Esquega,**  
**Biinjitiwaabik**


**Zaaging**  
**Anishinaabek** **Whereas** the establishment of reservations by the federal government for First Nations, are not large enough or are often located in a unviable or inadequately resourced areas to sustain economic development; and

**Seconded by:** **Whereas** Anishinabek First Nations maintain the right to provide for their families and communities, and may be required to access resources and conduct commercial harvesting activities within traditional territory located off-reserve; and  
**Doug Chevrier,**  
**Proxy, Nipissing**  
**First Nation**

**CARRIED** **Whereas** the Anishinabek First Nations have always maintained that traditional territory includes lands and waters; and

 **Whereas** Anishinabek First Nations are now faced with challenges by the Canada Customs and Revenue Agency who is attempting to impose taxation on First Nation members who reside on-reserve, but conduct their commercial harvesting activities off-reserve.

Vernon Roote  
Grand Council  
Chief **Therefore be it resolved** that the Chiefs in Assembly oppose the taxation of Anishinabek First Nation members who reside on reserve but conduct their commercial activity off reserve; and

 **Be it further resolved** that the Chiefs in Assembly support Anishinabek First Nations and their members who are actively opposing the taxation through their dealings with the Canada Customs and Revenue Agency; and

Nelson Toulouse  
Deputy Grand  
Chief **Be it finally resolved** that the Chiefs in Assembly direct the Union of Ontario Indians to provide support to the Anishinabek First Nations and their members who reside on reserve and conduct commercial harvesting off reserve, in their taxation disputes with Canada.

Anishinabek Special Assembly  
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Resolution #2001/32

**Subject: Control of Cormorants in Anishinabek Territory**

**Moved by:**  
**Chief Glen Hare,**  
**M'Chigeeng**  
**First Nation**

**Whereas** cormorants, a protected species, have been steadily spreading throughout Anishinabek territory at an alarming rate; and,

**Whereas** cormorants consume enormous amounts of fish which threatens conservation of the resource and the way of life of many Anishinabek harvesters; and,

**Seconded by:**  
**Doug Chevrier,**  
**Proxy,**  
**Nipissing First**  
**Nation**

**Whereas** there has been a complete absence of action or policy direction by the Ontario Ministry of Natural Resources on this matter; and,

**Whereas** requests to meet with senior MNR officials, including the Minister of Natural Resources, have been ignored; and,

Carried

**Whereas** there are legitimate concerns as to the sustainability of fish stocks if cormorant populations are not controlled; and,

  
Vernon Roote  
Grand Council  
Chief

**Therefore be it resolved** that the Anishinabek Chiefs in Assembly condemn the inaction of the Ontario Ministry of Natural Resources on this matter and direct the Anishinabek Grand Council Chief to communicate this to the MNR; and,

  
Nelson Toulouse  
Deputy Grand  
Chief

**Be it further resolved** that the Chiefs in Assembly direct the Union of Ontario Indians to continue to support the efforts of First Nations to develop options and a strategy for controlling cormorants.

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Resolution # 2001/41

**SUBJECT: TENDER FOR AUDIT SERVICES**

**Moved by:**  
**Chief Peter Collins,**  
**Fort William First**  
**Nation**

**Whereas** Anishinabek Nation Management Inc. has tendered for audit services for the 2001-2002 fiscal year for the Union of Ontario Indians, Anishinabek Nation Management Inc. and Union of Ontario Indians Development Fund (Anishinabek Nation Seventh Generation Charities); and,

**Seconded by:**  
**Chief Doug Moses,**  
**Pays Plat First**  
**Nation**

**Whereas** the Union of Ontario Indians Board of Directors recommends Grant Thornton Chartered Accountants as the auditor for the three corporations.

**Therefore be it resolved** that Grant Thornton Chartered Accountants be retained as the auditors for the Union of Ontario Indians, Anishinabek Nation Management Inc. and Union of Ontario Indians Development Fund (Anishinabek Nation Seventh Generation Charities) for the fiscal years 2002 to 2004.



Vernon Roote  
Grand Council Chief



Nelson Toulouse  
Deputy Grand  
Council Chief

**Carried by majority**

**6 Chiefs Opposed**

**4 Abstained**

Union of Ontario Indians  
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Resolution # 2001/42

**SUBJECT: SUPPORT FOR THE UNION OF ONTARIO INDIANS  
"ANISHINABEK NATION FINANCIAL RECOVERY PLAN".**

**Moved by:** **Whereas** resolution #2001/06 the Union of Ontario Indians  
**Chief Gail** Board of Directors to oversee the work of the task group of the  
**Shawbonquit,** Financial Management Plan and Recovery Plan for ANMGI;  
**Whitefish Lake First** and,  
**Nation**

**Whereas** the task group made up of staff was jointly appointed  
by the UOI and ANMGI; and,

**Whereas** financial recovery measures were implemented since  
June of 2001; and,

**Seconded by:**  
**Chief Albert Cada,**  
**Sheshegwaning**  
**First Nation**


**Whereas** a joint UOI/ANMGI Board retreat was held to provide  
further direction on financial recovery; and,

**Whereas** the Finance Committee developed recommendations  
for approval by the ANMGI and UOI Boards of Directors based  
on separate reports provided by ANMGI and the UOI; and,

**Whereas** both the UOI and ANMGI Boards have approved and  
presented the financial recovery plan.

  
Vernon Roote  
Grand Council Chief

**Therefore be it resolved** that the Anishinabek Chiefs in  
Assembly hereby accept the report "Anishinabek Nation  
Financial Recovery Plan" in draft, and cost recovery  
considerations it contains; and

  
Nelson Toulouse  
Deputy Grand  
Council Chief

**Therefore be it resolved** that the Union of Ontario Indians  
move as quickly as possible to implement the "Anishinabek  
Nation Financial Recovery Plan" and that it be completed in 2.5  
years but no longer then 4 years and that the Grand Council  
Chief report back to the Chiefs in Assembly on progress  
towards recovery.

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Resolution 2001/43

**SUBJECT: RECOGNITION OF THE CHIEF AND COUNCIL OF  
M'CHIGEENG FIRST NATION**

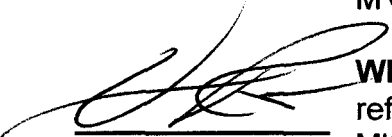
**Moved By:** **Whereas** the First Nations are sovereign Nations and have  
**Chief Mike** never ceded their sovereignty; and,

**Esquega,**  
**Biinjitiwaabik** **Whereas** the First Nations possess the inherent right to  
**Zaaging** govern themselves, which exists prior to contact with the  
**Anishinabek** European peoples, prior to the *Indian Act* and prior to the  
*Charter*, and

**Seconded By:** **Whereas** the *Charter* recognized and affirmed the existing  
**Chief Pat** aboriginal and treaty rights of the First Nations people, and  
**Madhabee,** the *Charter* guaranteed certain rights and freedoms and the  
**Ojibways of** *Charter* did not abrogate or derogate from any First Nation  
**Sucker Creek** treaty or other rights or freedoms; and  
**First Nation**

**Whereas** Indian and Northern Affairs Canada has  
unilaterally decided not to accept the M'Chigeeng Custom  
Election Code or to recognize the inherent rights of  
M'Chigeeng to determine its own Custom Election Code;

**Whereas** Indian and Northern Affairs Canada thereby  
refuses to recognize the duly elected Chief and Council of  
M'Chigeeng First Nation; and,

  
Vernon Roote  
Grand Council  
Chief

**Whereas** Indian and Northern Affairs Canada therefore is  
denying the aboriginal and treaty rights of M'Chigeeng First  
Nation which Indian and Northern Affairs Canada is obliged  
to uphold with the utmost honour of the Crown; and,

**Whereas** M'Chigeeng First Nation held a duly called election  
pursuant to the M'Chigeeng Band Custom Election process.

  
Nelson Toulouse  
Deputy Grand  
Council Chief

**Therefore be it resolved** that the Chiefs in Assembly do  
hereby recognize the Chief and Council of M'Chigeeng First  
Nation who were elected pursuant to the Band Council  
Election process; and,

**Be it further resolved** that the Chiefs in Assembly

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Resolution 2001/44

**SUBJECT: OFF-RESERVE MEMBER'S PARTICIPATION IN FIRST NATION ELECTIONS**

**Moved By:**  
**Chief Pat**  
**Madahbee,**  
**Ojibways of**  
**Sucker Creek**

**Whereas** the Minister of Indian and Northern Affairs is in the process of interpreting the Corbiere case and making application of his interpretation to First Nations; and,

**Whereas** Corbiere states that voting for off-reserve band members must be "meaningful"; and,

**Seconded By:**  
**Chief Tom**  
**Bressette,**  
**Chippewas of**  
**Kettle and**  
**Stony Point**

**Whereas** the *Corbiere* case states that "recognizing non-residents right to substantive equality in accordance with the principle of respect for human dignity, therefore, does not require that non-residents have identical voting rights as residents"; and,  
[para. 95 Corbiere]

**Whereas** the Minister of Indian and Northern Affairs Canada has interpreted "meaningful" as requiring that off-reserve members be given the right to vote by mail-in ballot but does not allow them to run for office; and,

  
Vernon Roote  
Grand Council  
Chief

**Whereas** the Supreme Court of Canada in Corbiere does not state that First Nations must provide mail-in ballots in order to be Corbiere-compliant; and,

**Whereas** M'Chigeeng First Nation allows all band members the right to vote, but not by mail, but further allows off-reserve bands members the right to run and hold office.

  
Nelson Toulouse  
Deputy Grand  
Council Chief

**Therefore be it resolved** that the Chiefs in the Grand Council of the Anishinabek Nation reaffirm that the right to run for and hold office is a far greater and substantive right and responsibility than being mailed a ballot to vote for people who are predominately unknown to the voters.



vehemently oppose and condemn the unilateral actions of Indian and Northern Affairs Canada in refusing to recognize the duly elected Chief and Council of M'Chigeeng; and,

**Be it further resolved** that the Chiefs in Assembly direct Indian and Northern Affairs Canada to cease taking any actions which abrogate or derogate from the inherent rights of First Nations to select their own leadership; and

**Be it finally resolved** that the Chiefs in Assembly direct the Minister of Indian and Northern Affairs Canada to accept the M'Chigeeng Custom Election Code and to recognize the duly elected Chief and Council of M'Chigeeng First Nation.

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Resolution # 2001/45

**SUBJECT: SUPPORT FOR ABORIGINAL VETERANS**

**Moved by:**  
**Chief Patrick**  
**Madahbee,**  
**Ojibways of Sucker**  
**Creek First Nation**

**Whereas** Aboriginal people volunteered for military services and fought for Canada side-by-side with non-aboriginal people; and,

**Whereas** Aboriginal Veterans returned to our communities from the wars and assumed positions of strength and leadership within our communities; and,

**Seconded by:**  
**Chief Mike Esquega**  
**Biinjitawaabik**  
**Zaaging**  
**Anishinabek**

**Whereas** Aboriginal Veterans have advocated for a strong co-ordinated approach to many of the most pressing issues that concern our First Nation Veterans and communities; and,

**Whereas** Aboriginal Veterans have not had a proper opportunity to co-ordinate and express a common voice on some of the most pressing issues that affect our First Nation Veterans and communities.

  
Vernon Roote  
Grand Council Chief

**Therefore be it resolved** that the Anishinabek Chiefs in Assembly hereby request that the Department of Veteran's Affairs and the Department of National Defense provide sufficient funding for our Anishinabek Veterans to come together, strategize and bring forth concerns and approaches to address some of the most pressing issues that affect our First Nation Veterans and communities today.

  
Nelson Toulouse  
Deputy Grand  
Council Chief

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Resolution # 2001/46

**SUBJECT:: ACCEPTANCE OF STRUCTURAL REVIEW COMMITTEE  
RECOMMENDATIONS**

**Moved By:  
Chief Ted Roque,  
Wahnapiatae First  
Nation**

**Whereas** Resolution 2001/34 mandated the Structural Review Committee to review the Union of Ontario Indians and Anishinabek Nation structure and its reporting relationships and present a report on the review at this Special Assembly; and,

**Whereas** the Structural Review Committee has presented a plan to the UOI Board of Directors to consult with First Nation and Tribal Council leadership on structural change within the Anishinabek Nation; and,

**Second By:  
Doug Chevrier,  
Proxy Nipissing  
First Nation**


**Whereas** the UOI Board of Directors has approved this process by resolution; and,

**Whereas** the Committee has also developed a proposal on an interim structural model for the Anishinabek Nation; and,

**Whereas** this model institutes a system of checks and balances, and clear structure for reporting and decision-making.

  
Vernon Roote  
Grand Council Chief

**Therefore be it resolved** that the Anishinabek Chiefs in Assembly approve the proposed structural model, which will institute a Treasury Board in place of the Finance Committee and centralize authority within the Union of Ontario Indians.

  
Nelson Toulouse  
Deputy Grand  
Council Chief

Union of Ontario Indians  
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Resolution # 2001/47

**SUBJECT: UOI ENERGY INITIATIVE**

**Moved by:**  
Chief Tom  
Bressette,  
Chippewas of  
Kettle and Stony  
Point

**Whereas** UOI Board of Directors Resolution # 04/00 and Anishinabek Nation Grand Council Resolution # 2001/20 mandated the UOI to undertake research in the area of energy deregulation and to report on a number of related issues; and

**Whereas** separate update reports by the UOI Energy Initiative legal counsel and researcher prepared in November 2001 outlined a number of opportunities, constraints and proposed next steps on how to further advance the UOI Energy Initiative.

**Seconded by:**  
Chief Tim Restoule,  
Dokis First Nation

**Therefore be it resolved** that the Chiefs in Assembly mandate the Union of Ontario Indians to continue research and information dissemination consistent with its existing mandate; and,

**Be it further resolved** that the Chiefs in Assembly mandate the Union of Ontario Indians to coordinate the development of a central economic development unit that would provide ongoing strategic support in the areas of capacity building, business development, securing of outside venture capital and other areas associated with greater member First Nation involvement in the emerging Ontario energy sector; and,

  
Vernon Roote  
Grand Council Chief

**Be it further resolved** that the Chiefs in Assembly mandate the Union of Ontario Indians, through its Intergovernmental Affairs program, to coordinate policy development, provincial policy review, profit sharing and royalty sharing discussions with the Province of Ontario and other necessary parties within the energy sector; and,

  
Nelson Toulouse  
Deputy Grand  
Council Chief

**Be it finally resolved** that the Chiefs in Assembly mandate the Union of Ontario Indians to secure the necessary funding to advance the above objectives.

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Resolution # 2001/48

**SUBJECT: SUPPORT FOR ANISHINABEK POLICE SERVICE –  
OJIBWAYS OF PIC RIVER SECURITY JOINT VENTURE IN  
PUKASKWA NATIONAL PARK**

**Moved by:**  
**Chief Patrick**  
**Madahbee,**  
**Ojibways of Sucker**  
**Creek First Nation**

**Whereas** during the planning and negotiations stages of the development of the Pukaskwa National Park, very specific concessions were made to the Robinson-Superior Area First Nations; and,

**Whereas** the Robinson-Superior Area First Nations have negotiated joint ventures and co-managed various student employment programs and the Native Warden Program; and,

**Seconded by:**  
**Chief Lyle Sayers**  
**Ojibways of Garden**  
**River**

**Whereas** Pukaskwa National Park have been committed to a clear, open line of communication on activities which impact area First Nations concerns and interests; and,

**Whereas** First Nation land claims within and surrounding Pukaskwa National Park still remain unresolved; and,

**Whereas** Pukaskwa National Park, the Anishinabek Police Service and the Ojibways of Pic River First Nation have held preliminary discussions on a joint venture for police services within the park.

  
Vernon Roote  
Grand Council Chief

**Therefore be it resolved** that the Anishinabek Chiefs in Assembly continue to hold the federal government accountable for the commitments made by:

- Hugh Faulkner to Robinson-Superior Vice-President Ben Wawia on February 21, 1978; and,
- Warren Allemand to Robinson-Superior Vice-President Joe Michano on November 18, 1976; and,
- To Robinson-Superior Vice-President Patrick Hardy on January 14, 1975.

  
Nelson Toulouse  
Deputy Grand  
Council Chief

**Be it further resolved** that the Anishinabek Chiefs in Assembly call upon Heritage Canada to immediately resume discussions with the Ojibways of Pic River and the Anishinabek Police Services to negotiate a new policing arrangement for Pukaskwa Park.

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Resolution # 2001/49

**SUBJECT: SUPPORT FOR THUNDER BAY HEALTH CENTRE  
ACCOMMODATIONS COMPLEX**

**Moved by:  
Chief Peter Collins,  
Fort William First  
Nation**

**Whereas** the First Nations of the Robinson-Superior Treaty Area are sovereign and self-determining First Nations.

**Whereas** the health care of First Nations is chronically under serviced in Northwestern Ontario; and,

**Seconded by:  
Chief William  
McCue, Chippewas  
of Georgina Island**


**Whereas** the additional stress and inconvenience associated with long travel to receive health care is a significant encumbrance to care and fundamentally contradictory to a holistic approach to health care; and,

**Whereas** a strong need exists for culturally appropriate accommodation of Robinson-Superior Treaty members while they are in Thunder Bay accessing medical services for themselves as patients and for their families; and,

**Whereas** the First Nations of the Robinson-Superior Treaty area retain their jurisdiction to support initiatives that provide for overnight accommodation of their citizenry.

  
Vernon Roote  
Grand Council Chief

**Therefore be it resolved** that the Anishinabek Chiefs in Assembly support the development of the Thunder Bay Health Centre Accommodations Complex.

  
Nelson Toulouse  
Deputy Grand  
Council Chief

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Resolution # 2001/50

**SUBJECT: SUPPORT FOR A PROPOSAL TO IMPLEMENT THE FIRST NATIONS LAND MANAGEMENT ACT FOR THOSE FIRST NATIONS THAT ARE INTERESTED.**

**Moved By:**  
Chief Gail  
Shabonquit, White  
Fish Lake First  
Nation

**Whereas** the First Nation Land Management Act was developed through the leadership of several Anishinabek Nation First Nations; and,

**Whereas** two of these Anishinabek Nation First Nation communities have successfully implemented Land Codes under the First Nation Lands Management Act and others are in the process of developing land codes under this Act; and,

**Seconded By:**  
Chief Ted Roque  
Wahnapitae First  
Nation


**Whereas** the Minister of Indian and Northern Affairs Canada has indicated that he would be interested in a process by which a number of Anishinabek Nation First Nation communities could enter into the *First Nation Lands Management Act* as a group.

**CARRIED**

**Whereas** the Anishinabek Chiefs in Assembly are interested in informing their councils and communities on the pros and cons of the First Nation Lands Management Act

  
Vernon Roote  
Grand Council Chief

**Therefore be it resolved** that the Anishinabek Chiefs in Assembly hereby support the development of a proposal by Union of Ontario Indians by which a process would be developed in order to enable First Nations to understand the First Nations Land Management Act and consider the possibility of entering into that process as a group; and,

  
Nelson Toulouse  
Deputy Grand  
Council Chief

**Be it further resolved** that each First Nation that decides to enter into this process pass a Band Council Resolution indicating their support for the process.

**Subject:** **Acceptance in Principle of the Assembly of First Nations "Penultimate Draft" proposal concerning the First Nations Governance Act.**

**Moved by:** **Whereas** the Assembly of First Nations (AFN) has developed proposals to create a Joint Consultation process by which First Nations and Department of Indian and Northern Affairs (DIAND) can have meaningful consultation on the First Nations Governance Act; and,

**Chief Angus**  
Toulouse, Sagamok  
Anishnawbek First  
Nation

**Whereas** these previous Joint Consultation Processes drafts of workplans have been rejected by the Minister of Indian and Northern Affairs Canada; and

**Seconded by:**

**Joseph Hare**, Proxy  
for M'Chigeeng First  
Nation


**Whereas** the latest draft of the Joint Consultation process has been discussed by the Anishinabek Nation Chiefs in assembly and is viewed as an attempt to incorporate a consultation process concerning Aboriginal and Treaty Rights and implementation of the Inherent Right; and,

**CARRIED**

  
Vernon Roote  
Grand Council Chief

**Therefore be it resolved** that the Anishinabek Chiefs in Assembly hereby accept in principle the "Penultimate Draft" of the Co-operative AFN and DIAND Workplan and that if the Final version of this document is approved by the AFN, that approach be utilized to fund consultations in Anishinabek Territory, in a process approved by the Anishinabek Nation First Nations; and

**Be it further resolved** that the Chiefs in Assembly will make a final decision on the approval of the final version of the co-operative workplan by the Union of Ontario Indians caucus at the December AFN assembly.

  
Nelson Toulouse  
Deputy Grand  
Council Chief



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Resolution # 2001/52

**SUBJECT: TRANSFER OF FUTURE GENERATIONS FUNDS.**

**Moved by:**  
**Chief Tom**  
**Bressette**  
**Chippewas of**  
**Kettle and Stony**  
**Point**

**Whereas** the Anishinabek First Nations have set aside money in the Future Generations fund with the Ontario First Nation Limited Partnership; and

**Whereas** the Chiefs in Assembly want to access the interest on these funds for economic development purposes.

**Seconded by:**  
**Chief Keith Knott**  
**Curve Lake First**  
**Nation**

**Therefore be it resolved** that the Union of Ontario Indians will start the process of withdrawing the funds currently held in the Future Generations Fund and transfer it to a recognized financial institution into an investment fund managed by a board of Trustees; and,

**Therefore be it further resolved** that the interest on this investment be distributed annually to the Anishinabek First Nations for economic development purposes.

**CARRIED**

Opposed  
Chief Patrick  
Madahbee Ojibways  
of Sucker Creek



Vernon Roote  
Grand Council Chief



Nelson Toulouse  
Deputy Grand  
Council Chief