TITLE:	Opposition to Aboriginal Affairs and Northern Development Canada New Funding Policy for Aboriginal Representative Organizations, Tribal Councils and First Nations
SUBJECT:	Funding for Tribal Councils and Aboriginal Representative Organizations
MOVED BY:	Cliff Atleo, Proxy, Kyuquot/Checleseht First Nation, BC
SECONDED BY:	Chief Rose Laboucan, Driftpile Cree Nation, AB
DECISION:	Carried by Consensus

WHEREAS:

A. The Assembly of First Nations is a national aboriginal advocacy organization and is comprised of First Nations who have inherent Aboriginal Title and Rights which are also confirmed in Section 35 of the Canadian Constitution

B. On September 4, 2012, Aboriginal Affairs and Northern Development Canada (AANDC) a new proposed funding policy that drastically changes funding for Aboriginal Representative Organizations (AROs), Tribal Councils and First Nations. There was no consultation between AANDC and First Nations on these funding cuts.

C. Effective April 1, 2014, it is proposed that funding to all national AROs will be reduced by 10% from their 2012-2013 core level funding and funding to all regional AROs will be reduced by 10% or have a ceiling up to $500,000 applied to their core funding.

D. Effective April 1, 2014, it is proposed that the national Tribal Council funding program will be reduced from approximately $47 million per year to $29.85 million per year and introduce a completely new funding formula to accommodate this reduction.

E. The lack of consultation and resulting proposed AANDC funding policy is inconsistent with the United Nations Declaration on the Rights of Indigenous Peoples which sets out: Article 19: *States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative*

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institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them; Article 20(1): *Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development*; and Article 39: *Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration*.

F. Funding for Tribal Council advisory services and administrative overhead is determined by a funding formula that has never seen modifications to reflect First Nations' changing priorities, or increase adjustments to address inflation or competency levels since inception and is now being reduced even further.

G. The National Tribal Council Working Group, comprised of AANDC representatives and Regional Tribal Council representatives, worked together from 2001-2003 to arrive at a mutually agreed upon, modernized and enhanced policy and formula framework that more accurately reflects the actual cost associated with delivering advisory services across diverse regions of the country. This policy and formula framework was not implemented.

H. In 2009, Indian and Northern Affairs (currently known as AANDC) again initiated a redesign of the Tribal Council Program Policy as per federal government policy which requires that all federally funded programs be subject to review and renewal every five years. BC Regional Tribal Council representatives prepared a 2009 submission respecting and reflecting BC First Nations' unique geographic, demographic, cultural and linguistic diversity in a new proposed framework that more closely reflects the actual cost of service delivery.

I. On February 9, 2010, AANDC announced they had no new funds in 2010-2011 for the Indian Government Support programs (including Tribal Council Funding) meaning there were not going to be any significant new strategic directions. AANDC sent a letter to all First Nations and Tribal Councils with this update, acknowledging that one of the strongest messages received from First Nations was that resources would be needed to implement any redesigned program to improve core functions of governance.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Condemn Aboriginal Affairs and Northern Development Canada's (AANDC) proposed decision to impose a new funding policy that drastically reduces the funding of Aboriginal Representative Organizations (AROs), Tribal Councils and First Nations, which was announced on September 4, 2012.
2. Direct the Assembly of First Nations National Chief to continue working with the Regions and with the AFN Executive Committee to develop a coordinated response to the new AANDC funding policy. This response should include, but is not limited to the following:
    a. The AFN National Chief send a letter to Canada, including the Minister of AANDC and central agencies, setting out these objections and condemnation of the proposed new funding policy

and challenging the hypocrisy and dictatorship in the Minister's statements contained in the announcement.

b. The AFN provide a copy of this letter to First Nations and Tribal Councils and encourage them to similarly write letters.

3. Recognize that the proposed AANDC funding policy is part of the broader dialogue around the need for a new fiscal relationship between First Nations and Canada, and should be discussed by the Joint Working Group on Finanical Arrangements (WGFA).
4. Direct the WGFA, as part of their broader work, to specifically identify a fair and appropriate funding formula to be completed by April 1, 2014.
5. Call on parliamentary leaders and opposition parties to identify AANDC's proposed funding policy as a key issue for debate in Parliament and within the appropriate Parliamentary committees.
6. Direct the Assembly of First Nations to meet nationally and regionally with Tribal Councils, AROs and First Nations to inquire about the scope and impact of the reductions in funding and to publicize their findings. Also urge AROs, Tribal Councils and First Nations to provide details to the AFN to support this work.
7. Direct the Assembly of First Nations to work nationally with PTOs to advocate for a coordinated response to AANDC's proposed funding policy and develop a strategy on the implementation of Inherent rights.
8. Direct the Assembly of First Nations to report back on the implementation of this resolution at the next AFN Annual General Assembly.

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