SPECIAL CHIEFS ASSEMBLY
DECEMBER 4, 5 & 6, 2012, GATINEAU, QC

Resolution no. 65/2012

TITLE:	First Nations and Inuit Tobacco Control Initiative – First Nations and Inuit Component of the Federal Tobacco Control Strategy
SUBJECT:	Public Health
MOVED BY:	Lori Duncan, Proxy, Tr'ondek Hwech'in Han, YK
SECONDED BY:	Chief Andrea Paul, Pictou Landing First Nation, NS
DECISION:	Carried by Consensus

WHEREAS:

A. The Assembly of First Nations (AFN) was informed of a successful funding application from Health Canada (HC) to Treasury Board for a renewed First Nations and Inuit Component of the Federal Tobacco Control Strategy (FNICFTCS) in May of 2012 with no consultation or engagement by HC with First Nations or National or Regional organizations.

B. HC's new First Nations and Inuit Tobacco Control Initiative – FNICFTCS is based on the World Health Organization (WHO) Framework Convention on Tobacco Control which includes price and tax measures to reduce the demand for tobacco, and provision of support for economically viable alternative activities for tobacco workers, growers, and individual sellers.

C. No explanation or rational was provided by HC in selecting the WHO framework over other existing ones (i.e. AFN's Action Plan to Develop a First Nations Tobacco Control Strategy) and there is a lack of evidence of WHO framework being successful when implemented with Indigenous peoples.

D. The FNICFTCS is being proposed to be implemented on a regional basis, with HC regions responsible to engage with regional First Nations Organizations and communities; and will be proposal driven with mandatory elements, including: *Prevention, Cessation, Education, Protection, Pricing, and Data Collection, Research and Surveillance*.

E. The strategy includes mandatory components that directly interfere with First Nations jurisdiction and self-governance on tobacco control such as pricing, revenue reinvestment and taxation.

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SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

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

1. Signal they will refrain from endorsing or participating in the National First Nations and Inuit Tobacco Control Initiative – First Nations and Inuit Component of the Federal Tobacco Control Strategy (FNITCI-FNICFTCS) unless criteria are revised to remove those elements that interfere with First Nations sovereignty and jurisdiction over tobacco control including pricing, taxation and revenue reimbursement.
2. Direct Health Canada to develop a mutually agreed upon appropriate consultation and engagement strategy that includes AFN National, Regional and First Nations participation in this strategy and future development of strategies that impact First Nations.
3. Direct Health Canada to establish a national advisory Body which includes National and Regional representation to revise the elements of the FNITCI-FNICFTCS.
4. Direct Health Canada to re-focus the strategy to address prevention, cessation and education.
5. Direct the National Chief to communicate with Health Canada to insist that nothing in the revised FNITCI-FNICFTCS will be construed so as to abrogate or derogate from any existing Aboriginal or Treaty Right of Aboriginal people in Canada under Section 35 of *the Constitution Act* 1982 particularly those elements from the strategy which interfere with First Nations' sovereignty and jurisdiction over tobacco control including taxation.

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