
Assembly of First Nations

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Assemblée des Premières Nations

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**Special Chiefs Assembly
December 7, 8, 9, 2021, Ottawa (Ontario)**

Resolution no. 39/2021

TITLE: Canada AFN Governance Review Table

SUBJECT: Governance

MOVED BY: Chief Dennis Meeches, Long Plain First Nation, MB

SECONDED BY: Chief Calvin Bruneau, Papaschase First Nation, AB

DECISION Carried; 3 abstentions

WHEREAS:

- A. First Nations in Canada have rights beyond federally prescribed reserve lands.
- B. *Section 35 of the Constitution Act 1982* confirms that the Government of Canada recognizes and affirms Aboriginal and Treaty Rights including the First Nation rights to land, enforcement of treaties, and self-government.
- C. Canada's *Indian Act*, *First Nation Lands Management Act*, and *Framework Agreement* serve to define their relationship with First Nation in governance and land matters but fail to recognize Treaty, collective, and territorial governments. This creates a major and significant gap in the vehicles that Canada is utilizing to uphold legally binding agreements with First Nations.
- D. Due to these legislative gaps, First Nations are beholden to unworkable and impracticable processes imposed by the Government of Canada resulting in onerous delays to land acquisition, reserve creation, rights recognition, and economic progress.
- E. The Government of Canada is capable of enacting special and custom legislation where these gaps exist and has demonstrated to do so when it serves the best interest of Canada.

Certified copy of a resolution adopted on the 9th day of December 2021 in Ottawa, Ontario

ROSEANNE ARCHIBALD, NATIONAL CHIEF

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- F. On August 8th, 2021, Prime Minister Trudeau made a public statement that "Canada cannot move forward as a country if First Nations continue to be held back by colonial structures, systemic racism, and discrimination".

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

1. Direct the Assembly of First Nations and Canada to establish a Governance table to formally review, analyze, and reform Canada's frameworks, legislation, and policies with implications on Indigenous land, rights, treaties, settlements, and governance; and formulate workable solutions including substantive systems-level change that will recognize and validate the autonomy of First Nation governance structures, beyond those that are federally prescribed.

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