TITLE:	Action Plan on First Nation Citizenship
SUBJECT:	First Nation Citizenship
MOVED BY:	Chief Donovan Fontaine, Sagkeeng First Nation, MB
SECONDED BY:	Chief Wayne Christian, Kukpi7, Splatsin First Nation, BC
DECISION:	Passed provisionally by AFN Executive Committee on September 10, 2009

WHEREAS:

A. First Nations have inherent and unextinguished jurisdiction to make laws to define who belongs to our respective Nations.

B. These rights are recognized by the *Royal Proclamation, 1763, Treaties, Constitution Act, 1982* and through international covenants, such as the United Nations Declaration on the Rights of Indigenous Peoples.

C. The Government of Canada has exceeded its jurisdiction under s. 91(24) of Constitution Act, 1867, through unlawfully controlling the definition of "Status Indian" through the *Indian Act* which has had an adverse discriminatory impact on First Nations women and their families.

D. The Government of Canada and the Minister of Indian Affairs, are currently embarking on a unilateral process to amend section 6 of the *Indian Act* as ordered by the British Columbia Court of Appeal (BCCA), in its decision in the *McIvor* case (April 6, 2009).

E. "Indian Status" provisions of the *Indian Act* have created problems for First Nations and our citizens, and continue to divide our communities and deny rightful access to benefits and a sense of belonging for our people.

F. It is imperative that First Nations exercise our own laws, that will redress discrimination and damage caused by the *Indian Act*.

Certified copy of a resolution adopted on the 10th day of September, 2009 in Gatineau, Quebec

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

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

1. Affirm and re-assert First Nations' inherent right to exercise jurisdiction to determine who our citizens are, through our own laws, and continue to strongly object to the imposition and unilateral control exercised by Canada over defining who is a "Status Indian".
2. Assert that First Nations' consent is required on any amendments to the Indian Act affecting First Nations' jurisdiction over citizenship.
3. Recognize the need for a coordinated and unified strategy.
4. Recognize and support existing processes (such as Anishinabek's Citizenship Law and the Federation of Saskatchewan Indian Nations resolutions on a Citizenship Framework) and encourage all regions to establish Task Forces on citizenship, and to share their regional strategies and plans.
5. Direct the Assembly of First Nations (AFN) Executive to seek resources to establish a National Task Force, comprised of representatives from regional Task Forces or bodies. The National Task Force will develop recommendations to be considered by Chiefs-in-Assembly to further refine and guide a National approach.
6. Mandate the Task Force to develop an Action Plan for First Nation Citizenship, to include:
    a. Terms of reference
    b. Demographic, policy and legal research to support First Nations in their deliberations regarding models and approaches to citizenship
    c. First Nations options
    d. Legal and Political Strategies
    e. Communications and Education Plans
7. Direct the Assembly of First Nations to plan a Special Chiefs Assembly on Citizenship, to include the presentation of the Action Plan to Chiefs-in-Assembly.

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SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF