
Assembly of First Nations

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Assemblée des Premières Nations

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**ANNUAL GENERAL ASSEMBLY
DECEMBER 8 & 9, 2020, OTTAWA, ON**

Resolution no. 06/2020

TITLE: Support for Advocacy on Systemic Racism in Canada

SUBJECT: Police Reform

MOVED BY: Chief Rosanne Casimir, Tk'emlúps te Secwépemc, BC

SECONDED BY: Chief Wayne Christian, Spallumcheen Indian Band (Splatsin First Nation), BC

DECISION: Carried by Consensus

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 3: Indigenous peoples have the right to self-determination. By virtue of that they freely determine their political status and freely pursue their economic, social, and cultural development.
 - ii. Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, *economic*, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.
 - iii. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions
 - iv. Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

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- v. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous Nations have the right to be actively involved in developing and determining health, housing and other economic and social programs affecting them, as far as possible, to administer such programs through their own institutions.
 - vi. Article 34: Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.
- B. First Nation peoples continue to face systemic racism across many institutions in Canada from police services, health care, child welfare system, and education.
 - C. The recent death of Joyce Echaquan in the Quebec hospital system and the Government of Quebec's denial of systemic racism continue to express Canada's failure and unwillingness to address systemic racism. These matters, along with the increasing incarceration rates of First Nation peoples, have illustrated that systemic racism remains a critical issue in this country.
 - D. The Royal Canadian Mounted Police (RCMP) have recently been criticized for inaction following violent attacks on Mi'kmaq lobster facilities in Nova Scotia. This, along with the use of tasers and rubber bullets by the Ontario Provincial Police on Haudenosaunee land defenders in Six Nations is indicative of the systemic racism prevalent in Canadian policing.
 - E. The Assembly of First Nations (AFN) estimated the total cost of transitioning child-welfare services to First Nations could reach \$3.5 billion. However, Bill C-92 came into force January 1, 2020 without stable funding to assist in the transition, reinforcing structural inequity within the child welfare system.
 - F. The Alberta government has proposed to delay the integration of lessons on the Indian Residential School System within its educational curriculum and remove references to equity, alleging that these are "politically biased". This runs counter to the Truth and Reconciliation Commission's Calls to Action to redress the legacy of Residential Schools and promote reconciliation.
 - G. Institutions across Canada do not have adequate mechanisms in place to address systemic racism, such as oversight committees and culturally appropriate training. These mechanisms must be in place and include First Nations as partners in their development.
 - H. There have been generations of distrust between the RCMP, provincial and municipal police forces and Indigenous Peoples. The history of the RCMP is a colonial institution which has entrenched systemic racism woven through its infrastructure. Indigenous Peoples have faced unfair, unequal, and discriminatory treatment by the RCMP.

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- I. The current action of the federal government to address police reforms across the country has been inadequate.
- J. Prime Minister Trudeau has recently recommitted to addressing systemic racism in Canada including policing and the justice system.
- K. Prime Minister Trudeau has committed to developing strong policies that will eliminate barriers facing Indigenous Peoples, racialized people, and persons with disabilities.
- L. In their public communications, the RCMP has committed to being a modern organization equipped to serve Canada and Canadians now and into the future.

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

- 1. Urge the federal and provincial governments to take concrete steps to prevent, combat and eradicate systemic racism, racial discrimination, and intolerance within the criminal justice system, the public service, health care, education, and the private sector.
- 2. Direct the Assembly of First Nations (AFN) to advocate for legislative and other reforms, including the development and mandates of oversight committees, to address systemic racism in institutions such as policing and justice, health care, education and child welfare. These committees must include First Nations as partners in their development and operations.
- 3. Urge the AFN to work in partnership with First Nations organizations involved in police and justice reform to develop a platform of recommendations to guide and inform the change in the RCMP with recommendations including:
 - a. the need for First Nations Policing to be considered an essential service;
 - b. sufficient, predictable and sustainable funding to the same level as all other police services;
 - c. a zero tolerance policy for excessive use of force;
 - d. increased restorative, trauma informed and culturally sensitive practices; and,
 - e. updating RCMP protocols and practices to include harm reduction and mental health supports.
- 4. Call on the federal government to amend the Criminal Code of Canada to create new offenses related to hate crimes, including the use, or threat to use force to willfully interfere with any person because of race, color, religion, or national origin.
- 5. Urge the AFN to lobby for the modernization of policing legislation across Canada and the RCMP Act to include extensive input from First Nations organizations involved in policing and justice.

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6. Call on Canadian leaders to take decisive action to protect Indigenous Peoples within Canada's institutions.
7. Direct the AFN to ensure police are held accountable to the highest standards for fair and unbiased conduct, which is crucial to maintaining trust.
8. Direct the AFN to report back on its progress to Chiefs-in-Assembly at the December 2021 Special Chiefs' meeting.

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