
Assembly of First Nations

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Assemblée des Premières Nations

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**ANNUAL GENERAL ASSEMBLY
JULY 11, 12, & 13, 2023; HALIFAX, NS**

Resolution no. 45/2023

TITLE: Supporting First Nations to Receive Funding for Off-Reserve Members

SUBJECT: Fiscal Relations

MOVED BY: Chief Byron Louis, Okanagan Indian Band, BC

SECONDED BY: Judy Wilson, proxy, Osoyoos Indian Band, BC

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. 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.
 - ii. Article 21 (1): Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
 - iii. Article 21 (2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of Indigenous elders, women, youth, children and persons with disabilities.
 - iv. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their institutions.

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- v. Article 39: Indigenous peoples have the right to access financial and technical assistance from States and through international cooperation for the enjoyment of rights contained in this Declaration.
- B. The funding allocated by the Government of Canada to First Nations governments is inadequate.
- C. The federal government has a fiduciary obligation towards First Nations. It must therefore take all appropriate steps so that all First Nations members can live in dignity and honour, as they are entitled.
- D. First Nations governments provide essential services to their citizens. First Nations governments must be adequately supported to deliver services to their citizens, while readying themselves for resuming their jurisdiction over the design, delivery and control of programs and services in alignment with their inherent and Treaty rights, title, and jurisdiction.
- E. The federal government provides funding to provinces to support certain provincial programs or services for residents of the province, including First Nations persons who reside off-reserve. Additionally, the federal government provides funding to the Congress of Aboriginal Peoples (CAP), which claims to represent off-reserve members of First Nations
- F. First Nations governments do not receive funding to provide programs and services for their off-reserve members. First Nations governments' responsibility to their community members does not end at the colonial boundaries of the reserves. Members of every First Nation have the right to be supported whether they live on or off reserve.
- G. Existing funding formulae and agreements are inadequate. First Nations desire to work with the federal government to support the development, application, and validation of new funding approaches that are sufficient to ensure that all First Nations governments can provide safe, reliable, culturally-appropriate services to both on- and off-reserve members.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Call on the Government of Canada to work with First Nations to seek new funding formulas and transfer agreements that provide adequate funding so all First Nations governments can provide safe, reliable, culturally-appropriate programs and services to both on and off-reserve members.
2. Call on the Government of Canada to direct the funding that it currently transfers to the province on behalf of First Nations members who reside off-reserve to First Nations governments to enable them to provide improved services to their members who reside off-reserve.

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