

DRAFT CHARTER RESOLUTION
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AFN Annual General Assembly, July 9-11, 2024, Montreal, QC

TITLE: Charter Amendment - Executive Committee Regional Chiefs – Financial Security and Charter Protection

SUBJECT: Governance

MOVED BY: Naa Sháade Hani Eric Morris, Teslin Tlingit Council, Yukon

SECONDED BY: Chief Amanda Leas, *Ta'an Kwäch'än Council, Yukon*

WHEREAS:

- A. Article 5 of the UN Declaration of the Rights of Indigenous Peoples state “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’.
- B. Article 18 of the UN Declaration of the Rights of Indigenous Peoples state “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 procedure, as well as to maintain and develop their own indigenous decision-making institutions”.
- C. Article 39 of the UN Declaration of the Rights of Indigenous Peoples state “Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration”.
- D. The Assembly of First Nations is a national organization, established to advocate and advance the aboriginal and treaty rights of its First Nations membership, as directed by the First Nations in Assembly and carried out by the Executive Committee and Secretariat, in accordance with the Charter of the Assembly of First Nations, originally adopted in 1985 and recently consolidated in December 2022 (the “Charter”).
- E. Article 2.5 of the Charter provides:
The Assembly of First Nations shall remain at all times an instrument to advance the aspirations of First Nations and shall not become greater in strength, power, resources or jurisdiction than the First Nations for which it was established to serve.
- F. The Executive Committee represents one of the eight organs within the national organization as set out in Article 5 of the Charter.
- G. Regional Chiefs who serve on the Executive Committee provide invaluable representation to the national organization on behalf of the First Nation rights holders of their respective regions, as guided by Articles 18 and 19 of the Charter. Regional representation within the Executive Committee provides important historical, cultural and geographical perspectives while supporting the work of the National Chief and when implementing the First Nations in Assembly directives in a national context.
- H. The National Chief, as a member of the Executive Committee, has financial security and Charter protection to serve their office by way of Article 20(10).

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- I. Regional Chiefs, as members of the Executive Committee also require financial security and Charter protection to serve their office and exercise their duties and responsibilities in a meaningful manner as guided by the Charter, bylaws and policies of the Assembly of First Nations.
- J. The Government of Canada provides funding to support the core services of the national organization.
- K. Article 2.7 of the Charter provides:

The resources allocated to the Assembly of First Nations Secretariat shall be distributed and utilized for the great benefit of all Member First Nations in efforts that are truly in form and substance national in scope and for which consensus has been achieved by the member First Nations.

- L. It is recommended that the Charter be amended to provide the financial security and protection to the offices of the Regional Chiefs.
- M. It is recommended that Article 18 be amended to provide for the express requirement to provide Executive Committee Regional Chiefs with a **base** annual salary and that Article 20(7) be amended to include the requirement that the annual budgets established for the office of the National Chief and Executive Committee include **core funding for the regions that will financially support the annual base salaries** for the Regional Chiefs, established in accordance with a policy approved by the First Nations in Assembly, as follows:

Articles	Current Language	Proposed Amendment
Article 18	Propose a new section 11.	The Executive Committee Regional Chiefs shall be paid a base salary established by the First Nations in Assembly and financially supported by the Assembly of First Nations national office.
Article 20(7)	The National Chief shall develop a budget for the office of National Chief and the rest of the Executive Committee and shall retain support staff to help the Executive Committee carry out their duties and obligation to the First Nations.	The National Chief shall develop a budget for the office of National Chief and the rest of the Executive Committee, which includes core funding that can support a base salary for Executive Committee Regional Chiefs , and retain support staff to help the Executive Committee carry out their duties and obligations to the First Nations.

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

1. Approves amending Article 18 to include a new section that states “The Executive Committee Regional Chiefs shall be paid a **base** salary established by the First Nations in Assembly and financially supported by the Assembly of First Nations National Office.”
2. Approves amending Article 20(7) to read “The National Chief shall develop a budget for the office of National Chief and the rest of the Executive Committee, which includes **core funding that can support a base salary** for Executive Committee Regional Chiefs, and retain support staff to help the Executive Committee carry out their duties and obligations to the First Nations”.

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3. Approves the changes to the Charter to come in effect immediately and be applied retroactively to the 2024-2025 annual budgets.
4. Directs the National Chief and Secretariate to identify financial resources within the Assembly of First Nation 2024-2025 budget to support the implementation of Articles 18(11) and 20(7).