

Assembly of First Nations

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ANNUAL GENERAL ASSEMBLY
September 3-4-5, 2025, Winnipeg, MB

Resolution no. 04/2025

TITLE: Immediate Federal Intervention to Address the Fentanyl, Opioid, and Substance Abuse Crisis in First Nations Communities

SUBJECT: Health, Public Safety, Substance Use, Policing

Moved BY: Chief Angela Levasseur, Nisichawayasihk Cree Nation, MB

SECONDED BY: Chief Lisa Young, Bloodvein River First Nation, MB

DECISION Carried by Consensus (2 Abstention)

WHEREAS:

- B.** The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) establishes the minimum standards for the survival, dignity, and well-being of Indigenous peoples, including:
- i. Article 7(1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
 - ii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development, which includes the right to participate in decision-making and be provided with adequate resources to address their issues.
 - iii. Article 24(2): Indigenous individuals have the right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view of achieving progressively the full realization of this right.
- C.** The Truth and Reconciliation Commission of Canada, Calls to Action state that:
- i. #18: We call upon the federal, provincial, territorial and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.
 - ii. #42: We call upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and

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Aboriginal rights of Aboriginal peoples, the *Constitution Act, 1982*, and the UN Declaration, endorsed by Canada in November 2012.

- D. Calls for Justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) address the ongoing crisis of violence experienced by Indigenous women, girls, and Two Spirit/LGBTQQIA persons across Canada, including calls “upon all governments”:
- i. [5.11]: We call upon all governments to increase accessibility to meaningful and culturally appropriate justice practices by expanding restorative justice programs and Indigenous Peoples’ courts.
 - ii. [7.1]: We call upon all governments and health service providers to recognize that Indigenous Peoples – First Nations, Inuit, and Métis, including 2SLGBTQQIA people – are the experts in caring for and healing themselves, and that health and wellness services are most effective when they are designed and delivered by the Indigenous Peoples they are supposed to serve, in a manner consistent with and grounded in the practices, world views, cultures, languages, and values of the diverse Inuit, Métis, and First Nations communities they serve.
- E. Assembly of First Nations (AFN) Resolution 60/2023, *Measures to Address the Impacts of the Opioid Crisis*, directs the AFN to advocate for and politically support First Nations pursuing civil litigation against those responsible for trafficking and loss of life, to secure reparations that aid family healing and strengthen First Nations’ capacity to address the opioid crisis. Further, the resolution directs the AFN to urge the federal government to recognize policing as an essential service, enhance culturally appropriate Royal Canadian Mounted Police supports, fund community safety officer programs, enable safe supply initiatives grounded in First Nations rights, and support advisory committees focused on opioid prevention, harm reduction, and culturally informed policing and health care practices.
- F. First Nations leaders, families, and front-line workers are overwhelmed by the sheer scale and complexity of the crisis, while support from federal and provincial governments remains fragmented, underfunded, and reactive. First Nations communities possess unique knowledge, cultural practices, and innovative solutions that, when supported by increased resources and collaboration with the federal government, can lead to healthier and safer communities.
- G. First Nations across the country are calling for legal reforms that reflect the true scale and human impact of the fentanyl crisis, and that prioritize the protection of life over the criminal impunity currently enabling traffickers and dealers.
- H. Mr. Joseph Fourre is an advocate who created the “No Thanks, I’m Good” movement and promotes Harlan’s Law, following the tragic loss of his son Harlan Fourre to fentanyl poisoning. Harlan’s Law proposes that individuals who knowingly and illegally sell fentanyl and other deadly substances that result in a fatality be held criminally responsible for the resulting death, similar to other forms of criminal negligence or manslaughter under Canadian law. The proposed Harlan’s Law additions to the criminal code *Administering a noxious thing* 245 (1) are as follows:
- i. (c) of an indictable offense and liable to imprisonment of no less than five years where Fentanyl is involved whether to do so with or without intent to aggrieve or annoy that person.

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- ii. (d) of an indictable offense and liable to imprisonment for a term of life with a minimum 15 years where Fentanyl is involved whether to do so with or without intent when death occurs because of such substance being administered.
- I. Canada is proposing Bill C-2 (*Strong Borders Act*), to amend the *Controlled Drugs and Substances Act* and *Cannabis Act*, to clarify authority around law enforcement exemptions while also creating an accelerated scheduling pathway for precursor chemicals, which are essential chemicals for the production of a controlled substance such as fentanyl and other illicit drugs.

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

1. Declare a First Nations-wide State of Emergency and humanitarian crisis in relation to the production, dealing, bootlegging and use of fentanyl, opioids, alcohol, and other drugs currently devastating First Nations families and communities across Canada.
2. Direct the Assembly of First Nations (AFN) to express support in principle for the objectives of Harlan's Law, as proposed by advocate Joseph Fourre, which aims to hold individuals criminally responsible for illegally selling fentanyl or similarly toxic substances that result in overdose deaths.
3. Call upon the Prime Minister of Canada and the Ministers of Public Safety, Justice Canada, Health, Indigenous Services Canada, and Crown-Indigenous Relations, to adequately and meaningfully engage with First Nations to identify and implement vital components of Bill C-2 that would immediately meet the needs of First Nations. Further, that all relevant federal departments immediately partner with First Nations leadership and coordinate an emergency national intervention while ensuring core funding is in place to support culturally appropriate responses, including public safety strategies, withdrawal management, licensed treatment facilities and land-based healing programs led by knowledge keepers and Elders, focused on First Nations public safety strategies and withdrawal management and treatment centres.
4. Call upon the Government of Canada to create and implement national regulations governing the sale, distribution, and monitoring of chemical precursors, equipment, and supplies commonly used in the illicit manufacturing of toxic substances, in order to disrupt production at its source and reduce the harms caused by the unregulated availability of these materials.
5. Call upon the Government of Canada to commit sustained, multi-departmental resources to confront the root causes of the fentanyl, opioid and substance use epidemic that include colonization, gang activity, drug dealing/manufacturing and poverty, with a focus on wrap around resources, prevention, intervention, rehabilitation programs and access to Naloxone for all First Nations. Direct the AFN Secretariat to seek funding to establish a National Emergency Task Force on First Nations health, comprised of relevant chiefs' committees, First Nations leaders, mental health experts, researchers, Knowledge Keepers, youth, and law enforcement partners, to guide a restorative and fair response to the substance misuse crisis in communities.

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