

DRAFT RESOLUTION #02/2023

AFN Special Chiefs Assembly, June 28, 2023, Ottawa, ON

TITLE: Resolution in Support of National Chief RoseAnne Archibald's Leadership

SUBJECT: HR policies, Code of Conduct and Ethics for the AFN Executive Committee, and Resolution #03/2022

MOVED BY: Chief Joyce MacLeod, Montreal Lake Cree Nation, SK

SECONDED BY: Chief Joe Alphonse, T̓silhqot̓in Nation, BC

WHEREAS:

A. Between 2020 and 2023, the following sequence of events took place:

- i. October 2020: The National Chief (while in her role as Ontario Regional Chief) became aware of suspected financial wrongdoing within the Assembly of First Nations. Peter Mantas, AFN Legal Counsel, presented a briefing note regarding a large bank transfer (approx. \$190,000) from the AFN into a personal bank account and a contract given. The incoming National Chief requested the Executive Committee's support to investigate the suspected financial wrongdoings. The former National Chief and the Regional Chiefs on the AFN Executive Committee declined to support any investigation into these matters.
- ii. February 2021: Presented information to the Chiefs of Ontario regarding the issues around finance and management practices at the AFN. The Chiefs of Ontario passed Resolution #21/14 Call for an Independent Review for the Assembly of First Nations. Within days, the former National Chief called to advise the National Chief (while in her role as Ontario Regional Chief) that an HR investigation was launched against her without any written documentation.
- iii. May 2021: The findings of the HR investigation against the National Chief (while in her role as Ontario Regional Chief), exonerated her as no complaints came forward. It is important to note that the National Chief (while in her role as Ontario Regional Chief) was not even interviewed for the first HR investigation.
- iv. June-July 2021: National Chief campaigned and was elected on revitalizing and evolving the AFN including separating the political and administrative functions of the organization.
- v. May 2022: After four (4) NCO staff asked for a full payout of their contracts, an amount in excess of \$1 million and were turned down by the National Chief, four (4) complaints were filed by those staff against the National Chief.
- vi. June 2022: The Regional Chiefs on the AFN Executive Committee attempted to suspend National Chief. This action by the Regional Chiefs on the Executive Committee was in breach of the AFN Charter, the AFN Secretariat's bylaws, and the AFN Code of Conduct and Ethics. These breaches by the Regional Chiefs on the Executive Committee have not resulted in any disciplinary action.

DRAFT RESOLUTION #02/2023

AFN Special Chiefs Assembly, June 28, 2023, Ottawa, ON

- vii. July 2022: The National Chief attended the AFN AGA where she reiterated her concerns regarding suspected financial wrongdoing in the AFN. The First Nations-in-Assembly rejected the Regional Chiefs on the Executive Committee's decision; reaffirmed their role as the sole authority in AFN decisions; reaffirmed their support for RoseAnne Archibald to remain in her role as National Chief; through Resolution #03/2022, the FNIA supported the National Chief's recommendation for a forensic audit and investigation; and, assigned the Chiefs Committee on Charter Renewal to develop a scope of work for a forensic investigation and oversee a forensic investigation into these matters.
 - viii. Between October 2021-July 2022: Staff and code of conduct complaints were brought forward regarding several Regional Chiefs. The Regional Chiefs on the Executive Committee failed to take action in any investigation or disciplinary process into these allegations.
 - ix. May 2023: The Regional Chiefs on the Executive Committee released a "Summary Report" of the investigation into alleged breaches by the National Chief. The Summary Report has been shared with First Nations and outlines the Final Report's findings.
 - x. May 2023: The National Chief's Office released a report titled Summary of Findings Into Allegations of Harassment and Wrongdoing Against National Chief RoseAnne Archibald. The report stated:
 - i. 93% of the original allegations, totaling 28, were found to be unsubstantiated.
 - ii. All whistleblower complaints that initiated the Human Resources investigation were found to be unsubstantiated.
 - iii. The AFN investigators erroneously concluded "retaliation" in the remaining complaints, whereas the National Chief was fulfilling her Oath of Office to inform the Chiefs about suspected financial wrongdoing and organizational risks within the AFN Secretariat structure.
- B.** The Chiefs Committee on Charter Renewal has prepared a recommendation for the 2023 Annual General Assembly on options for the Scope of Work for a formal investigation into the alleged financial wrongdoing. Since July 2022, the Regional Chiefs on the Executive Committee have not supported the Chief's Committee on Charter Renewal and has opposed their work to carry out the mandate as directed by First Nations-in-Assembly regarding the forensic investigation.
- C.** The Regional Chiefs on the Executive Committee have inappropriately recommended that the First Nations-in-Assembly expel National Chief based on the findings of the Final Report. However, the Regional Chiefs on the Executive Committee should not oversee investigating themselves or use investigations to engage in political attacks against their colleagues.
- D.** The First Nations-in-Assembly continues to support the leadership of National Chief RoseAnne Archibald as duly elected at the AFN AGA in July 2021 and reiterated their support of her by the passing of Resolution #03/2022 at the AFN AGA in July 2022.

D R A F T R E S O L U T I O N # 0 2 / 2 0 2 3

AFN Special Chiefs Assembly, June 28, 2023, Ottawa, ON

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

1. Endorse RoseAnne Archibald in her role as the National Chief and endorse her continued leadership in her role so that she may finish her full term to July 2024.
2. Direct the Regional Chiefs on the Executive Committee to respect and uphold the authority of the First Nations-in-Assembly, and work towards peace, healing, and reconciliation within the AFN.
3. Direct that the Regional Chiefs on the Executive Committee remove themselves from overseeing any investigative process that involves themselves or their colleagues to ensure the integrity of the process and abide by the AFN Charter's rules on conflict of interest.
4. Direct that henceforth all investigations in allegations against members of the Executive Committee be done through a culturally safe, traditionally grounded, and trauma-informed process and utilize the services of independent firms with the qualifications for working in an Indigenous workspace.
5. Direct the Regional Chiefs to follow the directives of Resolution #3/2022: which would require the AFN Executive Committee to work together to find 'win-win' solutions for everyone involved, including to cease using corporate means to usurp the will of the FNIA and to have peace, healing, and reconciliation within the AFN as a whole.
6. Direct the AFN to separate politics from business by delineating political and administrative roles/functions through the eventual appointment of an independent, expert-based, non-political board for the AFN Secretariat through a proper Charter amendment process.