

Assembly of First Nations

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Assemblée des Premières Nations

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SPECIAL CHIEFS ASSEMBLY
DECEMBER 3 – 5, 2019, OTTAWA, ON

Resolution no. 80/2019

TITLE:	Federal Consultation & Transparency in First Nations Housing Program & Funding Changes
SUBJECT:	First Nations Housing and Related Infrastructure
MOVED BY:	Chief R. Donald Maracle, Mohawks of the Bay of Quinte, ON
SECONDED BY:	Chief Lance Haymond, Kebaowek First Nation, QC
DECISION	Carried by Consensus

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- Article 19: States shall consult and cooperate in good faith with 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.
 - 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 own institutions.
- B. On June 12, 2017 the Rt. Hon. Justin Trudeau, Prime Minister of Canada declared, "I am committed to a renewed relationship with Indigenous Peoples, one based on the recognition of rights, respect, co-operation, and partnership."
- C. The Prime Minister further committed that key cabinet ministers will have the opportunity to discuss with First Nations leaders how Canada and the Assembly of First Nations (AFN) can work together to advance shared priorities, co-develop policy and promote lasting and meaningful reconciliation.

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- D. The process is near completion in which the AFN and Canada are jointly working on a transformative federal First Nations housing policy that will support the transition to First Nations care, control and management of housing and full federal funding to close the gap in First Nations housing.
- E. Through AFN Resolution 57/2018, *National First Nations Housing and Related Infrastructure Strategy*, Chiefs-in-Assembly urged the Federal Government "...to immediately co-develop with the Chiefs' Committee on Housing and Infrastructure and the AFN measures to remove barriers and otherwise improve the delivery of federal government housing and related infrastructure programs and fiscal tools in the interim of the transition to First Nations care, control and management of First Nations housing and infrastructure".
- F. The Federal Government;
 - a. ignored AFN Resolution 57/2018 by unilaterally establishing in early 2019 an internal government review called the "Deep Dive on First Nations Housing On-Reserves" (Deep Dive), a process intended to improve the delivery of federal government housing and infrastructure programs, and
 - b. ignored its commitment to partnership and collaboration by not inviting the AFN to co-manage the Deep Dive process and by informing the AFN six months after the process was initiated.
- G. The Canada Mortgage and Housing Corporation (CMHC) made unilateral funding allocation decisions that reduced the Residential Rehabilitation Assistance Program (RRAP) funds available to First Nations. First Nations became aware of the reduced amount only in the mid-2019/20 fiscal year.
- H. The Prime Minister provides written mandates to his ministers that stress the need for the Government's decisions and actions to be fully transparent in order to build and maintain public trust.
- I. Neither the AFN nor any First Nation begrudges the success of other First Nations that sign agreements with the Federal Government as a result of emergencies declared due to factors that include housing.
- J. The Federal Government is not fully transparent on the program source of emergency housing funds committed and whether those funds effectively diminish the budgets of existing Federal Government First Nations housing programs or whether they are from other sources.
- K. Media reports confirm that the lack of adequate or suitable First Nations housing was raised often with candidates of all political parties in many ridings across the country and by the AFN during the 2019 federal election campaign.

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

1. Urge the Minister of Indigenous Services and his Canada Mortgage and Housing Corporation (CMHC) counterpart, in the spirit of partnership and collaboration, to adopt and implement without delay the principle that there shall be no Federal Government housing or related infrastructure legislative, regulatory, policy, program, service, formula or regional funding allocation changes affecting First Nations without prior First Nations consultation and consent.
2. Urge the Federal Government, once again, to immediately co-develop with the Assembly of First Nations (AFN) Chiefs' Committee on Housing and Infrastructure measures to remove barriers and otherwise improve the delivery of Federal Government housing and related infrastructure programs, fiscal tools and initiatives in the interim of the transition to First Nations care, control and management of First Nations housing and related infrastructure.
3. Urge the Minister of Indigenous Services and the Minister Responsible for the CMHC to have their respective department and agency become fully transparent by advising in writing to all First Nations, the AFN and regional First Nations organizations of all changes or new initiatives contemplated at the outset of such consideration regarding the Federal Government's First Nations housing or related infrastructure legislation, regulations, policy, programs, services, budgets, formulas and regional funding allocations.

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