
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. 40/2023

TITLE: Support for an Independent Inquiry into First Nations Deaths while in Police Custody

SUBJECT: Justice

MOVED BY: Sharman Fourhorns, proxy, Star Blanket Cree Nation, SK

SECONDED BY: Chief Sheldon Kent, Black River, MB

DECISION Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 1: Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.
 - ii. Article 7 (1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
 - iii. Article 34: Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.
- B. Deaths of First Nations Peoples in custody impact all First Nations in Canada. Two young Mi'kmaw people have died in police custody in 2023 alone.

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- C. The Province of Nova Scotia's investigation process for examining deaths in custody is inadequate and does not include a Mi'kmaw lens.
- D. Justice Canada's Indigenous Justice Strategy is taking too long to develop and is not a proper venue to investigate the causes of specific deaths of First Nations Peoples while police in custody.
- E. Recommendations to address deaths of First Nation peoples while in police custody need to include healing and prevention programs that are First Nations-led, rooted in First Nations knowledge, culture and ceremony, and inclusive of victims and their families.
- F. The Assembly of Nova Scotia Mi'kmaw Chiefs have called on the federal and provincial governments to support and fund a Mi'kmaw-led independent inquiry and have not received this support.
- G. Additionally, a Royal Commission of Inquiry established by Canada could provide resources and space to fully investigate this issue of national importance.
- H. Led by distinguished individuals, experts or judges, Commissions of Inquiry have the power to subpoena witnesses, take evidence under oath and request documents.
- I. Mi'kmaw of Nova Scotia are leading the strong stances for advocacy to have an independent inquiry to investigate the deaths of Indigenous individuals while in police custody or incarcerated.

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

1. Call-upon on the Federal Government to call a Royal Commission of inquiry into all First Nations deaths and serious injuries while in police and correctional services custody.
2. Direct the Assembly of First Nations to provide political advocacy support the Assembly of Nova Scotia Mi'kmaw Chiefs in demanding an independent, Mi'kmaw led inquiry into Mi'kmaw deaths while in police and correctional services custody from the Province of Nova Scotia.
3. Call on agencies, such as police investigation agencies, chief coroners offices, and other similar bodies as they exist across Canada, to work with independent investigations into deaths by police or in police and correctional services custody.

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