

Assembly of First Nations

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Assemblée des Premières Nations

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

Resolution no. 15/2025

TITLE: Jurisdiction over First Nations Inherent Right to Traditional Birthing Practices

SUBJECT: Health

MOVED BY: Chief Derek Nepinak, Minegozibe Anishinabe First Nation, MB

SECONDED BY: Andre Bear, Proxy, Little Black Bear First Nation, SK

DECISION Carried; 5 Opposition; 5 Abstention

WHEREAS:

- A. First Nations have the Inherent right to traditional health practices, including birthing.
- B. The *United Nations Declaration on the Rights of Indigenous Peoples Act*, SC 2021, c 14, (UNDA) places a positive obligation on the Government of Canada to take all measures necessary to ensure that the laws of Canada are consistent with the articles and minimum standards of the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which include:
- i. Article 21(1): Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
 - ii. 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
 - iii. Article 24: Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
- C. The Truth and Reconciliation Commission of Canada Call to Action #18 calls on the federal, provincial and Aboriginal governments to acknowledge the state of Aboriginal health in Canada is a direct result of

Certified copy of a resolution adopted on the 5th day of September, 2025 in Winnipeg, Manitoba

Cindy Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

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provincial 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.

- D. Sturgeon Lake First Nation has developed a pakitahāw-sākahikaniyiniwak nihtāwikhāwasowin miyikowisiwina (Traditional Birthing Law) that is in line with traditional Cree health practices as they relate to birthing.
- E. Sturgeon Lake First Nation will begin operations at the Shirley Bighead nihtāwiki/Birthing Lodge in fall 2025 in accordance with the pakitahāw-sākahikaniyiniwak nihtāwikhāwasowin miyikowisiwina (Traditional Birthing Law).
- F. Federation of Sovereign Indigenous Nations Chiefs-In-Assembly passed Resolution #2050 calling on Government of Canada to allocate funding to support Indigenous midwives and doulas.

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

- 1. Call on the Government of Canada to publicly and fully commit to supporting First Nations Inherent right to traditional health practices, including the right of Sturgeon Lake First Nation, Saskatchewan, to exercise jurisdiction through the pakitahāw-sākahikaniyiniwak nihtāwikhāwasowin miyikowisiwina specifically.
- 2. Direct the Assembly of First Nations (AFN) to advocate for First Nations Inherent right to traditional health practices, and to support First Nations in exercising this right.
- 3. Call upon the Government of Canada and each province and territory to acknowledge and take action to address the historical impact of the health care system on Indigenous women and children in Canada.
- 4. Call on the Government of Canada to fairly and equitably fund First Nations that assert their Inherent right over traditional health practices, for both capital and operations.

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