



ASSEMBLY OF FIRST NATIONS
DECEMBER 2025 SPECIAL CHIEFS ASSEMBLY
DRAFT RESOLUTIONS

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DRAFT RESOLUTION # 01 / 2025

AFN Special Chiefs Assembly, December 2-4 2025, Ottawa, ON

TITLE: Calling on Canada to Criminalize Indian Residential School Denialism

SUBJECT: Indian Residential School Denialism Legislation

MOVED BY: Chief David Moonias, Pimicikamak Cree Nation, MB

SECONDED BY: Chief Sheldon Kent, Black River First Nation, MB

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 Human Rights and international Human Rights law.
 - ii. Article 15(2): States shall take effective measures, in consultation and cooperation with the Indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among Indigenous peoples and all other segments of society.
 - iii. Article 19: States shall consult and cooperate in good faith with the 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.
 - iv. Article 21: 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.
- B. The Truth and Reconciliation Commission of Canada (TRC) documented the genocide committed against Indigenous Peoples through the Indian Residential School (IRS) system, where thousands of children were forcibly taken from their families, subjected to abuse, and many never returned home.
- C. Unmarked graves of children continue to be confirmed at former IRS sites across the country, validating the truths survivors have shared for generations.
- D. Denial, minimization, or justification of the harms of the IRS system retraumatizes survivors, dishonours the memory of the children who never made it home, fuels racism, and undermines truth and reconciliation.
- E. In 2022, Canada amended the Criminal Code (Bill C-250) to make Holocaust denial unlawful, recognizing the profound harm caused by public denial of genocide.
- F. The Office of the Independent Special Interlocutor for Missing and Unmarked Graves and Burial Sites Associated with Indian Residential Schools Final Report (2024) calls on the federal government to fight efforts of IRS denialism and rewriting Canada's history. Obligation 36 and 37 of the Report require the federal government to "include provisions in Bill C-63: *An Act to Enact the Online Harms Act*, to address the harms of denialism, and to amend the *Criminal Code*, making it an offence to promote hatred against

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Indigenous Peoples by “condoning, denying, downplaying, or justifying the IRS system or misrepresenting facts related to it.”

- G. AFN Resolution 84/2024, *Support Special Interlocutor’s Indigenous-Led Reparations Framework* mandates the AFN to advocate for the full implementation of Reparations Framework including Obligations 36 and 37.
- H. In 2024, New Democrat Party (NDP) Member of Parliament (MP) Leah Gazan introduced Bill C-413, which sought to criminalize the public condoning, denial, or justification of the Indian Residential School system, but the bill died on the Order Paper and was not enacted. In 2025, MP Gazan introduced Bill C-246, *An Act to amend the Criminal Code (promotion of hatred against Indigenous peoples*, which similarly proposes to criminalize condoning, denying, downplaying or justifying the Indian residential school system in Canada.
- I. Resolution 85/2024, *Support Bill C-413 to Provide Protection Against Anti-Indigenous Hate Speech and Residential School Denialism*, mandates the AFN to support Bill C-413 and to call upon Canada to prioritize Bill C-413 in the parliamentary process.
- J. Survivors, the First Nations Leadership Council, and other First Nations organizations have consistently called on Canada to take legislative action against IRS denialism.

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

1. Call upon the Government of Canada to introduce and adopt legislation to criminalize the public condoning, denial, justification, or minimization of the Indian Residential School (IRS) system and the unmarked graves of Indigenous children, recognizing such denialism as hate speech against Indigenous Peoples.
2. Direct the National Chief to immediately advocate with the Prime Minister, Minister of Justice, and Minister of Crown–Indigenous Relations for the introduction or amendment of a government-sponsored bill, ensuring it is not left to private member’s legislation.
3. Direct the Assembly of First Nations (AFN) to work with survivors, Elders, and First Nations leadership across the country through the AFN’s Advisory Councils to ensure the drafting or amending of such legislation reflects lived experiences, provides clear legal definitions, and withstands constitutional challenges.
4. Call on the Government of Canada to affirm that denialism is an attack on truth, healing, and reconciliation and must be met with the same legal protections provided to Holocaust survivors and their families.

DRAFT RESOLUTION # 02 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE:	Development of a National First Nations-led HIV Prevention Strategy
SUBJECT:	Health
MOVED BY:	Chief Alex (Sonny) Batisse, Matachewan First Nation, ON
SECONDED BY:	Chief Jennifer Constant, Mattagami First Nation, ON

WHEREAS:

- A. Article 24 of the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) affirms the right of Indigenous Peoples to the highest attainable standard of physical and mental health.
- B. Human Immunodeficiency Virus (HIV) infection rates are increasing at a concerning pace in many First Nations communities, particularly in rural, remote, and northern regions, where health infrastructure and preventative services are significantly lacking.
- C. Proven and effective HIV prevention strategies, such as harm reduction strategies, pre-exposure prophylaxis (PrEP) and post exposure prophylaxis (PEP), remain largely inaccessible in these communities due to limited prescribers, poor integration into existing health delivery models, lack of awareness, and systemic barriers across jurisdictions.
- D. Community health centers, nursing stations, and public health units serving First Nations are under-resourced and overstretched, lacking the capacity to address the growing need for culturally appropriate HIV education, testing, and treatment.
- E. Stigma surrounding HIV, combined with inadequate public health outreach, continues to impede prevention efforts and reduce uptake of existing services in First Nations communities.

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

1. Direct the Assembly of First Nations (AFN) to urge Indigenous Services Canada, Health Canada, and the Public Health Agency of Canada to immediately increase funding for Human Immunodeficiency Virus (HIV) prevention, testing, treatment, and community-led education in First Nations, with a specific focus on remote and rural communities.
2. Direct the AFN to support the development and dissemination of a national, First Nations-led HIV prevention strategy, rooted in cultural safety, which builds on the outstanding work already being done by regional health service providers. A national, First Nations-led HIV prevention strategy would include targeted outreach, stigma reduction campaigns, and enhanced service delivery capacity in high-risk regions.
3. Urge the AFN Secretariat to work with regional health authorities, First Nations organizations, and public health networks to identify gaps and advocate for scalable models of care such as mobile outreach, telemedicine prescribing, and community-based distribution of HIV prevention, treatment and harm reduction tools.

DRAFT RESOLUTION # 03 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE: Direct Funding to the Dene Nation (NWT Region) for All Fiscal Transfers Including Child Welfare Compensation and Long-term Reform

SUBJECT: Child Welfare, Fiscal Relations

MOVED BY: Chief Toni Heron, Salt River Dene First Nation, NT

SECONDED BY: Chief Lorraine MacDonald-Thebatthie, Denesūliné Dene First Nation, NT

WHEREAS:

- A. The Assembly of First Nations (AFN) recognizes the Inherent and Treaty rights of Dene First Nations, as affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples*, particularly Articles 3, 21, and 23, emphasizing the right to self-determination and equitable access to resources.
- B. The Crown has historically acknowledged the sovereignty of First Nations through the Royal Proclamation of 1763 and subsequent treaties established on a nation-to-nation basis.
- C. The Dene Nation entered international peace and friendship Treaties #8 and #11, affirming that direct Indian reservations would not be established north of 60°, as confirmed in the "Paulette case" of 1973.
- D. Current funding structures in the Northwest Territories funnel Dene funding through the Government of the Northwest Territories, which distributes these funds according to public government priorities, often misaligned with the immediate needs and wishes of Dene communities.
- E. The Dene Nation has consistently asserted the necessity for direct access to funding, particularly regarding child welfare compensation and long-term reforms.
- F. The Dene Nation acknowledges and respects the rights of its member communities, Regions, and Self-Governing Nations, committing to not impede or interfere in any way with rights holders regarding timely and transparent distribution of funds received directly.
- G. The First Nations-in-Assembly passed Resolution 87/2024, *Ensuring Fair and Equitable Inclusion of the Northwest Territories in the Child Welfare Compensation and Long-Term Reform Final Settlement Agreement*, at the AFN Special Chiefs Assembly in Ottawa, Ontario, in December 2024, calling for the AFN and the National Children's Chiefs Committee (NCCC) to fully include the Northwest Territories (NWT) in any National Final Settlement Agreement addressing child welfare compensation and long-term reform, recognizing the unique needs and rights of Dene communities in these critical discussions.

D R A F T R E S O L U T I O N # 0 3 / 2 0 2 5

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

1. Direct the Assembly of First Nations (AFN) to advocate to the Government of Canada for direct funding to the Dene Nation and the NWT Region for all fiscal transfers, including but not limited to, child welfare compensation and long-term reform.
2. Emphasize the Inherent right of Dene communities to receive funding directly, without intermediaries, in alignment with their Treaty rights and inherent sovereignty.
3. Urge ongoing dialogue and negotiation with relevant federal and territorial bodies with the Dene Nation and Dene communities to establish direct funding agreements that honor the rights and responsibilities of Dene communities.

DRAFT RESOLUTION # 04 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE: Advancing the Rights and Well-being of First Nations Persons with Disabilities

SUBJECT: Health, Accessibility

MOVED BY: Chief Dan Wilson, Okanagan Indian Band, BC

SECONDED BY: Chief Dalton Silver, Sumas First Nation, BC

WHEREAS:

- A. The Inherent title and rights of Indigenous Peoples in Canada are recognized and affirmed by Sections 25 and 35 of the *Constitution Act, 1982*, which guarantee that the rights and freedoms of the Aboriginal peoples of Canada shall not be abrogated or derogated and that “the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada are hereby recognized and affirmed.”
- B. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- 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 21(2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.
 - iii. Article 22(1): Particular attention shall be paid to the rights and special needs of Indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.
 - iv. 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.
- C. In 2010, Canada ratified the *United Nations Convention on the Rights of Persons with Disabilities* (CRPD), which is an international human rights treaty aimed at protecting the rights and dignity of persons with disabilities without discrimination and on an equal basis with others. Of particular relevance to this resolution are CRPD:
- i. Article 4(3): In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations; and

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- ii. Article 33(3): Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.
- D. Parties to the CRPD are therefore required to promote and ensure the full enjoyment of human rights of persons with disabilities including full equality under the law; active participation in the development and implementation of legislation and policies to implement the Convention; and active participation in Canada's reporting under the Convention.
- E. Indigenous persons with disabilities often experience multiple forms of discrimination and face barriers to full enjoyment of their rights, based on their Indigenous identity and disability status which is recognized in the preamble of the CRPD. The CRPD stresses that persons with disabilities "are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, Indigenous or social origin, property, birth, age or other status." The CRPD is the only United Nations (UN) human rights instrument with an explicit sustainable development dimension.
- F. The Assembly of First Nations (AFN) Shadow Report to the CRPD was submitted in February 2025 and serves as a critical advocacy tool to call on Canada to account for decades of defunding and undermining the fundamental human rights of First Nations persons with disabilities (FNPWD) and the rights of First Nations governments.
- G. The World Conference on Indigenous Peoples in 2014 called on relevant UN entities and bodies to take action to include Indigenous peoples/persons with disabilities in their respective areas of work and to support the creation, strengthening and capacity development of organizations of Indigenous peoples/persons with disabilities.
- H. An Inter-governmental federal framework established in 1997, IN UNISON: A Canadian Approach to Disability Issues, committed to the following vision: "Persons with disabilities participate as full citizens in all aspects of Canadian society. The full participation of persons with disabilities requires the commitment of all segments of society. The realization of the vision will allow persons with disabilities to maximize their independence and enhance their well-being through access to required supports and the elimination of barriers that prevent their full participation.
- I. Over the past several decades, there has been scarce activity with no major investments in disability and injury prevention to effectively address First Nations unique disability needs and rights in a meaningful or sustainable manner.
- J. Disability rates among Indigenous Peoples are over twice that of the national rate and increasing. Across the lifespan, Indigenous Peoples are more likely to have disabilities as compared to the general Canadian population. The 2022 Indigenous People Survey found that disability prevalence is higher for First Nations people living off reserve and Métis (around 30%) compared to Inuit (19%) and non-Indigenous populations (22%).
- K. The Canadian Mental Health Association recognizes that Post Traumatic Stress Disorder is considered a disability, which creates a greater responsibility to address the complex issues facing FNPWD.
- L. AFN Resolution 55/2016, *First Nation Federal Accessibility Legislation*, calls on the AFN to work with the federal government to support a First Nations specific engagement process to develop distinct First Nations accessibility legislation, and resolutions 75/2015, *Support the Economic, Social, Cultural,*

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Spiritual, Civil and Political Rights of Indigenous Persons with Disabilities, and 48/2014, Support for Persons with Disabilities, mandates the AFN to raise awareness and create opportunities for FNPWD.

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

1. Call upon the federal government to work with the Assembly of First Nations (AFN) to align with recommendations of the AFN Shadow Report to the United Nations Convention on the Rights of Persons with Disabilities (CRPD) to advance the rights, inclusion, and well-being of First Nations persons with disabilities in all aspects of community and national life.
2. Direct the AFN to leverage the AFN Shadow Report to the CRPD to hold Canada to account for decades of neglect and amplify advocacy efforts on raising awareness and promoting understanding of disability rights within First Nations communities, and to challenge ongoing stigma, discrimination, and ableism.
3. Call upon the federal government, provincial and territorial governments, and relevant agencies to engage in respectful partnership with First Nations governments, organizations, and persons with disabilities to jointly develop policies, programs, and funding that address the unique needs/ priorities of First Nations persons with disabilities.
4. Call upon Indigenous Services Canada and other federal departments to support and fund a distinction-based approach to build First Nations capacity to navigate disability benefits and services in First Nations that will address repeated concerns where pan-Indigenous groups continue to be funded to carry out work on behalf of First Nations on disability benefits and services.
5. Call upon the federal government to support funding to develop a national First Nations Disability Strategy, guided by the voices and leadership of First Nations persons with disabilities, Elders, and knowledge keepers, and grounded in the principles of the *United Nations Declaration on the Rights of Indigenous Peoples* and the CRPD.
6. Call upon the federal government to fund and support the creation of accessible infrastructure, culturally safe services, and inclusive education and employment opportunities in First Nations communities, and sustained funding to ensure inclusive and equitable access.
7. Direct the AFN to urgently increase advocacy efforts to secure funding and capacity to carry out ongoing research and data collection, led by First Nations, to better understand the experiences, needs, and barriers faced by First Nations persons with disabilities, and to inform evidence-based policy and program development.
8. Direct the AFN to work with regional organizations, disability advocates, and community leaders to monitor progress and report annually to First Nations-in-Assembly on actions taken and outcomes achieved.

DRAFT RESOLUTION # 05 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE: Reform of the Non-Insured Health Benefits Program to Eliminate Exclusion Policies and Address Service Gaps

SUBJECT: Health

MOVED BY: Chief Lorie Whitecalf, Sweetgrass First Nation, SK

SECONDED BY: Chief George Cote, Cote First Nation, SK

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. 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 involve 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.
 - ii. Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
- B. The Indian Health Policy (1979) committed Canada to strengthen capacity and support First Nations-led health systems; however, the Non-Insured Health Benefits (NIHB) program has failed to keep pace with evolving models of care or First Nations community needs and continues to impose restrictive exclusion policies that deny access to medically necessary care.
- C. NIHB coverage restrictions violate First Nations' Inherent and Treaty Rights to equitable healthcare and must be rescinded as per Federation of Sovereign Indigenous Nations (FSIN) Resolution 1094/2001 and AFN Resolutions 42/2024 and 75/2024.
- D. NIHB's exclusion policies deny coverage for medical care, and related supports based on location or circumstance, forcing First Nations to self-fund or forgo care, which undermines the portability of health rights and places Elders and citizens at risk, especially in situations involving medical transportation needs.
- E. NIHB's exclusion policies are not subject to transparent appeal or review, leaving First Nations with no recourse or creating inconsistent access across regions. Furthermore, exclusions contradict NIHB's mandate to provide access to medically necessary benefits that cause additional suffering to First Nations people and contribute to systemic service gaps that must be identified, tracked and remedied immediately.
- F. The 2025 Auditor General's Report entitled *Follow-up on Programs for First Nations* found that Indigenous Services Canada (ISC) has made unsatisfactory progress in closing health gaps and lacks accountability in addressing program deficiencies, including NIHB.
- G. The recent restructuring of ISC, effective September 2, 2025, was undertaken without prior engagement of First Nations leadership. Despite the stated objective of establishing a "one-ISC, single-window approach,"

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this restructuring conflicts with the ISC department's mandate to support First Nations self-determination and service delivery, creating uncertainty regarding the governance and delivery of the NIHB program and risking further recentralization, reduced accountability, and service fragmentation.

- H. While the ISC restructuring relocated NIHB under the new Services to Individuals sector, First Nations have received no clear plan on how NIHB policy reform, including exclusions, will be addressed within this new structure.

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

1. Call upon the Assembly of First Nations (AFN) to direct Indigenous Services Canada (ISC) to conduct and present an immediate, transparent review of all Non-Insured Health Benefits (NIHB) exclusion policies, including Sections 12E and 12G of the NIHB Medical Transportation Framework, in full partnership with First Nations leadership and technical experts, and to demonstrate legislative, policy and administrative factors that may limit or create barriers to implementing necessary program reforms.
2. Call upon ISC to suspend the application of NIHB exclusion policies in instances where they create barriers to accessing medically necessary care, particularly where ISC cannot clearly demonstrate that alternative public services are available and accessible within the affected region(s).
3. Call upon ISC to work in partnership with the AFN to establish an independent First Nations-led review and appeal mechanism within NIHB to ensure decisions related to coverage and exceptions are transparent, fair, and culturally safe.
4. Call upon ISC to track and publish denial and exception data by region and benefit type to identify systemic service gaps, and to communicate any current shortcomings in data tracking along with clear, time-bound action plans to address and mitigate these gaps immediately, ensuring policy reform is guided by community need.
5. Call upon ISC to provide dedicated resources to the AFN to contract an independent consultant to perform a cross-program evaluation of existing program exclusions, available resources elsewhere and identify gaps in service that must be remedied by ISC.
6. Direct the AFN to urge ISC and the NIHB program to review, monitor, and analyze Jordan's Principle claims and utilization data to identify trends, highlight systemic gaps in NIHB coverage, and reduce reliance on Jordan's Principle as a workaround, ensuring that unmet health needs of First Nations children are met and that NIHB program gaps are addressed and mitigated, with findings reflected in publicly reported utilization statistics.
7. Direct the AFN to request ISC to report annually to the AFN First Nations-in-Assembly on progress made toward NIHB exclusion policy reform, data transparency, and equitable service delivery.

DRAFT RESOLUTION # 06 / 2025

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TITLE:	Restoring and Enhancing First Nations Elementary and Secondary Education Funding
SUBJECT:	Education
MOVED BY:	Chief Don Smoke, Dakota Plains First Nation, MB
SECONDED BY:	Tyrone McNeil, Proxy, Sq'ewlets (Scowlitz) First Nation, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
 - ii. Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
 - iii. Article 14(2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
 - iv. Article 14(3): States shall, in conjunction with Indigenous peoples, take effective measures, in order for Indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.
 - v. Article 19: States shall consult and cooperate in good faith with the 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.
- B. Education is a fundamental human right. For First Nations, this right is uniquely situated within a framework of Inherent Rights as Indigenous Peoples that are constitutionally protected under Section 35 of the *Constitution Act, 1982*.
- C. From 1996 to 2015, the federal government maintained a 2% annual cap on the national funding formula for all programs and services for First Nations. This restrictive measure exacerbated the chronic underfunding of First Nations education systems, despite the rapid demographic growth of communities.
- D. The decades of educational inequities have had lasting impacts on the socio-economic conditions of First Nations. Education remains a critical investment to close these historical gaps and stimulate economic development. Equitable access to education and training for First Nations would, according

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to the 2022 National Indigenous Peoples Economic Development Strategy, generate an additional \$8.5 billion in annual revenues and increase Canada's gross domestic product by \$27.7 billion annually, confirming that education is a lever for sustainable growth.

- E. The Truth and Reconciliation Commission (TRC) Call to Action #7 calls upon Canada to “develop with Aboriginal groups a joint strategy to eliminate educational and employment gaps between Aboriginal and non-Aboriginal Canadians.”
- F. The TRC Call to Action #8 calls upon Canada to “eliminate the discrepancy in federal education funding for First Nations children being educated on reserves and those First Nations children being educated off reserves.”
- G. The Government of Canada implemented First Nations K-12 Transformation in 2019 according to the principles outlined in the *Policy Proposal: Transforming First Nations Elementary and Secondary Education*, 2017, which was co-developed between the Assembly of First Nations (AFN) and the Government of Canada. The first phase was to implement the Interim Regional Funding Formula (IRFF), which ensured First Nations receive core funding for K-12 education on a similar cost basis as provincial schools, with adaptations. The second phase is for First Nations to negotiate Regional Education Agreements (REAs) based on their unique programming needs and designed to be flexible and responsive to communities' specific realities.
- H. In accordance with AFN Resolution 65/2017, *New Interim Funding Approach for First Nations Education*, AFN Resolution 20/2021, *First Nations Control of Federal Funding* and, the *Policy Proposal: Transforming First Nations Elementary and Secondary Education*, 2017, the Government of Canada is required to work directly with First Nations to ensure that regional education funding approaches are agreed upon and reflect the diverse needs and circumstances of First Nations learners, schools, communities, and education organizations.
- I. Since 2022, the Government of Canada has failed to allocate an adequate amount of money toward signing and implementing new REAs, resulting in a growing backlog of fully negotiated but unimplemented REAs. Consequently, only 10 REAs have been signed to date, while the Government of Canada had initially committed to signing 20 agreements by 2023.
- J. Indigenous Services Canada's (ISC) ongoing inability to organize and sustain the REAs tables is further reflected by the withdrawal of 10 groups from the process of signing REAs and the disengagement of 29 others, underscoring the urgent need for renewed commitment and coordination from ISC.
- K. In nearly seven years, ISC has failed to take the necessary steps to update its IRFF to reflect a real needs-based funding approach, as demonstrated in signed REAs. This inaction has prevented the IRFF from meeting the unique needs of First Nations and achieving the minimum provincial comparability required to meaningfully improve First Nations education systems.
- L. In July 2025, Prime Minister Carney announced plans to reduce departmental operational spending by up to 15 percent by 2029. The Government has committed that these reductions will not apply to provincial and territorial transfer payments, citing that transfer payments are necessary to support

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essential health, education, and child welfare services. However, despite their role in funding the same essential services for First Nations, ISC is set to face a 2 percent cut.

- M. ISC communicated to First Nations that both funding protection for communities whose education budgets decreased post-Transformation and targeted ancillary student supports would be terminated immediately, weeks after the 2025-26 school year had already begun.
- N. ISC has halted several REA negotiation tables after years of work.
- O. These recent developments regarding education funding cuts directly affect the educational success of First Nations students and further exacerbates regional inequities by compromising equitable access to quality education for all First Nations youth, regardless of where they live.
- P. The 2025 AFN *First Nations K-12 Education Transformation Review and Costing Analysis* demonstrates that existing funding enhancements to the IRFF underestimate the true costs of delivering education for First Nations by more than \$10,000 per student, with larger gaps in remote fly-in communities.
- Q. The AFN 2025 Pre-Budget Submission identifies that an investment of \$4.23 billion is needed to implement REAs that meet the actual funding and program needs of First Nations education systems.

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

- 1. Reaffirm that jurisdiction over First Nations education remains with each First Nation.
- 2. Call on the Government of Canada to:
 - a. Support existing regional educational models/approaches;
 - b. Restore support for all Regional Education Agreements (REA) negotiation tables; and
 - c. Provide the necessary funding to finalize and implement education agreements that reflect First Nations' unique circumstances and needs.
- 3. Call on the Government of Canada to maintain previously agreed upon approaches to funding protection and reductions in funding protection, such as the 1.5 percent yearly reductions many First Nations previously agreed to.
- 4. Call on the Government of Canada to reinstate the targeted student ancillary support at the \$500 (in 2021 dollars) per student funding level for the 2025-26 school year to help students access essential materials.
- 5. Call on the Government of Canada to continue working with regional technical tables to ensure the Interim Regional Funding Formulas are updated to capture the true costs of First Nations education.
- 6. Call on the Minister of Indigenous Services Canada to meet with the Chief Committee on Education to discuss decision-making protocols for any changes to Indigenous Services Canada education program funding.

DRAFT RESOLUTION # 07 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE:	Support for a First Nations Approach to Artificial Intelligence
SUBJECT:	Data Sovereignty, Languages, Culture, Health
MOVED BY:	Chief Jennifer Brake, Qalipu First Nation, NL
SECONDED BY:	Chief Ira McArthur, Pheasant Rump Nakota First Nation, SK

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- i. Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
- ii. 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.
- iii. 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.
- iv. Article 31(1): Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

B. Article 1 of the UN Declaration on the Right to Development stipulates “the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.”

C. In the last decade, artificial intelligence (AI) has been responsible for breakthroughs in medical research, cultural preservation, scientific analysis, and economic development.

D. The use and valuation of AI has grown exponentially since 2020 and is predicted to continue to do so in the coming years. The technology is now well established and unlikely to become less relevant.

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- E. Non-First Nations actors, institutions, and companies have begun showing interest in the commercial development of AI for First Nations' intellectual, scientific, and cultural property.
- F. Building First Nations' capacity in computing science takes decades; partnerships with researchers and developers who respect First Nations' ways of being can provide immediate support. However, without specific regulations, non-First Nations researchers have appropriated First Nations knowledge and data for profit, offering little back to communities. In some cases, non-First Nations individuals have used data without authorization to produce products that misrepresent First Nations languages and culture.
- G. AI enables easy analysis of massive amounts of data; as a result, an economy based around the collection and use of data has emerged.
- H. However, data centers that are required for the generation of AI technology require significant amounts of water and electricity, with potential negative impacts on the lands, waters, resources, and ecosystems of First Nations.
- I. UN General Assembly Resolution A/RES/78/265 underscores the need to respect human rights throughout the lifecycle of AI systems. There is a critical need to ensure the respect of the rights of First Nations in this regard to avoid the perpetuation of colonial harm.
- J. The Assembly of First Nations Quebec-Labrador adopted a position on AI and digital ethics in 2025 through their paper *The Digital Territory of First Nations Quebec-Labrador*, focusing on transparency, risk mitigation, benefit sharing, promotion of First Nations knowledge and culture, digital sovereignty, authorization, accountability, and democratic participation.
- K. In May 2025, the first Minister of Artificial Intelligence and Digital Innovation, the Honourable Evan Soloman, was appointed. In September 2025, the Minister, through Innovation, Science and Economic Development Canada (ISED), announced the formation of an AI Strategy Task Force.
- L. Canada is currently building a national AI strategy. During October 2025, ISED held an open invitation for consultation. The department also convened an AI Strategic Task Force comprising leaders in the field of AI technology and ethics. The Assembly of First Nations (AFN) does not have representation on this council.
- M. Currently, few regulations exist in Canada regarding the use of, development of, and profiting from AI systems. While Canada did, on February 11, 2025, sign onto the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (Framework Convention), the Framework Convention does not consider the rights of Indigenous Peoples.

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

1. Direct the Assembly of First Nations' (AFN) Chiefs Committee on Languages to work with other relevant AFN sectors and Chiefs Committees to develop a national strategy on the use of Artificial Intelligence (AI) for First Nations data, that includes the identification of areas of benefit and concern, by December 2026.
2. Call on the Government of Canada to co-develop with First Nations and implement strict regulations that protect and empower the use of First Nations data in AI, in line with First Nations principles of Ownership, Control, Access and Possession (OCAP®). These regulations should:

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- a. Ensure transparency of how any AI is created and operated;
 - b. Guarantee that First Nations are compensated for the use of their data and knowledge;
 - c. Promote the responsible sharing of First Nations knowledge and culture; and
 - d. secure digital sovereignty.
3. Call on the Government of Canada to ensure any regulations regarding AI respect First Nations' autonomy and self-determination.
4. Call on Canada to acknowledge and collaborate with First Nations to address the instances—particularly in international contexts—where First Nations' unique rights and perspectives are not considered, such as Canada's signing onto the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law.
5. Call on Canada to ensure, as it looks to expand the use of AI to create efficiencies in the delivery government services, that it obtains the Free, Prior and Informed Consent of any First Nations who may be impacted by that use, particularly as it relates to First Nations accessing benefits and essential services (e.g., Access to Information requests, Jordan's Principle, and Non-Insured Health Benefits).
6. Affirm that First Nations will control what data of theirs is shared, how their data is shared, and who may access data products.
7. Affirm that a national strategy on AI is not intended to detract or hinder First Nations from advancing their regional or local AI approaches.

DRAFT RESOLUTION # 08 / 2025

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TITLE:	Reinstatement of Ozempic as an Open Benefit under the Non-Insured Health Benefits Program
SUBJECT:	Health
MOVED BY:	Chief George Cote, Cote First Nation, SK
SECONDED BY:	Chief Christine Longjohn, Sturgeon Lake First Nation, SK

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which Canada has a legal and moral obligation to implement, states:
- i. Article 24(1): 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.
 - ii. Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
- B. The Truth and Reconciliation Commission of Canada (TRC) *Calls to Action* states:
- i. Call to Action #19: We call upon the federal government, in consultation with Aboriginal peoples, to establish measurable goals to identify and close the gaps in health outcomes between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess long-term trends. Such efforts would focus on indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.
- C. Due to historical and ongoing government-imposed health policies, First Nations people continue to face disproportionately high health challenges compared to the general population. The federal government has an obligation to uphold its commitments to ensure First Nations people have non-discriminatory, timely, and equitable access to comprehensive health services, including preventative and chronic disease management.
- D. The Non-Insured Health Benefits (NIHB) program provides registered First Nations and recognized Inuit people with coverage for a range of health benefits, including pharmaceuticals.
- E. Ozempic (semaglutide) is a clinically proven GLP-1 receptor agonist that stimulates insulin secretion and promotes fullness to reduce appetite. When used along with diet and exercise, it improves blood sugar control, reduces cardiovascular events (such as heart attack, stroke) and further kidney complications in adults diagnosed with type 2 diabetes.

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- F. A growing body of clinical evidence, including studies published in the Lancet Diabetes & Endocrinology and BC Diabetes Clinical Summary, demonstrates that Ozempic (semaglutide) provides significant benefits in weight loss, reducing risk of progression of type 2 diabetes and other weight-related chronic illnesses thereby improving health outcomes.
- G. The reclassification of Ozempic (semaglutide) from the NIHB Program's open benefit to a limited benefit without an immediate acceptable GLP-1 receptor agonist alternative such as Wegovy (semaglutide), Saxenda (liraglutide) or Mounjaro (tirzepatide) introduces new access barriers that will lead to poorer health outcomes and increase health related costs associated with chronic diseases.

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

1. Direct the Assembly of First Nations (AFN) to call upon Indigenous Services Canada (ISC) and relevant pharmaceutical advisory committees (e.g., Canada's Drug Agency, ISC's Drugs and Therapeutics Advisory Committee, and the Indigenous Pharmacy Professionals of Canada) to immediately assess and evaluate the recent change in Non-Insured Health Benefits (NIHB) program coverage of Ozempic (semaglutide), including its implications for access, affordability, and chronic disease management in First Nations communities, and to prioritize First Nations' health equity in all NIHB coverage decisions.
2. Call upon the federal government to recognize the growing evidence that Ozempic (semaglutide) is an effective medication that supports cardiovascular protection, promotes weight loss, and helps prevent progression of type 2 diabetes and other chronic illnesses, and to reinstate its NIHB coverage as an open benefit until an acceptable GLP-1 receptor agonist alternative is available.
3. Direct the AFN to engage First Nations communities and conduct a comprehensive assessment on how access to preventative medicine affects diabetes and other chronic disease outcomes, with a focus on equity, prevention, and long-term health impacts.

DRAFT RESOLUTION # 09 / 2025

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TITLE: Re-establishing Inter-Tribal Harvesting Protocols

SUBJECT: Rights, Environment

MOVED BY: Chief Cheryl Casimer, ʔačam, BC

SECONDED BY: Chief Heidi Gravelle, yaqit ʔa·knuqʔit, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) affirms that Indigenous Peoples:
- i. Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
 - ii. Article 24(1): 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.
 - iii. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
- B. The Ktunaxa Nation Governments have collectively issued a Land Declaration affirming the Ktunaxa Peoples' inherent, sovereign rights and inalienable title to the whole of ʔamakʔis Ktunaxa; lands that the Ktunaxa have used and occupied since time immemorial. Further, declaring the Ktunaxa right/responsibility to govern and steward Ktunaxa territory in accordance with Ktunaxa laws and traditions, and the right to use and occupy Ktunaxa lands and waters to decide how Ktunaxa lands will be used, and share in the wealth that comes from our lands.
- C. Ktunaxa Peoples are stewards of ʔamakʔis Ktunaxa; Ktunaxa people know their responsibilities and assert that they are accountable to: ʔa·knumuztiʔit (Ktunaxa law), ʔa·kxamīs qapi qapsin (all living things) and ʔamak ɣ wuʔu (land and water), the ancestors, youth and the Creator.
- D. Ktunaxa people are intimately connected to the flora, fauna and resources; to the waterways and those that live within. Ktunaxa people are on the land and waters, acting as guardians and are responsible for reporting abuses of ʔa·knumuztiʔit to the Ktunaxa Governments.
- E. An unprecedented number of non-Ktunaxa peoples have been found harvesting resources such as medicinal plants and other materials within ʔamakʔis Ktunaxa without authorization and in a manner that has caused harm to the resources.

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- F. Ktunaxa medicines are integral to the Ktunaxa health and wellbeing, spirituality and integrated into daily life. Ktunaxa have strict rules on how medicines are to be used.
- G. These non-Ktunaxa harvesters have disregarded traditional protocols between Nations, disrespected Ktunaxa rights to protect and conserve Ktunaxa medicines and failed to respectfully seek permission for harvesting.

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

1. Recognize and affirm the Inherent right of First Nations Peoples to defend their territories, govern according to their own laws, establish and uphold inter-tribal protocols governing access to, and limitation of, harvesting of plants, animals and other materials, within their territories.
2. Call upon all First Nations to recognize historic treaties between Nations by offering education to their people on how to respect the harvesting laws and protocols of other Nations, and how to seek consent before accessing resources within another Nation's territory.
3. Direct the Assembly of First Nations to gather samples of educational materials on harvesting laws and protocols that can be used to raise awareness and promote respect for inter-tribal protocols, and to share best practices rooted First Nations' law and stewardship.
4. Direct the National Chief and Assembly of First Nations to advocate for recognition of inter-tribal harvesting protocols in federal, provincial and territorial policy and law, consistent with the *United Nations Declaration on the Rights of Indigenous Peoples*.

DRAFT RESOLUTION # 10 / 2025

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TITLE: Federal Support for First Nations-led Off-Reserve Data Collection Through FNIGC and its Regional Partners

SUBJECT: Data Governance, Health, Education, Treaty Rights,

MOVED BY: Chief Sheldon Kent, Black River First Nation, MB

SECONDED BY: Chief Rodger Redman, Standing Buffalo Dakota Nation, SK

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) affirms the right of Indigenous Peoples to participate in decision-making on matters that affect them (Article 18); the right to the improvement of their economic, social and health conditions (Article 21); the right to determine their own priorities for development (Article 23); the right to be consulted and to give free, prior and informed consent before activities affecting their lands and resources (Article 32(2)); and, the right to maintain and develop their own institutional structures, systems, and practices (Article 34).
- B. The *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA) Action Plan (2023) commits Canada to concrete measures for advancing reconciliation and implementing the rights affirmed in the Declaration — including those aimed at addressing injustices, prejudices, violence, systemic racism and discrimination, upholding self-determination and self-government, recognizing and implementing Treaties, and realizing the economic, health and social rights of Indigenous Peoples.
- C. Measure 30 of the UNDA Action Plan commits Canada to support First Nations–led survey and data collection strategies that directly contribute to the implementation of the UN Declaration — by strengthening the ability of First Nations to collect, govern, and use their own data in accordance with their laws, priorities, and worldviews.
- D. The Truth and Reconciliation Commission of Canada, through Calls to Action #18 and #19, urges governments to recognize and implement the health-care rights of Indigenous peoples as affirmed in international law, constitutional law, and under the Treaties, and to establish measurable goals to identify and close the gaps in health outcomes between Indigenous and non-Indigenous communities.
- E. The First Nations Information Governance Centre (FNIGC) was incorporated in 2010 following the Assembly of First Nations (AFN) Chiefs-in-Assembly Resolution #48, December 2009, to promote, protect, and advance the First Nations Ownership, Control, Access, and Possession (OCAP®) principles, and the Inherent right to self-determination and jurisdiction in research and information management.
- F. The FNIGC envisions that every First Nation will achieve data sovereignty in alignment with its distinct world view. First Nations need accurate reliable culturally relevant data on all First Nations persons in all regions, regardless of residence.
- G. The FNIGC has successfully supported First Nations in the development, design, and collection of national surveys that are culturally relevant and reflective of the needs and priorities of First Nations persons living on-reserve including the First Nations Regional Health Survey, the First Nations Labour and Economic

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Development Survey, the First Nations Regional Early Childhood, Education and Employment Survey, and is currently developing the First Nations Regional Social Survey.

- H. The Indigenous Peoples Survey (IPS) is national survey delivered by Statistics Canada for Indigenous Services Canada (ISC) on the social and economic conditions of families and children of First Nations persons living off-reserve, Métis and Inuit, aged one year and older.
- I. ISC has paused funding for the development of the 2027 IPS.

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

1. Call on Indigenous Services Canada (ISC) to use the pause in funding to the Indigenous Peoples Survey (IPS) to remove First Nations data collection from the IPS.
2. Call on ISC to direct adequate resources to the First Nations Information Governance Centre (FNIGC) to work with its regional partners to expand its current data collection initiatives to include First Nations persons living off-reserve to address an impending critical gap on the First Nations data landscape.
3. Direct the FNIGC to act as stewards of the regional data from all past iterations of the IPS as well as the new First Nations-led data collection efforts that will replace the First Nations component of the IPS and, where appropriate, to repatriate all past community-specific IPS data to each respective First Nation in Canada through FNIGC's partners.
4. Direct Statistics Canada and ISC to work with the FNIGC to support the new approach to data collection that would replace the First Nations component of the post-Census IPS until the First Nations-led approach to enumeration has been realized.
5. Call on the Government of Canada to provide sufficient, sustainable funding for the full implementation of the First Nations Data Governance Strategy, prioritizing the establishment of a national network of fully functional Regional Information Governance Centres, along with a fully functional National Centre to coordinate the network at the national level, enabling all First Nations to govern and use their own data and information locally, regionally, and nationally with the necessary capacities to facilitate First Nation-led enumeration and other long-term First Nations data priorities.

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TITLE:	Affirm Non-Insured Health Benefits Dental Program Independence from the Canadian Dental Care Plan
SUBJECT:	Health
MOVED BY:	Chief Edwin Ananas, Beardy's & Okemasis Cree Nations, SK
SECONDED BY:	Chief George Cote, Cote First Nation, SK

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples (2007)*(UN Declaration), outlines the rights and protections for Indigenous Peoples globally and was passed legislatively by Canada on June 21, 2021, particularly:
- i. 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.
 - ii. Article 24(1): 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.
 - iii. Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
 - iv. Article 39: Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration [including health services].
- B. The *Truth and Reconciliation Commission of Canada: Calls to Action (2015)* outlines specific steps to address the legacy of residential schools and advance reconciliation in Canada, specifically:
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.
 19. We call upon the federal government, in consultation with Aboriginal peoples, to establish measurable goals to identify and close the gaps in health outcomes between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess longer trends.

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Such efforts would focus on indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.

- C. The *Summary Report on the Assembly of First Nations (AFN) Non-Insured Health Benefits (NIHB) National Dialogue Session (2023)*, emphasizes the need for culturally safe, accessible, and preventative oral health care for First Nations by addressing systemic barriers.
- D. The *Office of the Auditor General of Canada (2025)* found that Indigenous Services Canada (ISC) failed to make sufficient progress in improving health outcomes for First Nations, and emphasized that federal programs must be strengthened to support First Nations-specific delivery models.
- E. The NIHB Dental Program is a federally funded benefit, administered by ISC, to serve First Nations people as a distinct and culturally-appropriate, oral health benefit and is rooted in the recognition of Treaty and constitutional rights to health services.
- F. The Canadian Dental Care Plan (CDCP), introduced in May 2024, is designed to expand access to oral healthcare for Canadians, however, it does not reflect the same legal, cultural, or historical foundations as the NIHB Dental Program.
- G. There are growing concerns about the NIHB Dental Program ever merging with the CDCP and should this merger occur, the Government of Canada risks undermining First Nations people's distinct rights to self-determined, culturally-appropriate healthcare, diluting its legal obligations of the Crown, leading to a further erosion of trust by First Nations people.
- H. The House of Commons Standing Committee on Indigenous and Northern Affairs 2022 report, *Moving Towards Improving the Health of Indigenous Peoples of Canada: Accessibility and Administration of the Non-Insured Health Benefits Program (2022)* reinforced the importance of maintaining the distinct nature of NIHB dental care to ensure culturally responsive care for Indigenous communities and align with First Nations' concerns about the erosion of Treaty rights and constitutional recognition, if NIHB dental services were merged into the CDCP.
- I. The *Report for the Joint Review of Non-Insured Health Benefit (2016)* highlights significant systemic challenges, barriers to access, lack of transparency, and administrative inefficiencies that are relevant today, that will be exacerbated by merging the NIHB dental program into the CDCP.

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

1. Urge the Government of Canada to affirm its ongoing commitment and guarantee that the Non-Insured Health Benefits (NIHB) Dental Program retains a distinct, First Nation-specific benefit, separate from the Canadian Dental Care Plan (CDCP), and reject any integration within the CDCP that may compromise the Government of Canada's legal and moral obligations to First Nations health and wellbeing.
2. Mandate the AFN to collaborate with the Indigenous Services Canada NIHB Dental Program and First Nations regional partners to strengthen this program by addressing and strengthening the longstanding

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and ongoing oral health access barriers and cultural safety challenges, as identified in the 2016 Joint Review report and the 2025 Auditors General report.

3. Mandate the AFN to ensure all federal health reforms, such as the CDCP, are guided by the principles of the *United Nations Declaration on the Rights of Indigenous Peoples*, the Truth and Reconciliation Commission Calls to Action, and other reconciliation-aligned policy frameworks, to ensure First Nations peoples retain full authority to design, deliver, and govern their own health services, such as oral health.

DRAFT RESOLUTION # 13 / 2025

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TITLE:	Outstanding Canadian Constitutional Issues and Revitalization of Constitutional Conferences
SUBJECT:	Title and Rights
MOVED BY:	Chief Daniel Manuel, Upper Nicola Band, BC
SECONDED BY:	Chief Joe Miskokomon, Chippewas of the Thames First Nation, ON

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) articles must be read together as a whole, but the articles that are most pertinent to this resolution concern First Nations Inherent rights to self-government, fulfillment of treaties and agreements and Aboriginal title and rights. They are:
- i. Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
 - ii. Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
 - iii. Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.
 - iv. Article 9: Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.
 - v. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
 - vi. Article 19: States shall consult and cooperate in good faith with the 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.
 - vii. 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

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- programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- viii. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
 - ix. Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
 - x. Article 26(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
 - xi. Article 26(3): States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.
 - xii. Article 27: States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.
 - xiii. Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
 - xiv. Article 28(2): Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.
 - xv. Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
 - xvi. Article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
 - xvii. Article 32(3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

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- xviii. Article 37(1): Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.
 - xix. Article 37(2): Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.
 - xx. Article 38: States in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.
- B. In the 1970's, First Nations, through the National Indian Brotherhood (NIB) and other regional organizations, began advocating for full participation in discussions related to Canada's proposal to patriate the *British North America Act* and the Canadian Constitution. First Nations asked Canada to reaffirm their commitment to "aboriginal rights and the sacred nature of the treaties made with the original people of North America" as affirmed by the Royal Proclamation of 1763.
 - C. Years of discussion with Canada and advocacy, legal action, political activity, protests and lobbying by First Nations culminated in the inclusion of Section 25 of the *Canadian Charter of Rights and Freedoms* and Sections 35 and 35.1 in the *Constitution Act, 1982*, the latter of which recognizes and affirms the "existing aboriginal and treaty rights of aboriginal peoples of Canada," including land claims agreements and a commitment to participating in constitutional conferences.
 - D. Chiefs and leaders disagreed with the resulting amendments, citing that the *Constitution Act, 1982* failed to include a First Nations consent clause, commitment to pre-Confederation agreements, lacks a definition of Aboriginal title and rights, and off-loaded major responsibilities to the provinces under Section 91 (24).
 - E. Section 35.1 allows for constitutional conferences to occur, but only at the direction of the Prime Minister. For greater certainty, Section 35.1 states:
 - i. The government of Canada and the provincial governments are committed to the principle that, before any amendment is made to Class 24 of section 91 of the *Constitution Act, 1867*, to section 25 of this Act or to this Part,
 - a) a constitutional conference that includes in its agenda an item relating to the proposed amendment, composed of the Prime Minister of Canada and the first ministers of the provinces, will be convened by the Prime Minister of Canada; and
 - b) the Prime Minister of Canada will invite representatives of the aboriginal peoples of Canada to participate in the discussions on that item.
 - F. On June 11, 1992, the constitutional conferences were abruptly halted, with several key issues outstanding. The result over the past 33 years has resulted in a continually narrowing scope of Aboriginal title and rights, determined solely by colonial courts, a severe lack of meaningful consultation, government-to-government negotiations, and free, prior and informed consent on issues related to lands, waters, and resources.

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- G.** In 1983, the NIB passed Motion 7 by Neil Sterritt of Sik-E-Dakh and Grand Council Chief Pat Madahbee of Aundeck Omni Kaning First Nation, which drafted a list of proposed amendments that further defined the title and rights of Indian peoples to include the following (not exclusive):
- i.** The rights affirmed in the Royal Proclamation of 1763, particularly aboriginal title to lands throughout Canada;
 - ii.** The right of collective ownerships, possession and control of land and waters (surface and subsurface), airspace and natural resources;
 - iii.** The right of collective ownership, possession and control of heritage resources;
 - iv.** The right to move freely within their traditional lands regardless of territorial, provincial or international boundaries;
 - v.** The rights and freedoms confirmed or acquired by treaties or agreements entered into prior or subsequent to the Constitution Act, 1867 in Canada, and those signed outside Canada that directly affect the Indians;
 - vi.** The rights or freedoms confirmed or acquired by way of treaties, land claims settlements or other agreements;
 - vii.** The right to Indian government including the right to determine their forms of government and institutions, and enjoy satisfactory fiscal relationships with other governments;
 - viii.** The right to develop and exist as distinct First Nations including the right to determine their respective citizenship; and
 - ix.** The right to exemption from any direct or indirect taxation in respect of real or personal property or of services and from any succession duty, inheritance tax or estate duty, levied by non-Indian governments, non-Indian public authorities, or non-Indian public corporations.
- H.** Further, Motion 7 called for an inclusion of the James Bay and Northern Quebec Agreement and the Northeastern Quebec Agreement as treaties, a commitment to treaties and agreements by parliament and Canada, courts and tribunals to recognize and enforce customary law, collective rights, and the traditional role of the aboriginal Indian peoples, amendments are to be made with the consent of Indians, and Indians may request amendments, an office established for the protection of aboriginal title, aboriginal rights, and treaty rights, and a government commitment to formal bilateral negotiation with Indian nations to review provisions of this part, among other proposed amendments.
- I.** Canada has done very little to meet the needs of First Nations and build on the government-to-government relations made during the constitutional conferences, and this abandoned process has resulted in decades of human rights violations and ineffective protection and stewardship of lands that rightfully belong to First Nations.
- J.** The needs and priorities of First Nations have changed since the 1980s, and much work will need to be done to determine what new amendments shall be discussed.
- K.** First Nations rights and interests must be protected through full and equal participation in all constitutional conferences.

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- L. Section 35.1 of the *Constitution Act, 1982* allows for constitutional conferences to take place before amending Section 35, and the Prime Minister will invite representatives to participate in such conferences.
- M. In 2021, Canada has committed to take all measures necessary to ensure the laws of Canada are consistent with the UN Declaration, per Section 5 of the *United Nations Declaration on the Rights of Indigenous Peoples Act*, S.C. 2021, c. 14. The current *Constitution Act, 1982* does not meet this standard.

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

1. Reaffirm their commitment to seeking and achieving a constitutional amendment recognizing Aboriginal self-determination to which the Aboriginal peoples have Inherent rights.
2. Jointly and severally reaffirm their commitment to achieving full implementation of First Nations treaties and Treaty rights.
3. Call on the National Chief to pursue the revitalization of the constitutional conferences so that First Nations' rights and title should not need to be litigated, but freely determined by First Nations in constitutional conferences.
4. Direct the Assembly of First Nations (AFN) to request that the federal government revitalizes the constitutional conferences to determine the scope of Section 35 Aboriginal title and rights with fulsome and meaningful consultation and free, prior and informed consent of First Nations.
5. Direct the National Chief and the AFN to urge Canada to amend the *Constitution Act, 1982* and achieving consistency with the *United Nations Declaration on the Rights of Indigenous Peoples*, first consulting and obtaining free, prior and informed consent from Chiefs and leaders from across Canada before amending the *Constitution Act, 1982*.
6. Direct the National Chief and the AFN to seek funding from Canada to fully fund nation-wide discussions, meetings, and conferences between First Nations and the Prime Minister and the first ministers.
7. Call on the National Chief and the AFN to establish national tables and invite Chiefs, leaders and technical staff of First Nations involved in diplomatic and political relations both within and outside of the AFN to engage in these conversations of national importance.

DRAFT RESOLUTION # 14 / 2025

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TITLE:	Condemning Canada's Specific Claims Research Funding Cuts
SUBJECT:	Lands, Specific Claims
MOVED BY:	Chief Dalton Silver, Sumas First Nation, BC
SECONDED BY:	Judy Wilson, Proxy, Osoyoos Indian Band, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 8(2)b: States shall provide effective mechanisms for prevention of, and redress for any action which has the aim or effect of dispossessing them of their lands, territories or resources.
 - ii. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
 - iii. Article 19: States shall consult and cooperate in good faith with the 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.
 - iv. Article 27: States shall establish and implement, in conjunction with Indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to Indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of Indigenous peoples pertaining to their lands, territories, and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.
 - v. Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
 - vi. Article 28(2): Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.
- B. The specific claims process is one of the few mechanisms available for First Nations to exercise their right to redress for historical breaches by the Crown, and specific claims research funding is fundamental access to justice pathway to the process.
- C. Since at least 2021, total annual demand for the Specific Claims Research Funding Program has averaged \$30 million or more against a program envelope of \$12 million, leaving First Nations and their mandated Claims Research Units (CRUs) oversubscribed and underfunded.

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- D. In the 2025/2026 fiscal year, Canada unilaterally altered allocation methods for the \$12 million in research funding available according to a unilaterally devised and non-transparent process which allocated funding to individual First Nation applicants, and then to mandated CRU applicants with the result that:
 - i. individual First Nations applicants have received insufficient funding (25 percent less than the maximum claim allowance of \$40,000 per claim and, on average, 50-75 percent less than they requested) and;
 - ii. CRUs have received severe and debilitating cuts to their budgets (up to 83 percent), directly impacting 80 percent of all First Nations claims in research and development.
- E. In October 2025, the National Chief wrote on an urgent basis to Prime Minister Mark Carney regarding the unilateral allocation of Specific Claims Research Funding. Deputy Minister of Crown – Indigenous Relations and Northern Affairs Canada (CIRNAC), Valerie Gideon wrote the National Chief indicating that CIRNAC had allocated an additional \$2 million for the 2025/2026 fiscal year, however, this top-up does not remedy systemic shortfalls.
- F. On April 1, 2026, the Specific Claims Research Funding Program will revert to \$4 million per year due to the sunseting of the already inadequate \$8 million top-up that First Nations have received since 2021.
- G. This funding cut will curtail First Nations ability to research and advance specific claims, precipitate closures of First Nation–mandated CRUs, push unresolved grievances into costly litigation, and further undermine trust between First Nations and Canada.
- H. Canada’s actions contravene the UN Declaration, breach the Honour of the Crown, and contradict public commitments to reconciliation and meaningful redress. Adequate, publicly-funded specific claims research and development is essential to remedy historic breaches of Crown promises, Treaties, and other agreements.

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

- 1. Unequivocally condemn Canada’s decision to cut the Specific Claims Research Funding Program to \$4 million per year, which effectively denies meaningful access to justice for First Nations.
- 2. Direct the National Chief, the Portfolio Holder for Lands, and the Chiefs Committee on Lands, Territories and Resources to coordinate with First Nations and the National Claims Research Directors on an urgent advocacy campaign.
- 3. Direct the National Chief to write to Prime Minister Mark Carney condemning this egregious cut and to call for:
 - a. Immediate restoration of funding to at least \$12 million for the 2026/2027 fiscal year; and,
 - b. A commitment to develop a needs-based, co-developed research funding program that meets demonstrated First Nation demand of at least \$30 million per year for Budget 2026.
- 4. Direct the National Chief to pursue all available oversight avenues such as the Auditor General of Canada and Parliamentary Committees, should Canada fail to respond to these calls to action by the First-Nations-in-Assembly.

DRAFT RESOLUTION # 15 / 2025

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TITLE:	The Health of All Our Relations – First Nations, Animals, and Food Systems Health
SUBJECT:	Environment, Health
MOVED BY:	Chief Calvin Sanderson, Chakastaypasin Band of the Cree Nation, SK
SECONDED BY:	Chief Robert Charlie-Tetlich, Inuvik Native Band, NT

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- i. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
- ii. Article 19: States shall consult and cooperate in good faith with the 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.
- iii. Article 20(1): Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
- iv. Article 24(1): 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.
- v. Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
- vi. Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
- vii. Article 31(1): Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions,

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literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

- viii. Article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
- B. Zoonoses, animal diseases, and associated federal, provincial/territorial responses disproportionately affect First Nations health, cultural and ceremonial practice and continuity, food sovereignty and safety, economic stability and security, and directly impact our Inherent and Treaty rights and rights protected by Section 35 of the *Constitution Act, 1982*. These impacts are compounded by barriers to data access and culturally appropriate monitoring systems.
- C. The links between animal health and human health as well as the impacts of zoonoses and animal diseases on First Nations have been recognized and affirmed by United Nations organizations such as the Food and Agriculture Organization (FAO), the United Nations Environment Programme (UNEP), the World Health Organization (WHO) and the World Organization on Animal Health (WOAH) through the Quadripartite Secretariate for One Health.
- D. Numerous circumstances increase animal vulnerability to diseases such as climate change, chemical contamination, habitat and biodiversity loss and degradation due to forestry, invasive species, mining, and industrial agriculture and agri-food, which are pathways for disease spread and lead to stress and weakened immune systems in animals.
- E. First Nations have, since time immemorial, relied on the animals, plants, and fungi we gather and consume for sustenance and ceremonial purposes. These wildlife resources given to First Nations by the Creator have important purposes in our ceremonies, songs, prayer, and traditional ways handed down from generation to generation.
- F. First Nations are connected to all living things, we have upheld balance and sustainably managed our actions within our environments, lands, waters, and the biodiversity within since time immemorial, through exercising our Inherent rights and responsibilities, associated knowledge systems, processes involving Elders and youth, and traditional laws. This relational understanding forms the foundation of First Nations-led conservation and health frameworks.
- G. First Nations have not been fully involved in the development of regulations and policies surrounding animal and plant health and diseases. To secure, maintain, and protect First Nations rights and interests, full, informed, equitable and meaningful participation in all policy and regulatory processes regarding animal, plant and fungi health and diseases with all levels of government is vital.
- H. First Nations-in-Assembly have previously adopted Resolution 70/ 2010, *First Nations-Controlled Awareness, Training and Surveillance Programs for Chronic Wasting Disease (CWD)*, Resolution 13/2017, *Chronic Wasting Disease*, and Resolution 58/2018, *First Nations Responses to Chronic Wasting Disease*.

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- I. The Assembly of First Nations (AFN) Secretariat has actioned these resolutions by coordinating with federal departments and agencies, calling for the closure of all game farms, and developing First Nations-specific communications tools.
- J. There is a need to review and strengthen national responses to animal, plant and fungi health and diseases and for full partnership and the equitable and meaningful participation of First Nations with all levels of government in their efforts on biodiversity health and diseases that reflect First Nations priorities and knowledge.

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

1. Call on the Government of Canada to recognize the multi-dimensional, interconnected and interrelated nature of these critical issues and work in partnership with First Nations to develop comprehensive approaches to address each issue, in coordination with Ministers responsible for climate change, environmental protection, stewardship, conservation, animal health and food sovereignty.
2. Direct the Assembly of First Nations (AFN) to work collaboratively with First Nations, regional representative bodies, non-government organizations, industry, and all orders of government to:
 - a. Call on the relevant federal Ministers and departments to provide adequate, long-term, and equitable funding to support First Nations, regions, and provincial and territorial organizations to develop, maintain, and strengthen their own surveillance, and wildlife, human, and food systems health programs as well as emergency response capacity for zoonotic outbreaks across our lands and waters;
 - b. Promote ongoing research to better understand the risks associated with animal, plant and fungi health and their links with food safety, sovereignty, and security, including climate-related and cross-border disease transmission, drawing on First Nations and Western sciences and ensuring research ethics uphold Indigenous data governance standards and respect First Nations data sovereignty, including through the First Nations principles of Ownership, Control, Access, Possession (OCAP®); and
 - c. Develop and advocate for First Nations-specific communication tools and workshops to raise awareness about animal, plant, and food-systems health, ensuring that information is culturally relevant and accessible through sharing circles and story-telling, for example, to reach harvesters, Elders, and youth.
3. Direct the AFN to continue to deepen engagement with the appropriate Ministers and departments, such as the Minister of Agriculture and Agri-Food and Rural Economic Development, the Minister of Environment and Climate Change and the Minister of Health, to work in full partnership and with the meaningful inclusion of First Nations to address animal health, advance food sovereignty, and support First Nations' full participation in all related dialogues.
4. Direct the AFN to report to the Advisory Committee on Climate Action and the Environment as well as the First Nations-in-Assembly on progress achieved under this resolution, including funding opportunities, remaining gaps, and recommendations.

DRAFT RESOLUTION # 16 / 2025

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TITLE:	Protecting the Sacred Calving Grounds of the Porcupine Caribou Herd from Oil and Gas Development
SUBJECT:	Environment, Rights
MOVED BY:	Chief Pauline Frost, Vuntut Gwitchin First Nation, YT
SECONDED BY:	Chief Elizabeth Wright, Teet'it Gwich'in Band Council, NT

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
 - ii. Article 19: States shall consult and cooperate in good faith with the 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.
 - iii. Article 20: Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
 - iv. Article 32 (2): States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
- B. The Gwich'in Nation, spanning what is now known as Alaska, Yukon and the Northwest Territories, and the Na-Cho Nyäk Dün and Tr'ondëk Hwëch'in in the Yukon, have relied on the Porcupine Caribou Herd to meet their nutritional, cultural and spiritual needs.
- C. The Porcupine Caribou Herd, with between 100,000 and 200,000 animals, is one of the last healthy migratory barren ground caribou herds in North America.
- D. The Gwich'in, Na-Cho Nyäk Dün and Tr'ondëk Hwëch'in, have the inherent right to continue their own way of life, and this right is recognized and affirmed by Article 1 of both the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights which reads, in part, "In no case may a people be deprived of their own means of subsistence."

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- E. The vital importance of the continued well-being of the Porcupine Caribou Herd through management of the herd and its habitat is acknowledged in the Porcupine Caribou Management Agreement (1985) and the Agreement Between the Government of Canada and the Government of the United States of America on the Conservation of the Porcupine Caribou Herd (1987); both of which the Government of Canada is a signatory.
- F. The Coastal Plain of the Arctic National Wildlife Refuge in northeastern Alaska, the critical calving and post-calving grounds of the Porcupine Caribou Herd, has been under threat from proposed oil and gas development for decades in the United States.
- G. The entire Gwich'in Nation was called together by their Chiefs in Arctic Village in 1988 to carefully address this issue and to seek the advice of Elders. This resulted in Gwich'in of every community from Arctic Village, Venetie, Fort Yukon, Beaver, Chalkyitsik, Birch Creek, Stevens Village, Circle, and Eagle Village in Alaska; and from Old Crow, Teet'it Zheh, Tsiigehtchic, Aklavik, and Inuvik in Canada, deciding by consensus to oppose proposed oil and gas development in the sacred calving grounds of the Porcupine Caribou Herd.
- H. The Parties to the Porcupine Caribou Management Agreement (1985) are representing users of the herd in Canada, have collectively spoken in opposition of oil and gas development in the Coastal Plain of the Arctic National Wildlife Refuge.
- I. The Assembly of First Nations (AFN) First Nations-in-Assembly passed multiple resolutions expressing their unanimous support for the Gwich'in Nation and their protection of the Porcupine Caribou Herd, including resolution 61/2015: Prohibit Development in the Calving and Post-Calving Groups of the Porcupine Caribou Herd; 110/2016: Support the Protection of the Arctic National Wildlife Refuge; 24/2017: Prohibit Oil and Gas Exploration and Development in the Sacred Calving Grounds of the Porcupine Caribou Herd; and 17/2020: Support for First Nations Climate Leadership, Food Sovereignty, Environmental Protection, Stewardship and Conservation.
- J. Since the first term of President Trump, oil and gas development in the Arctic National Wildlife Refuge has been mandated through United States legislation, initially via the Tax Cuts and Jobs Act of 2017, and subsequently through the One Big Beautiful Bill Act of 2025 during his second term.
- K. While former Prime Minister Trudeau committed to helping safeguard the Porcupine Caribou Herd calving grounds in the Arctic National Wildlife Refuge through the Roadmap for a Renewed United States-Canada Partnership, the same commitment has not yet been made by Prime Minister Carney and his government.
- L. The current renewed threat facing the Porcupine Caribou Herd and its habitat by the United States Government is serious and urgent. Oil and gas development is mandated under United States law despite the lack of free, prior and informed consent of the Gwich'in, Na-Cho Nyäk Dün and Tr'ondëk Hwëch'in, and the Trump Administration has declared a National Energy Emergency that enables the fast-tracking of permits for energy and critical mineral projects, further weakening environmental protections and accelerating industrial development, even in ecologically and culturally sensitive areas.

D R A F T R E S O L U T I O N # 1 6 / 2 0 2 5

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

- 1. Direct the Assembly of First Nations (AFN) to support efforts aimed at upholding the inherent rights of the Gwich'in, Na-Cho Nyäk Dün and the Tr'ondëk Hwëch'in, to self-determination and seeking permanent protection of the Coastal Plain of the Arctic National Wildlife Refuge.**
- 2. Direct the AFN to advocate with Prime Minister Mark Carney to commit to safeguarding the Porcupine Caribou Herd calving grounds in the Arctic National Wildlife Refuge in Alaska.**

DRAFT RESOLUTION # 18 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa Ontario

TITLE:	Opposition to “Treat and Release” Toxic Tailings and all Environmental Racism
SUBJECT:	Governance, Economic Development, Infrastructure, Building Canada Act, Environment, Lands, Water, Rights, Treaties and Justice
MOVED BY:	Chief Billy-Joe Tuccaro, Mikisew Cree First Nation, AB
SECONDED BY:	Chief Kelsey Jacko, Cold Lake First Nation, AB

WHEREAS:

- A. All First Nations are the Indigenous Peoples of what is now Canada, and they exercise political authority through their own inherent governments and Nation processes.
- B. All First Nations have a direct nation-to-nation relationship with the Crown and, as such, are the representatives of their Nations in all Crown-First Nation relations.
- C. The Assembly of First Nations (AFN) is a not-for-profit corporation, which was established on September 29, 1970, through a letters patent and articles of incorporation, as an advocacy body not a representative political or decision-making institution.
- D. Through this advocacy body, the AFN, the First Nations are seeking strategic and political support to combat environmental racism and industrial contamination across what is now Canada.
- E. Several First Nations in Alberta, Saskatchewan and the Northwest territories have depended on the Peace Athabasca Delta and the Athabasca River system since time immemorial.
- F. Contaminants, toxins and carcinogens from the Athabasca oil sands have been identified in the Athabasca River since at least 2012.
- G. Cancer rates in Fort Chipewyan, where Mikisew Cree First Nation and Athabasca Chipewyan First Nation have their reserves, are increasingly elevated as compared to the general population.
- H. There are 1.4 trillion litres of toxic tailings in tailings “ponds” which the province of Alberta is seeking federal approval to “treat and release” into the Athabasca river.
- I. There are other threats to water and land across Canada that disproportionately affect First Nations in a form of environmental racism.
- J. Many First Nations, including Mikisew Cree First Nation, are calling for a coordinated and national advocacy against environmental racism in all its forms, focused on the proposed “treat and release” of toxic tailings that could affect several First Nations downstream from the oil sands.
- K. The matters in this Resolution are emergent in nature, impacting the Treaty Rights and survival of all First Nations, and implementation must be addressed.
- L. The AFN has agreed not to speak for First Nations except where and how explicitly authorized to do so.

D R A F T R E S O L U T I O N # 1 8 / 2 0 2 5

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa Ontario

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

- 1.** Oppose the proposed treat and release of toxic tailings into the Athabasca River and oppose environmental racism in all its forms.
- 2.** Call-upon the Assembly of First Nations (AFN) to meet with all First Nations affected by environmental racism (“Affected First Nations”), including Mikisew Cree First Nation, and not to allow these meetings to occur without direct representation from the Affected First Nations.
- 3.** Request that the AFN arrange meetings between those Affected First Nations and federal government officials and not allow any such meetings without direct representation, as requested, from the Affected First Nations.
- 4.** Request the AFN to seek funding for technical, legal and advocacy support to be provided directly to Affected First Nations to shift the resource imbalance between Affected First Nations and industry/government.
- 5.** Direct the AFN to provide a copy of this Resolution to the federal government as soon as possible, prior to the next Assembly.
- 6.** Require the AFN to obtain explicit consent from any Affected First Nations to assist in advancing their interests.
- 7.** Direct the AFN to commit to full transparency with the Affected First Nations.
- 8.** Record the outcomes of this Resolution consistent with AFN’s existing procedures to ensure transparency and accountability.

DRAFT RESOLUTION # 20 / 2025

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TITLE:	Recognition and Respect of First Nations' Inherent Right to Jurisdiction over Child and Family Services across Regional Boundaries
SUBJECT:	Children and Families
MOVED BY:	Kukpi7 Michael Christian, Splatsin, BC
SECONDED BY:	Chief Lynn Kenoras-Duck Chief, Adams Lake Indian Band, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.
 - ii. Article 7(2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
 - iii. Article 8(2): States shall provide effective mechanisms for prevention of, and redress for:
 - (a) any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities.
 - iv. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
 - v. Article 22(1): Special attention shall be paid to the rights and special needs of Indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.
 - vi. 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 programs affecting them and, as far as possible, to administer such programs through their own institutions.
 - vii. Article 37: Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements, and other constructive arrangements.

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- B. First Nations have a sacred responsibility for their children and possess the inherent right of jurisdiction over the care and wellbeing of their children and families that arises from their pre-existence as sovereign and self-governing peoples and pre-dates the establishment of the colonial state in Canada.
- C. The inherent right of First Nations to oversee the wellbeing of their children, youth and families are affirmed and protected under Section 35 of the *Constitution Act, 1982*.
- D. Through a process of legislative genocide Crown governments justified the forced removal and assimilation of First Nations children under federal, provincial and territorial laws, resulting in the vast overrepresentation of First Nations children and youth in the child welfare system and the oppression of First Nations traditional methods of child rearing and legal orders.
- E. In response to the ongoing removal of their children, the Splatshin Indian Band passed the *By-law for the Care of Our Indian Children #3 – 1980* to reaffirm and assert Splatshin jurisdiction over the care and welfare of their own children, and First Nations in British Columbia organized to oppose Crown jurisdiction over their children through the Indian Child Welfare Caravan. For over 45 years, Splatshin and other First Nations in British Columbia and across Canada have continued to assert their inherent rights and jurisdiction over the care and wellbeing of their children, youth and families.
- F. Through the process of devolution, delegated Indigenous child welfare authorities were created and intended to support First Nations to have greater authority over the care and wellbeing of their children and families. However, these authorities have been restrained by provincial and territorial child welfare legislation and inequitable funding from Canada, resulting in the ongoing removal of First Nations children and a misalignment with First Nations legal orders.
- G. *An Act respecting First Nations, Inuit and Metis children, youth and families (the Federal Act)* came into force on January 1, 2020, affirming the inherent right of First Nations to enact laws in relation to child and family services and that such inherent rights are protected under Section 35 of the *Constitution Act, 1982*.
- H. The *Federal Act* requires that an Indigenous Governing Body give notice and make reasonable efforts to enter into a coordination agreement with Canada and the government of each province or territory in which it intends to exercise legislative authority and jurisdiction over child and family services, for the First Nation's child and family services law to be recognized as paramount over the provincial or territorial law. This has created a patchwork of First Nations laws across provincial and territorial boundaries that are not uniformly recognized.
- I. Despite having inherent and legal jurisdiction over child and family wellbeing, First Nations who have enacted child and family services laws continue to have their jurisdiction and laws ignored by provincial governments and by Indigenous child welfare authorities operating under provincial laws.
- J. The disregard and disrespect for First Nations child and family services laws by certain provinces, and Indigenous child welfare authorities operating under provincial laws, has the effect of further displacing and disconnecting First Nations children and their families from their culture, identity and communities, and in some cases, fracturing Nation-to-Nation protocols by bolstering 'divide and conquer' processes.
- K. The cultural genocide and assimilation of First Nations children and families will not be remedied until First Nations inherent jurisdiction, rights, and legal orders in relation to child and family services and

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wellbeing are fully recognized and respected by all Crown governments and Indigenous child welfare authorities operating under provincial laws, regardless of regional boundaries.

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

1. Call on Canada and all provinces and territories to recognize and respect the inherent and legislative jurisdiction of First Nations who have enacted child and family services laws, regardless of regional boundaries, and to immediately collaborate with willing First Nations on the development of interprovincial and territorial coordination agreements through the establishment of a streamlined process, and to remove arbitrary and systemic barriers to First Nations exercising their jurisdiction regardless of geographical location.
2. Call on Canada, the provinces and territories to provide long-term, sustainable funding and resources to First Nations who are exercising their inherent and legislative jurisdiction under the *Federal Act* to ensure they may exercise this jurisdiction across regional boundaries.
3. Direct the Assembly of First Nations to urge Canada, the provinces and territories to recognize, respect and uphold the inherent and legislative jurisdiction of First Nations over their children and families, and to advocate for adequate and sustainable resources for First Nations to exercise this jurisdiction.
4. Call on Canada, all provinces and territories, and direct the Assembly of First Nations to ensure that implementation of the *Federal Act* across all regions recognizes and respects the inherent jurisdiction and authority of First Nations child and family services laws regardless of geographical location and without delays or interference from provincial and territorial governments, or Indigenous child welfare authorities operating under provincial laws.
5. Affirm that First Nations rights, title and jurisdiction shall be recognized and respected by Indigenous child welfare authorities providing child and family services on behalf of First Nations and Indigenous governments.

DRAFT RESOLUTION # 21 / 2025

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TITLE:	Baeleigh's Law
SUBJECT:	Justice
MOVED BY:	Chief Rodger Redman, Standing Buffalo First Nation, SK
SECONDED BY:	Chief Shelley Bear, Ochapowace Nation, SK

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.
 - ii. Article 7 (1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
 - iii. Article 22 (2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.
 - iv. Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights, Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.
- B. First Nations have an inherent right to justice, safety, and well-being, particularly for their children, and these rights must be respected and upheld through Canadian legal and judicial systems.
- C. On March 29, 2018, the Government of Canada introduced Bill C-75, *An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*. Bill C-75 (the Act) received Royal Assent on June 21, 2019. The Act streamlines the classification of offences, expands judicial case management power, and provides additional measure to reduce criminal justice system delays to make the criminal law and the criminal justice system clearer and more efficient.
- D. In September 2021, Baeleigh Maurice, a nine-year-old First Nations child, was tragically struck and killed by a non-Indigenous impaired driver. Despite the seriousness of the incident and evidence presented, the resulting legal process was marked by repeated delays not caused by the Crown or the family.
- E. On December 13, 2024, the Provincial Court stayed the charge against the accused, citing the *R. v. Jordan* Supreme Court decision, which sets an 18-month limit on delays in provincial court proceedings. This decision resulted in the case being dismissed without trial, causing renewed harm to the family and community and denying justice to a First Nations child.
- F. This outcome contradicts First Nations' Inherent Rights and fails to uphold obligations under the UN Declaration, the Truth and Reconciliation Commission's 94 Calls to Action, and the 231 Calls for Justice

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from the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), all of which call for justice reform and meaningful protections for Indigenous children and families.

- G. The Federation of Sovereign Indigenous Nations (FSIN) Indian Justice Commission has identified this case as an example of systemic failure and has recommended six amendments to Bill C-75, aimed at preventing future injustices against First Nations children in the justice system.

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

1. Direct the Assembly of First Nations (AFN) to conduct a thorough review and ensure full understanding of “Baeleigh’s Law,” which consists of amendments to Bill C-75 aimed at prioritizing impaired driving cases involving harm to First Nations children and preventing their dismissal due to procedural delays.
2. Upon completion of this review, and with clear support from the First Nations in Assembly, urge the federal government to adopt “Baeleigh’s Law” to better protect First Nations children from impaired driving harms.
3. Request that the AFN advocate for federal investment in legal reform efforts that protect First Nations children, reduce procedural inequities, and align the Criminal Code of Canada with the principles of the UN Declaration, the Truth and Reconciliation Commission’s Calls to Action, and the MMIWG Calls for Justice.
4. Call on the federal government recognize and fund culturally appropriate legal supports and justice services to ensure First Nations families are not further traumatized by delays or systemic barriers within the justice system.

DRAFT RESOLUTION # 22 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE:	Support for First Nations-led Engagement on Medical Assistance in Dying
SUBJECT:	Health, Justice, Accessibility/Disability, MAID
MOVED BY:	Chief Sheldon Kent, Black River First Nation, MB
SECONDED BY:	Chief Blaine Fiddler, Waterhen Lake First Nation, SK

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 19: States shall consult and cooperate in good faith with the 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.
 - ii. Article 24 (1): 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.
 - iii. Article 24 (2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
- B. The Truth and Reconciliation Commission's Calls to Action – particularly Calls to Action #18 through #24 on Health – urge all levels of government to recognize and address the distinct health needs and rights of Indigenous Peoples. These Calls to Action emphasize closing the gaps in health outcomes between Indigenous Peoples and non-Indigenous peoples, recognizing the value of Indigenous healing practices, and upholding Indigenous Peoples' healthcare rights as identified in international law and under Treaties, in order to advance reconciliation and eliminate persistent health inequities.
- C. In 2016, the Parliament of Canada amended the *Criminal Code* to legalize medical assistance in dying (MAID) under defined circumstances for adults suffering from grievous and irremediable medical conditions through Bill C-14, *An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying)*. In 2021 it enacted further amendments through Bill C-7, *An Act to amend the Criminal Code (medical assistance in dying)* to expand eligibility beyond end-of-life contexts. These legislative changes removed the requirement that a person's natural death be reasonably foreseeable and created a two-track system of MAID safeguards, broadening access to MAID while introducing new safeguards for those not near end of life. Both of these legislative changes were enacted in response to court decisions that found the law unconstitutional.
- D. Parliament initially excluded persons suffering solely from a mental illness from eligibility for MAID, pending further study. Whereas that exclusion, originally set to be lifted in March 2023 was extended to March 2024, has been further extended and is now scheduled to be lifted on March 17, 2027. The

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Government appointed an Expert Panel on MAID and Mental Illness to review and make recommendations regarding MAID requests where mental illness is the sole underlying medical condition. Their 2022 Final Report of the Expert Panel on MAID and Mental Illness indicated that existing MAID eligibility criteria and safeguards, taken in conjunction with existing laws, standards and practices in related areas of health care provide an adequate structure for MAID and mental disorder so long as they are interpreted appropriately, while also identifying the need for the development of clinical guidance, education and training materials, and prospective review and oversight, would be critical to support the safe assessment of MAID in complex cases.

- E. As required by former Bill C-7, a Special Joint Committee on MAID (AMAD) conducted a Parliamentary review of the *Criminal Code* MAID provisions and their application, and issues relating to mature minors, advance requests, mental illness, the state of palliative care in Canada and the protection of Canadians with disabilities. AMAD released two reports, in June 2022 and February 2023. In its two reports, AMAD recognized the importance of standards of practice, clear guidelines, adequate training, comprehensive assessments, and meaningful oversight for the safe implementation of MAID where mental illness is the sole underlying medical condition. In its 2023 report, AMAD stated that individuals whose sole medical condition is a mental disorder should have access to MAID provided they meet the eligibility criteria and practice standards are in place. AMAD also noted that people with disabilities need financial supports, better access to social supports, disability supports, and healthcare so that MAID is not seen as a way to relieve suffering due to poverty and lack of services.
- F. The Assembly of First Nations (AFN), in its 2025 Shadow Report to the UN Committee on the Rights of Persons with Disabilities (UN-CRPD), observed a severe lack of protection and culturally safe engagement for First Nations persons with disabilities in the context of MAID. The AFN noted that the absence of any First Nations-specific consultation on MAID represents a failure to uphold the principle of free, prior, and informed consent as affirmed in the UN Declaration. The Shadow Report further warned that insufficient health and social supports can effectively push some First Nations persons with disabilities toward MAID as an alternative to living with inadequate care, exposing a grave gap in Canada's implementation of its obligations under the CRPD.
- G. The UN CRPD expressed significant concerns about possible discrimination and bias in Canada's MAID regime in its Concluding Observations published in March 2025. The UN CRPD has urged the Government of Canada to halt the expansion of MAID and condemned the regime, raising concerns that the existing framework may be influenced by ableist assumptions that devalue the lives of persons with disabilities. The Committee emphasized that systemic failures, including inadequate access to health care, housing, and social support services, may lead individuals with disabilities to consider MAID not out of genuine choice, but due to lack of viable alternatives.
- H. Since 2023, Health Canada has disbursed over \$3.2 million to various First Nations, Inuit and Métis organizations to support Indigenous-led community engagement on palliative care and MAID, and allocated a further \$1.2 million to convene a series of national dialogues, a national Indigenous knowledge exchange and an online survey. The objective of this engagement was to hear the perspectives of Indigenous Peoples in order to inform MAID policy and legislation. Involvement in discussions on MAID policy development by First Nations leadership and a coordinated national First Nations-led engagement process has yet to occur. This means that First Nations voices, perspectives

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and rights have not been adequately heard or address in the shaping of federal MAID policies and legislative amendments that impact First Nations individuals, families, and communities.

- I. There is an absence of a comprehensive, whole-of-government engagement approach with respect to MAID that reflects free, prior and informed consent and true nation-to-nation accountability to First Nations. The failure to undertake a First Nations-specific, coordinated engagement across federal departments on MAID is inconsistent with Canada's stated commitments to a nation-to-nation relationship and shared development of health policies. This gap undermines the ability of First Nations to exercise their jurisdiction over health and end-of-life matters and does not uphold the standards of consultation and consent required by the UN Declaration and the Government of Canada's own obligations to First Nations.

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

1. Direct the Assembly of First Nations (AFN) to seek and secure funding from Health Canada, Indigenous Services Canada (ISC), and all other relevant federal departments to support a national First Nations-led engagement process of Medical Assistance in Dying (MAID).
2. Direct the AFN, contingent upon the availability of such funding, to initiate, lead, and coordinate this process in a manner that upholds First Nations rights to self-determination in health, be rooted in the First Nations values, including life promotion, cultural safety, ancestral knowledge, and equitable access to care across the lifespan, and include distinctions-based engagement sessions, to enable the full participation of First Nations (including persons with disabilities, seniors, and Elders) in these dialogues.
3. Direct the AFN to publish a comprehensive report summarizing the outcomes of the First Nations-led engagement on MAID.
4. Direct the AFN to collaborate and work across federal departments, including but not limited to Health Canada, ISC, Justice Canada, Employment and Social Development Canada, and Housing, Infrastructure and Communities Canada to ensure that all MAID-related federal policies, programs, and legislative initiatives incorporate and reflect perspectives, needs, and recommendations articulated through this First Nations-led engagement.

DRAFT RESOLUTION # 23 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE: National-Provincial All Inclusive First Nations Survivors' Day

SUBJECT: Women's Commission

MOVED BY: Chief Zachary Whitecap, Red Earth First Nation, SK

SECONDED BY: Chief Edwin Ananas, Beardy's & Okemasis First Nation, SK

WHEREAS:

- A. Articles 1, 7, and 22 of the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) affirm that Indigenous Peoples have the right to full enjoyment of all human rights and fundamental freedoms, that they shall not be subjected to violence or discrimination, and that special attention shall be paid to the rights and needs of Indigenous Elders, women, youth, children, and 2SLGBTQQIA+ individuals in addressing historical and systemic injustices.
- B. The National Inquiry into Missing and Murdered Indigenous Women and Girls produced a final report containing 231 Calls to Justice, revealing that persistent and deliberate human and Indigenous rights violations and abuses are the root cause of the crisis of violence against Indigenous women, girls, and 2SLGBTQQIA+ people in Canada.
- C. The Truth and Reconciliation Commission of Canada issued 94 Calls to Action in response to the ongoing legacy of residential schools, highlighting systemic injustices, intergenerational trauma, and the continued overrepresentation of First Nations children in the child welfare system.
- D. Survivors of these injustices exist across all Treaty territories in Saskatchewan and beyond, and no First Nations person has been untouched by the impacts of colonialism, forced assimilation, and systemic oppression.
- E. Despite the widespread impact, there is currently no all-inclusive day that formally recognizes and honours survivors of the residential school system, the Sixties Scoop, gender-based violence, child welfare involvement, and other colonial and state-led harms experienced by First Nations people.

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

1. Support the Federation of Sovereign Indigenous Nations (FSIN) in calling on the Government of Saskatchewan to establish June 30th as an annual Provincial All-Inclusive First Nations Survivors' Day, dedicated to honouring the strength, healing, and resilience of all First Nations survivors.
2. Direct the Assembly of First Nations (AFN) to urge the Government of Canada to designate June 30th as a National First Nations Survivors' Day, to be recognized and observed annually as a federal statutory holiday in honour of all survivors of colonial and systemic injustices across Turtle Island.

DRAFT RESOLUTION # 24 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE: Support for a National Day for Indigenous Child Removal Survivors by the Government of Canada

SUBJECT: Sixties Scoop

MOVED BY: Kukpi7 Michael Christian, Splatsin First Nation, BC

SECONDED BY: Chief Pamela Robertson, Boston Bar First Nation, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (the UN Declaration) should be the framework for improvement to address the harmful legacy of Residential Schools, Sixties Scoop and the Child Welfare system that forced the removal of children, the disproportionate number of First Nations children in care, the consequences of involvement in child welfare systems, and the related loss of language and denial of culture and human rights.
- B. The UN Declaration states that: Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity; Article 22 (2): States shall take measures, in conjunction with Indigenous peoples, to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination; 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.
- C. The Truth and Reconciliation Commission of Canada (TRC) Calls to Action # 1 to # 5 call on federal, provincial, and territorial governments to take actions to improve First Nations child and family services.
- D. The Sixties Scoop was an ongoing practice in the 1960s and '70s that saw the removal of large numbers of First Nations children from their families and communities and placed them in the care of Canadian and International foster or adoptive homes.
- E. First Nations children continue to lose their identity, culture and kinship links as they continue to be removed from their homes, families, and Nations by the federal, provincial, and territorial child welfare systems.

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

1. Acknowledge that this resolution is brought forward by Kukpi7 (Chief) Michael Christian of Splantsin First Nation, a Sixties Scoop Survivor himself, who carries this sacred motion forward on behalf of all Survivors — the children taken through these colonial child removal systems, the families who still carry that loss, and the generations who continue to feel the deep intergenerational impacts of these removals. As a Sixties Scoop Survivor who spent 11 years of his youth in a government institutional foster system, Kukpi7 (Chief) Michael Christian brings a deeply personal understanding of the intergenerational impacts of child removal, which continues to fuel his lifelong commitment to cultural reclamation, healing, and the revitalization of his community. This resolution is also brought forward by Chief Pamela Robertson of Boston Bar First Nation, who stands in strong support of this sacred call for national recognition. Chief Robertson's leadership reflects the collective voice of many families and Nations who continue to carry the lived impacts of child removal across generations, and who are walking the path of healing, belonging, and cultural restoration for all Survivors.
2. This resolution is also grounded in the lived experience and advocacy of Troy MacBeth Abromaitis, a Sixties Scoop Survivor and proud member of the Nlaka'pamux Nation, who, after being separated from his family and community for more than thirty years, returned home and dedicated his skills to support the rebuilding of his Nation — including his service on the Lytton First Nation Economic Development Board following the devastation of the 2021 wildfires. In recognition of his quiet commitment to serve in a good way, Troy was honoured by his family in 2023 through a sacred blanket ceremony and given the ancestral name Lex7em'ken — symbolizing his full return to kinship, belonging, and identity. Before her passing, Troy's mother shared one final wish: that Survivors be honoured nationally, not only in name, but through sacred ceremony, so that all who were taken may one day be fully welcomed home. Through Troy's ongoing personal advocacy and leadership, formal provincial proclamations have already been secured recognizing June 30 as a day to honour Survivors of Indigenous child removal systems — including the Sixties Scoop, Millennium Scoop, foster care, and birth alerts — in the Provinces of British Columbia, Nova Scotia, and New Brunswick.
3. Call upon Canada to acknowledge and honour the Survivors, families, and Nations whose strength, courage, and sacred journeys have carried forward this profound work, and to recognize the growing circle of support that already exists across this country. This includes formal proclamations issued by the Provinces of British Columbia, Nova Scotia, and New Brunswick, who have designated June 30 as a day to honour Survivors of the Sixties Scoop, Millennium Scoop, foster care, and birth alerts — and to bear witness to those returning home after years and decades of separation. Canada is called upon to recognize this growing movement as an expression of national readiness to address both historical and ongoing child removal systems, and to stand with First Nations in ceremony, healing, and belonging.
4. Call upon Canada to formally establish the National Day of Recognition for Indigenous Child Removal Survivors — to be known in ceremony as National Blanket Ceremony Day – Indigenous Survivors — as a federally recognized day of ceremony, healing, and sacred commemoration, to be observed annually on June 30. Further call upon Canada to work in full partnership with Survivors, Elders, and First Nations leadership to advance and enact federal legislation to enshrine this day in Canadian law — ensuring that Survivors are honoured not only in name, but through sacred ceremony, belonging, and restoration to family, community, and Nationhood.

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5. Call upon Canada to provide dedicated and sustained funding to support Survivors, families, communities, and First Nations in the full development, ceremonial implementation, and public education necessary for the National Day of Recognition for Indigenous Child Removal Survivors (National Blanket Ceremony Day – Indigenous Survivors) to be fully established and upheld across the country. This work shall be led in full partnership with First Nations leadership, and guided by Indigenous laws, teachings, and ceremonies — including the sacred blanket ceremony — ensuring that every Survivor is seen, honoured, and welcomed home in a sacred way that restores dignity, belonging, and intergenerational healing.

DRAFT RESOLUTION # 25 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE: Affirmation of Indigenous Jurisdiction and Recognition of the Quatsino First Nation Declaration of Title and Relationship

SUBJECT: Rights, Governance, Nation-Building

MOVED BY: Marilyn Morash, Proxy, Quatsino First Nation, BC

SECONDED BY: Chief Don Tom, Tsartlip First Nation, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) was formally endorsed by the Chiefs-in-Assembly through Resolution 37/2007, *Support and Endorsement of the United Nations Declaration on the Rights of Indigenous Peoples*, which committed to its full implementation within First Nations laws, governance, and Nation-to-Nation agreements.
- B. First Nations-in-Assembly reaffirmed this commitment through Resolution 40/2021, *Recognition of Governance and Treaty Governance*, directing the Assembly of First Nations to support the development of a self-governed First Nations institution that would give force and effect to the provisions of the UN Declaration. The UN Declaration has since been affirmed by Canada and adopted into law in British Columbia and the Northwest Territories recognizing and affirming, amongst other rights, the Inherent rights of Indigenous Peoples to own, use, develop, and control their lands, territories, and resources.
- C. Quatsino First Nation upholds a sacred and ancestral relationship with its lands, waters, air, and all life within its territory—a relationship not based on ownership or dominion, but on person-to-person relationality as relatives, governed by principles of responsibility, care, and reciprocity.
- D. Quatsino First Nation has declared its inherent, pre-existing, and unceded jurisdiction through the Quatsino Declaration of Title and Relationship, which affirms that all elements of the natural world are living relations and that law flows from the obligations these relationships entail.
- E. Despite the commitments made by Canada and the provinces and territories federal, provincial and territorial implementation has lacked operational clarity and has yet to embed First Nations' jurisdiction in a manner that reflects First Nations laws, spirituality, and systems of governance.
- F. Supporting First Nations' declarations such as Quatsino's is essential to future-proofing reconciliation efforts and grounding them in the spiritual, legal, and cultural foundations of Nations themselves.

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

1. Recognize and affirm, in principle, the Quatsino First Nation Declaration of Title and Relationship as a sacred and sovereign expression of inherent Indigenous governance and law, rooted in kinship and spiritual relationship with land, water, air, and resources, and acknowledge the importance of self-determination in defining such relationships.
2. Call upon the federal, provincial and territorial governments to co-develop, with the full participation and leadership of First Nations' rights holders, operational frameworks under the *United Nations Declaration on the Rights of Indigenous Peoples* and relevant legislation, that recognize and give effect to First Nations

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laws, authorities, and jurisdiction as foundational to shared governance and legal pluralism.

3. Direct the Assembly of First Nations (AFN) to seek funding to initiate, within one year, a national Indigenous-led roundtable series on spiritually grounded governance systems, and to establish a working group to support the development and implementation of title declarations and their legal application across Nations.
4. Encourage all First Nations to continue advancing and affirming their own declarations of title and relationship, grounded in their distinct legal orders and governance systems, as expressions of Nationhood and care for future generations.
5. Acknowledge that many First Nations are already advancing declarations of title and relationship grounded in their distinct legal systems and sacred responsibilities to land.
6. Direct the AFN to advocate for the full legal recognition, enforceability, and resourcing of First Nations' jurisdiction.

DRAFT RESOLUTION # 26 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE:	Support for International Partnership with Indigenous Peoples on Joint Climate and Biodiversity Action
SUBJECT:	Environment, Rights, UN Declaration
MOVED BY:	Judy Wilson, Proxy, Osoyoos Indian Band, BC
SECONDED BY:	Chief Robert Charlie-Tetlich, Inuvik Native Band, NT

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
 - ii. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relations with their traditionally owned or otherwise occupied and used lands, territories, waters, and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
 - iii. Article 29 (1): Indigenous peoples have the right to conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection without discrimination.
 - iv. Article 32 (1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
- B. Indigenous Peoples worldwide have experienced consistent patterns of historical injustices resulting from the colonization and dispossession of their lands, territories and resources, and the doctrines, policies and practices that continue to the present day.
- C. International solidarity and collaboration amongst Indigenous Peoples have been immensely important in a shared struggle against colonialism, including the drafting, advocacy, and eventual adoption of the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) in 2007 by the United Nations (UN) General Assembly.
- D. Dialogue and collaboration between Indigenous Peoples worldwide continue to be a source of inspiration and strategy in support of the struggle to end all forms of colonialism, to seek redress for the injustices suffered by Indigenous Peoples to date, and to realize the full implementation and respect for the UN Declaration.

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- E. There is global recognition that our world is facing a climate crisis, interlinked with crises of biodiversity loss and pollution, which is articulated in several reports from the Intergovernmental Panel on Climate Change (IPCC), the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), as well as the First Nations-in-Assembly's Declaration of a First Nations Climate Emergency, reaffirmed in 2023.
- F. The climate crisis is significantly altering First Nations' relationships with the lands the Creator has bestowed upon First Nations and upon which First Nations have inalienable rights as entrenched in Section 35 of the *Constitution Act, 1982*, affirmed in the UN Declaration, and confirmed in Treaties and other constructive arrangements between First Nations and the Crown.
- G. On a global scale, the impacts of climate change and biodiversity loss are borne disproportionately by Indigenous Peoples, threatening the physical, cultural, and spiritual well-being of Indigenous communities, particularly rural and remote communities, women and children, those identifying as two spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex, and asexual (2SLGBTQQIA+), as well as people with disabilities.
- H. In the face of this crisis, First Nations have been active leaders, both domestically and internationally, drawing on the science, knowledge, and ways-of-life shared by Elders, Knowledge Keepers, men, women, youth, and leadership to advance First Nations-led solutions that restore balance with the natural world, including through numerous resolutions from the First Nations-in-Assembly.
- I. Through Assembly of First Nations (AFN) Resolution 36/2023, *Urgent and Transformative Climate Action through the AFN National Climate Strategy*, the First Nations-in-Assembly called for the AFN, among other directives, to use the AFN National Climate Strategy in international contexts as an advocacy tool.
- J. The AFN has been amplifying First Nations priorities through the AFN National Climate Strategy at international fora such as the UN Framework Convention on Climate Change (UNFCCC), Convention on Biological Diversity (CBD), as well as other multilateral negotiations on plastic pollution and biodiversity beyond national jurisdictions.
- K. Based on Canada's commitment to both the Paris Agreement and the G7 2030 Nature Compact, Global Affairs Canada (GAC) has established the Partnering for Climate initiative, a portion of which allocated \$15 million over 5 years that support Indigenous climate action through partnerships between Indigenous Peoples in Canada with Indigenous Peoples in developing countries.
- L. The Asia Indigenous Peoples Pact (AIPP) is a regional organization founded in 1992 by Indigenous Peoples' movements, committed to the promotion and defense of Indigenous Peoples' rights and human rights and articulating issues of relevance to Indigenous Peoples in the Indo-Pacific region.

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

1. Reaffirm that First Nations' knowledge systems, teachings and ways of life serve as valuable contributions in addressing climate change strategies and form the foundation of First Nations climate and biodiversity action.

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2. Support the Assembly of First Nations (AFN) to advocate for First Nations internationally in line with the AFN National Climate Strategy, calling on Canada to fund the full and effective participation of First Nations in multilateral agreements, including the United Nations Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD).
3. Support the AFN to partner with the Asia Indigenous Peoples Pact (AIPP) to create dialogue between First Nations and Indigenous Peoples in the Indo-Pacific on biodiversity, climate action, and nature-based solutions, considering the importance of:
 - a. Strengthening the recognition of Indigenous Peoples' knowledge systems, worldviews, and values as contributions to addressing the climate and biodiversity crises;
 - b. Advancing the recognition and protection of Indigenous Peoples' rights, particularly their right to self-determination;
 - c. Prioritizing the voices of Indigenous women and gender-diverse peoples in climate and biodiversity action; and
 - d. Strengthening Indigenous Peoples' representation in climate change and biodiversity forums and intergovernmental fora.
4. Express our solidarity with Indigenous Peoples around the world as they advocate for the recognition, protection, and implementation of their inherent rights, re-affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples*.

DRAFT RESOLUTION # 27 / 2025

AFN Special Chiefs Assembly, December 2-4, 2025, Ottawa, ON

TITLE: Strategic Direction on Land Restitution and Compensation

SUBJECT: Lands, Specific Claims, Additions to Reserve

MOVED BY: Chief Dalton Silver, Sumas First Nation, BC

SECONDED BY: Judy Wilson, Proxy, Osoyoos Indian Band, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 19: States shall consult and cooperate in good faith with the 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.
 - ii. Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
 - iii. Article 27: States shall establish and implement, in conjunction with Indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to Indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of Indigenous peoples pertaining to their lands, territories, and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.
 - iv. Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied, used or damaged without their free, prior and informed consent.
 - v. Article 28(2): Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.
- B. For generations, First Nations have advocated for fair, independent, impartial, open and transparent processes to resolve the Crown's outstanding legal obligations related to First Nations' lands, territories and resources. First Nations have also expressed deep frustration with the Government of Canada's failure to return lands in an efficient and timely manner in fulfilment of outstanding legal obligations and community needs.
- C. Assembly of First Nations (AFN) Resolution 09/2020, *Jointly Develop a Fully Independent Specific Claims Process*, mandates the AFN to co-develop with the Government of Canada and First Nations a fully independent specific claims process that reflects the UN Declaration and the Honour of the Crown by removing the Minister's conflict of interest.

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- D. In November 2022, then Crown – Indigenous Relations and Northern Affairs Canada (CIRNAC) Minister Marc Miller publicly committed the Government of Canada to co-developing a fully independent specific claim process with First Nations and the AFN through the establishment of an Independent Centre for the Resolution of Specific Claims (the Independent Centre).
- E. In July 2024, in recognition of the diminishing timeline to establish the Independent Centre under the previous government, First-Nations-in-Assembly directed the AFN to pursue immediate policy-based reforms alongside continuing to work jointly with the Government of Canada to develop a fully independent specific claims process through Resolution 11/2024, *Ensuring Access to Justice for Specific Claims through Policy Reform*.
- F. AFN Resolution 10/2024, *Advancing Additions to Reserve Reform*, mandates the AFN to work with First Nations to advance transformative reforms to the Additions to Reserve (ATR) Policy to create a faster, more effective process that respects diverse land regimes, regional realities, and First Nations priorities such as those related to outstanding legal obligations.
- G. At the December 2024 Special Chiefs Assembly, then CIRNAC Minister Gary Anandasangaree announced interim changes to the ATR Policy to enable greater flexibility and committed to pursuing fundamental reform in collaboration with First Nations. There is an ongoing need to coordinate reform of the ATR and Specific Claims Policies and processes to ensure that First Nations can achieve financial compensation and land restitution in an efficient and timely manner.
- H. As Directed by Resolution 10/2024, the AFN continues to participate in the CIRNAC Technical Advisory Committee (TAC) to advance a transformative ATR Policy that respects First Nations' diverse priorities and land regimes.
- I. During the 2025 election campaign, Prime Minister Mark Carney reaffirmed Canada's commitment to implementing the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA) and the UNDA National Action Plan. Failure to fulfill this commitment perpetuates historical injustices and undermines reconciliation efforts.
- J. As of 2024, Canada reported \$26 billion in contingent liabilities related to its unresolved legal obligations to First Nations, with over 3 million acres owed to First Nations through Treaty Land Entitlement and specific claim settlements. To advance its ambitious national growth agenda, Canada must first take meaningful steps to address its monetary and land-based obligations to First Nations including via the resolution of specific claims and the return of lands.
- K. The AFN, with the guidance of the Chiefs Committee on Lands, Territories and Resources (CCoLTR) and the Council of Experts in Indigenous Laws (CEIL), has convened two national gatherings of First Nations leadership, technicians, and knowledge keepers to advance the self-determined assertion of Indigenous laws, legal orders, and traditions in relation to land restitution and equitable compensation. These gatherings constitute a critical national forum for the revitalization and restitution of First Nations laws and legal orders.

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

1. Reaffirm the generational calls for a fully independent specific claims process that removes Canada's conflict of interest in the resolution of specific claims.

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2. Direct the Assembly of First Nations (AFN) to work directly with Canada, the Chiefs Committee on Lands, Territories, and Resources (CCoLTR), and First Nations to advance transformative reform of Canada's Specific Claims Policy and process including through:
 - a. Policy-based reforms previously called for by the First Nations-in-Assembly;
 - b. Identifying and removing barriers in the Specific Claims Policy and *Specific Claims Tribunal Act* that prevent land and other equitable remedies in compliance with the *United Nations Declaration on the Rights of Indigenous Peoples*; and
 - c. Continue to identify and co-develop reforms to increase process independence, including the establishment of an independent specific claims process.
3. Direct the AFN, with the guidance of the CCoLTR, to engage directly with First Nations to identify transformative approaches to land restitution in the context of the Additions to Reserve (ATR) policy reform.
4. Direct the AFN to call on Canada to address the fiscal and moral costs of not resolving outstanding monetary and land-based obligations to First Nations through co-developed reforms to the ATR policy and the Specific Claims Policy as a fundamental requirement for reconciliation and in respect for the diversity of First Nations priorities and regional realities.
5. Direct the AFN, contingent upon the provision of necessary resources, and guided by the CCoLTR and the Council of Experts in Indigenous Laws (CEIL), to continue to convene annual national gatherings of First Nations leadership, technicians, and knowledge keepers dedicated to advancing Indigenous laws, with a particular focus on land restitution and compensation principles.

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TITLE: Support for the Initiative for Responsible Mining Assurance Standard

SUBJECT: Environment, Mining, UN Declaration

MOVED BY: Chief Edward John, Tl'azt'en, BC

SECONDED BY: Deputy Chief Harlan Schilling, Daylu Dena Council, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 21(2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of (indigenous peoples') economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.
 - ii. Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
 - iii. Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
 - iv. Article 29 (2): States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
 - v. Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
 - vi. Article 32 (2): States shall consult and cooperate in good faith with Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
- B. Since time immemorial, First Nation peoples have held rights to our lands and resources, including water and air. Similarly, we also hold sacred responsibilities to govern, care for, and steward our territories and resources. This includes the right to be informed and to participate in decision-making processes that impact upon our rights and responsibilities.
- C. The Initiative for Responsible Mining Assurance (IRMA) is a global non-governmental organization focused on Environmental, Social and Governance standards in mining. IRMA is committed to protecting people and the environment directly affected by mining by providing assessment standards that: i) support the creation of conditions in which the mining industry respects the human rights and aspirations of affected communities; ii) provide safe, healthy and supportive workplaces; iii) minimizes harm to the environment; and iv) leaves positive legacies.

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- D. IRMA's membership includes seven auto manufacturers, some of the world's largest mining companies, jewelers, global trade unions, Indigenous and non-Indigenous communities and representatives of the investment and finance sectors unified in their vision to develop and use the most robust mining standard in their activities for the energy transition.
- E. The IRMA Standard for Responsible Mining ('IRMA Standard') was developed over more than 10 years with input from First Nations and numerous other organizations. The IRMA Standard defines best practices for what responsible mining should look like at the industrial-scale. It provides the list of expectations that independent auditors will use as the benchmark for responsible mines.
- F. The IRMA Standard requires independent audits to assess social and environmental performance at mine sites globally. These audits are built on transparency, inclusive governance and thoroughness that speak directly to the fulfilment of ESG requirements and provide audits that are unmatched for reliability in the assessment of all key components of producing mines.
- G. The IRMA Standard requires proponents of new mines to demonstrate their securing of free, prior and informed consent (FPIC) of First Nation communities, as set out in the UN Declaration.
- H. In 2024, the Chiefs-in-Assembly of three province-wide First Nations organizations in British Columbia (the Union of British Columbia Indian Chiefs; the First Nations Summit; and the British Columbia Assembly of First Nations) passed resolutions endorsing the IRMA Standard.
- I. On July 22, 2025, IRMA released for worldwide consultation a draft update to its mining standard titled, "IRMA Standard for Responsible Exploration, Extraction and Processing of Minerals", also known as "IRMA Standard V2.0". The consultation period ends October 22, 2025. Revision and finalization of the revised IRMA Standard V2.0 is expected in early-mid 2026.

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

- 1. Encourage dialogue amongst First Nations to review and assess the implications of the Initiative for Responsible Mining Assurance Standard for Responsible Mining (IRMA Standard) prior to any endorsement by the First Nations-in-Assembly, and call on the Government of Canada to support and adopt the IRMA Standard in collaboration with First Nations.
- 2. Direct the Assembly of First Nations (AFN) to seek funding to engage with Canada in a timely manner to promote consistency between mining laws, related policies and directives are consistent with the IRMA Standard.
- 3. Direct the AFN to call on the federal, provincial, and territorial governments to fully recognize and uphold First Nations' Inherent and constitutional-protected Aboriginal title and rights, self-determination and governance in all matters related to mining, including the right of free, prior and informed consent, before any exploration, development, or extractive activities on or near First Nations lands and waters.
- 4. Direct the AFN to provide a progress report on endorsements of the IRMA Standard by First Nations to the First Nations-in-Assembly at the earliest opportunity.

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TITLE: First Nations-led Critical Minerals Strategy

SUBJECT: Economic Development, Environment

MOVED BY: Chief Terry Richardson, Oinpegitjoig First Nation, NB

SECONDED BY: Chief Allen Polchies, Sitansisk First Nation, NB

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- i. Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
- ii. Article 19: States shall consult and cooperate in good faith with the 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.
- iii. Article 20 (1): Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
- iv. Article 26 (1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
- v. Article 26 (2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- vi. Article 32(1): Indigenous Peoples have the right to determine and develop priorities and strategies for the development or use of their lands, territories and other resources.
- vii. Article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
- viii. Article 32(3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact. This section provides the background information for the resolution.

B. First Nations have the inherent right and responsibility to steward and govern their lands, waters, and natural resources, including critical minerals, according to their laws, customs, and values.

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- C. The federal government of Canada has identified critical minerals as a key strategic sector in its 2022 Critical Minerals Strategy, prioritizing resource development to meet global demand for clean energy transition, defense, and high technology applications.
- D. Despite being disproportionately impacted by extractive activities, First Nations continue to be excluded from key decision-making processes, revenue sharing, and benefit agreements related to critical mineral exploration, extraction, and processing.
- E. The British Columbia (BC) First Nations Energy and Mining Council's Critical Minerals Strategy, developed through extensive engagement with over 250 First Nations leaders and technicians in BC, outlines 50 recommendations to ensure First Nations' leadership and benefit in critical mineral development, emphasizing environmental protection, socio-economic development, clean energy, and land rights.
- F. There is an urgent need for a national, First Nations-led Critical Minerals Strategy that positions First Nations to lead and benefit from critical mineral development on their lands and waters through mechanisms such as equity ownership, environmental oversight, workforce development, and knowledge-sharing.
- G. A national First Nations-led Critical Minerals Strategy will enhance First Nations' economic participation in the critical minerals value chain through mechanisms including equity ownership, revenue sharing, impact benefit agreements, Indigenous procurement policies, workforce training and certification programs, and the creation of First Nations-owned processing infrastructure.

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

1. Direct the Assembly of First Nations (AFN) to immediately develop a national First Nations Critical Minerals Strategy that is grounded in the principles of self-determination, free, prior, and informed consent (FPIC), and environmental stewardship with guidance from First Nations, relevant Chiefs committees such as the Chiefs Committee on Economic Development (CCED) and the Advisory Committee on Climate Action and the Environment (ACE), and relevant technical experts.
2. Direct the AFN to seek funding for and establish a First Nations Critical Minerals Task Force comprised of regional First Nations leaders, technical experts, youth, and Elders to guide the development and implementation of the Strategy in a manner that includes regional knowledge, perspectives, and best practices, and to provide updates on the development of the Strategy to the First Nations-in-Assembly.
3. Call upon the federal government to fully recognize First Nations inherent jurisdiction and governance over their lands, waters, and resources, and to engage in co-development of any national policy or legislation related to critical minerals with First Nations rights- and title- holders.
4. Urge federal, provincial, and territorial governments to ensure that no critical mineral projects proceed without the FPIC of impacted First Nations, consistent with the UN Declaration on the Rights of Indigenous Peoples (UN Declaration) and existing case law.
5. Direct the AFN to seek funding from Natural Resources Canada, Infrastructure Canada, and other relevant federal departments to support First Nations capacity building in mineral governance, environmental monitoring, and clean technology innovation.

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TITLE: Repatriation of First Nations Items and Sacred Artifacts

SUBJECT: Culture and Heritage

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

SECONDED BY: Kúkwpi7 Rosanne Casimir, Tk'emlups te Secwepemc, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 12 (1): Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to the irreligious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
 - ii. Article 12 (2): States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.
- B. The UN Declaration Action Plan commits the Department of Canadian Heritage to:
- i. Co-develop with First Nations, Inuit Treaty Organizations or their designates, and the Métis a distinction-based comprehensive approach, which will include legislative, programming and/or service measures, to enable the repatriation/rematriation of Indigenous cultural belongings and ancestral remains.
- C. First Nations-in-Assembly have provided the following mandates with respect to repatriation and cultural heritage, including:
- i. Resolution 01/2015, *Support for the Full Implementation of the Truth and Reconciliation Commission of Canada's Calls to Action*, calls upon federal, provincial, territorial, and municipal governments to fully implement the Truth and Reconciliation Commission's Calls to Action.
 - ii. Resolution 31/2016, *Recognizing and Protecting First Nations Sacred Heritage Sites and Ancestral Burial Grounds*, calls upon the federal government to include First Nations as decision-makers in managing First Nations heritage.
 - iii. Resolution 106/2017, *Support for International Repatriation of Sacred Items*, calls upon the Assembly of First Nations (AFN) to support First Nations in repatriating objects from international repositories.
 - iv. Resolution 16/2018, *Support for the Indigenous Heritage Circle*, directs the AFN to develop a reconciliation framework for Canadian heritage and commemoration and to ensure that the repatriation of Indigenous cultural property is done with the participation of First Nations and upholds the UN Declaration.

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- D. First Nations have the Inherent and sacred right to care for, protect, and govern their cultural heritage, including sacred objects, ceremonial items, ancestral remains, and knowledge systems.
- E. Many sacred and cultural artifacts belonging to First Nations are held in national and international institutions, some of which are in the process of returning these belongings to First Nations.
- F. The Canadian Museums Association (CMA) developed a report on how museums can implement the UN Declaration. Their recommendations include funding the repatriation process and Indigenous cultural centres. The CMA, alongside the Indigenous Heritage Circle, created the Indigenous Cultural Heritage Rights Task Force to advance Indigenous cultural heritage rights and support the return of cultural belongings to their rightful communities.
- G. The continued use, display, and ownership of artifacts belonging to First Nations without their consent violates the rights of First Nations to free, prior and informed consent. To comply with the UN Declaration, museums and institutions must identify and return items and artifacts to the appropriate rights holders.
- H. As the Government of Canada seeks to fast-track major projects across First Nations territories, the protection and conservation of artifacts, cultural items, and burial sites is an increasing priority for First Nations.

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

1. Affirm that First Nations have the sole and Inherent right to lead and govern the stewardship, care, and interpretation of their sacred and cultural belongings, both repatriated and existing.
2. Direct the Assembly of First Nations (AFN) to seek resources to support the creation of a First Nations-led task force, composed of First Nations leaders, knowledge keepers, youth, legal experts, and cultural practitioners, to guide the development, governance, and implementation of a national repatriation strategy.
3. Call upon the Government of Canada to implement the Canadian Museums Association's (CMA) 2022 *United Nations Declaration on the Rights of Indigenous Peoples* Report recommendations, including providing sustained, long-term funding to support First Nations in repatriation.
4. Call on the AFN – through the First Nations-led task force – to work with First Nations, the Department of Canadian Heritage, and the Indigenous Cultural Heritage Rights Task Force to establish a draft Cultural Heritage Rights Framework that recognizes First Nations' sovereignty over First Nations' cultural rights, and encompasses restitution, redress, repatriation, and rematriation.
5. Direct the AFN to put forward a Cultural Heritage Rights Framework for endorsement at a subsequent AFN Assembly.
6. Call on the Government of Canada, international museums, and funding bodies to provide comprehensive ongoing funding to support repatriation activities before, during, and after the process, including community infrastructure and capacity building.

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TITLE:	Supporting First Nations through the National Indigenous Fire Safety Council
SUBJECT:	Emergency Management
MOVED BY:	Chief R. Donald Maracle, Mohawks of the Bay of Quinte, ON
SECONDED BY:	Chief Todd Cornelius, Oneida Nation of the Thames, ON

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous People* (UN Declaration) states:
- i. Article 21 (1): Indigenous people have the right, without discrimination to the improvement of their economic and social conditions, including, areas of education, employment, vocational training, housing, sanitation, health and social security.
 - ii. Article 29 (1): Indigenous people have the right to the conservation and protection of the environment and the productive capacity of their lands and territories and resources. States shall establish and implement assistance programs for Indigenous Peoples for such conversation and protection, without discrimination.
- B. First Nations across Canada continue to face critical gaps in emergency services, including delays and communication breakdowns in dispatch services, which can result in increased risk to life, property, and the environment.
- C. Culturally appropriate, First Nations-led emergency management organizations could support First Nations in emergency management through addressing longstanding issues in:
- i. Emergency response infrastructure, ensuring timely, coordinated, and community-informed responses that respect First Nations' governance, languages, and traditional knowledge.
 - ii. Responding to the lack of coordination during national incidents or regional incidents to support urgent and long-term community requirements with federal, provincial and territorial agencies.
 - iii. Occupational risks, including exposure to carcinogens, mental health challenges, and post-traumatic stress.
- D. The First Nations Fire Protection Strategy 2023 to 2028, co-developed by the Assembly of First Nations (AFN) and Indigenous Services Canada aims to support a decrease in the national rate of First Nations fire incidents, improve fire response time, and address infrastructure gaps that impede emergency response on-reserve. The Strategy was developed with input from First Nations technical organizations, tribal councils, First Nations leadership, National Indigenous Fire Safety Council and other fire service professionals.
- E. The National Indigenous Fire Safety Council (NIFSC) is an Indigenous-governed organization with the mandate and expertise to advance fire and life safety for Indigenous communities. The NIFSC has

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made significant progress in the development and delivery of standards, training, and accreditation programs tailored to First Nations' fire service needs.

- F. There is an urgent need to continue to develop and implement opt-in supporting policies and programs such as:
 - i. A National Indigenous Dispatch Centre, to enhance emergency response coordination, improve health and safety outcomes, and align with First Nations' self-determination and support jurisdiction over community safety and emergency management.
 - ii. A national incident management training program that strengthens First Nations' leadership in emergency operations and community-led response systems.
 - iii. Managing fire-related Occupational Health and Safety (OHS) initiatives, including identified injury, medical and mental health risks.
- G. Funding is required for First Nations' and emergency management organizations such as the National Indigenous Fire Safety Council to support fire prevention initiatives and the implementation of First Nations' own emergency management related priorities, where First Nations may opt in to the programs and services provided by the Indigenous Fire Safety Council.

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

- 1. Support the leadership of the National Indigenous Fire Safety Council to:
 - a. Initiate and facilitate a national dialogue with interested First Nations on the creation of an opt-in National Indigenous Dispatch Centre.
 - b. Manage and expand First Nations' fire service programs, including those focused on structural fires, wildfires, and interface fires for First Nations who request it.
 - c. Support the development of opt-in community standards and implementation of accredited training to respond to fires.
- 2. Direct the Assembly of First Nations to work in partnership with the National Indigenous Fire Safety Council to engage interested First Nations, leaders, and emergency service stakeholders in consultation on the design, scope, and operational capacity of emergency management.
- 3. Urge the federal government to provide funding and technical support to First Nations and the National Indigenous Fire Safety Council to support emergency management, including feasibility studies, regional engagement sessions, and planning activities necessary for the mandate provided by First Nations-in-Assembly.
- 4. Declare that any planning and implementation for activities for the National Indigenous Fire Safety Council must be opt-in, include consideration of regional service models, First Nations' languages, traditional knowledge, and interoperability with existing emergency response frameworks.
- 5. Call upon Indigenous Services Canada, Public Safety Canada, and other relevant federal departments to recognize and prioritize First Nations-led emergency service infrastructure, as part of reconciliation and the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples*.

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TITLE: Support for First Nations' Multilateral Negotiations and Implementation of Emergency Management

SUBJECT: Emergency Management

MOVED BY: Tyrone McNeil, Proxy, Sq'ewlets (Scowlitz) First Nation, BC

SECONDED BY: Chief Jerry Jack, Mowachaht/Muchalaht First Nation, BC

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.
 - ii. Article 19: States shall consult and cooperate in good faith with the 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.
 - iii. 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. Climate-driven disasters are increasing in frequency and severity. The 2015-2030 Sendai Framework for Disaster Risk Reduction calls for inclusive, people-centered, multi-hazard approaches. First Nations are disproportionately impacted and require adequate, self-determined resources to prepare for, mitigate, respond to, and recover from emergencies:
- i. Guiding Principle 19(d): Disaster risk reduction requires an all-of-society engagement and partnership. It also requires empowerment and inclusive, accessible and non-discriminatory participation, paying special attention to people disproportionately affected by disasters, especially the poorest.
 - ii. Guiding Principle 19(g): Disaster risk reduction requires a multi-hazard approach and inclusive risk-informed decision-making based on the open exchange and dissemination of disaggregated data [...] complemented by traditional knowledge.
- C. First Nations in British Columbia, Canada, and the Province of British Columbia created a Multilateral Emergency Management Negotiation Team to transition from a bilateral services agreement to a new multilateral agreement that recognizes First Nations as equal partners and formalizes roles, responsibilities and funding across all four pillars of emergency management.

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- D. The 2019 Emergency Management Services Memorandum of Understanding between the Government of Canada, the Province of British Columbia, and the Union of British Columbia Indian Chiefs, British Columbia Assembly of First Nations and the First Nations Summit, recognizes that First Nations governments and their institutions need stable resources to exercise jurisdiction in all four pillars of emergency management.
- E. Despite these commitments, federal core-capacity funding remains ad-hoc, application-based and insufficient, forcing First Nations to rely on short-term contribution agreements that do not support long-term planning, staffing, training, or culturally grounded emergency services.
- F. First Nations leadership in British Columbia has repeatedly directed that emergency-management capacity be sustainably funded, including through the following mirrored resolutions:
 - i. Union of BC Indian Chiefs 2024-16: *Model for Multilateral Emergency Management Services Funding Negotiations*;
 - ii. BC Assembly of First Nations 14/2024: *Model for Multilateral Emergency Management Services Funding Negotiations*;
 - iii. First Nations Summit 0622.08: *Support for First Nations Involvement in Negotiations on a New Tripartite Agreement for Emergency Management Services Funding*; and
 - iv. First Nations Summit 0424.07: *Model for Multilateral Emergency Management Services Funding Negotiations*.
- G. The BC First Nations Climate Strategy and Action Plan and the Action Plan for Disaster Risk Reduction by First Nations in BC (2023-2030) calls for sustained, distinctions-based funding to implement mitigation, preparedness, response and recovery measures.
- H. The Office of the Auditor General of Canada's 2022 report, *Emergency Management in First Nations Communities*, concluded that Indigenous Services Canada's support remains reactive and does not meet First Nations' needs for preparedness and mitigation.

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

1. Direct the Assembly of First Nations (AFN) to support the work of the First Nations Leadership Council Multilateral Emergency Management Negotiation Team, and other regions, where requested, in the development and implementation of their own multilateral negotiations with federal, provincial and territorial governments to ensure the full jurisdiction of First Nations in emergency management.
2. Direct the AFN to call upon Indigenous Services Canada (ISC), Public Safety Canada, the Treasury Board of Canada Secretariat, and other relevant federal departments to support full and effective First Nations' participation in the development and implementation of multilateral negotiations, including through supporting any Memorandums to Cabinet and/or Treasury Board Submissions, where requested by AFN regions, with the goal of securing long-term, distinctions-based emergency management funding.
3. Call upon relevant federal departments to ensure that Memorandum to Cabinet and Treasury Board submission provides:
 - a. Predictable, flexible core-capacity funding for First Nation governments for mitigation, preparedness, response and recovery, including connecting the Disaster Finance Assistance

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Arrangements to ISC programs to ensure First Nations benefit from Disaster Financial Assistance Arrangements as provinces and territories do;

- b. Sustained operational funding for regional and national First Nations emergency-management bodies, and other First Nations mandated service institutions;
- c. Resources for infrastructure, training, equipment and culturally appropriate programming; and
- d. Flow-through, distinctions-based funding governed by First Nations, indexed annually by no less than the Consumer Price Index, First Nations population growth, and aligned with *the United Nations Declaration on the Rights of Indigenous Peoples* Articles 18, 19 and 23.

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TITLE: Call on Canadian National Railway to Negotiate with First Nations Affected by Rail Lines

SUBJECT: Consultation, Reconciliation

MOVED BY: Chief Richard Bruyere, Couchiching First Nation, ON

SECONDED BY: Chief Marcel Medicine Horton, Rainy River First Nations, ON

WHEREAS:

- A. The Canadian National Railway Company (CN) owns and operates the longest railway system on Turtle Island (North America), which it has used to transport freight for more than 100 years through Canada.
- B. Many of CN's rail lines were built and continue to operate through the traditional territories and reserve lands of Indigenous peoples and First Nations across Canada (the "Impacted First Nations").
- C. According to CN's Indigenous Relations Policy, CN's network spans nearly 20,000 miles across Turtle Island and operates within or adjacent to nearly 230 reserve lands of more than 120 First Nations and Metis communities.
- D. In developing the railway network and placing the rail lines, the Government of Canada and CN did not meaningfully consult with or fairly compensate the Impacted First Nations.
- E. CN has acknowledged the history of railways and the role they played as instruments of colonial policies, as well as the intergenerational economic, cultural and social effects that these policies have had on Indigenous communities.
- F. CN has expressed its commitment to engaging and fostering strong, respectful and mutually beneficial relationships with Indigenous communities through its Indigenous Relations Policy.
- G. CN has expressed its commitment to economic reconciliation, cultural awareness, and environmental stewardship and sustainability, while citing its reverence for the Seven Grandfather Teachings, in its Indigenous Reconciliation Action Plan 2025-2027.
- H. The Government of Canada previously owned CN as a Crown corporation, but sold CN to private investors in 1995 (the "CN Sale").
- I. During the CN Sale and privatization of CN, CN entered into a Memorandum of Understanding (MOU) with the Government of Canada, which included language about the respective liabilities of the Government of Canada and CN with regards to claims made by the Impacted First Nations.
- J. Since CN signed the MOU, and despite the CN's Indigenous Relations Policy and Indigenous Reconciliation Action Plan 2025-2027, CN has consistently relied on the MOU to negate its responsibilities to engage in fair and meaningful negotiations with the Impacted First Nations.
- K. CN consistently asserts that it is not liable for any claims made by the Impacted First Nations, creating a barrier to reconciliation between CN and the Impacted First Nations.

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- L. Many of the Impacted First Nations seek to work with CN to establish a long-term and mutually beneficial relationship to create an open dialogue and advance the goal of reconciliation, in the forms including but not limited to relationship agreements and fiscal arrangements.

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

1. Direct the Assembly of First Nations to call on the Canadian National Railway Company (CN) to immediately:
 - a. Engage in an open and collaborative dialogue with the First Nations who would like to discuss, address, and resolve issues and concerns that have arisen as a result of the construction and operation of CN rail lines through their traditional territories and reserve lands;
 - b. Negotiate and enter into formal agreements with those impacted First Nations to promote sustainable and mutually beneficial opportunities as part of broader reconciliation efforts; and
 - c. Fully implement its commitments under its Indigenous Relations Policy and Indigenous Reconciliation Action Plan, in the spirit of the Seven Grandfather Teachings.

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TITLE:	Clarifying Approaches to Métis Rights in First Nations' Territories
SUBJECT:	Rights and Treaties
MOVED BY:	Chief Dennis Pashe, Dakota Tipi First Nation, Unceded Oceti Sakowin Territory, MB
SECONDED BY:	Chief Raymond Brown, Canupawakpa Dakota Nation, Unceded Oceti Sakowin Territory, MB

WHEREAS:

- A. The Assembly of First Nations (AFN) is mandated to advocate for the recognition, affirmation, and protection of First Nations' Inherent rights, Treaty rights, and Aboriginal title, consistent with Section 35 of the *Constitution Act, 1982*, the *United Nations Declaration on the Rights of Indigenous Peoples*, and AFN First Nations-in-Assembly Resolutions.
- B. First Nations are rights holders who hold Inherent and Treaty rights set out in our own governance and legal systems, as well as constitutionally protected rights under Section 35 of the *Constitution Act, 1982*. First Nations alone interpret and describe our Inherent rights through our laws and legal traditions, customary law, and international law. In practice, this means that First Nations rights cannot be undermined by colonial interpretations of these rights.
- C. First Nations' Inherent rights exist regardless of treaties, and for many Nations—including the Dakota Oceti Sakowin in Manitoba—territorial rights are unceded and based on continuous occupation, governance, and law prior to and after the formation of Canada.
- D. The federal and provincial governments have committed to a distinctions-based approach in their relationships with First Nations, Inuit, and Métis, yet in practice have failed to adequately define and reconcile Métis rights when such claims overlap with the territories and rights of Treaty First Nations or unceded Inherent rights holders.
- E. In Manitoba, the Crown recognizes Numbered Treaty territories (Treaties 1–5), Dakota Oceti Sakowin traditional territory (unceded), and the Manitoba Métis Federation's assertions of rights and jurisdiction—all within overlapping geographic regions—yet has no clear, transparent, or rights-based process to identify, prioritize, and reconcile the spectrum of rights holders in the context of Aboriginal Title, resources, and economic participation.
- F. Without clear definitions and reconciliation of rights in such overlapping contexts, Crown decision-making risks infringing upon First Nations' constitutionally protected rights, creating conflict, undermining the honour of the Crown, and perpetuating the infringement and displacement of First Nations from their territories.
- G. In 2023, the *R. v. Powley* case resulted in the Supreme Court of Canada establishing a test to determine Métis Aboriginal rights under Section 35 of the *Constitution Act, 1982*. It requires a claimant to prove membership in a historic Métis community that continued into a contemporary community, with a practice integral to that community's culture that existed prior to colonial control. The test also examines if the right was extinguished and if a current infringement is justified.

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- H. Bill C-53, *An Act respecting the recognition of certain Métis governments in Alberta, Ontario and Saskatchewan to give effect to treaties with those governments* provided a proposed framework for the future implementation of treaties and self-government agreements between Canada and the Métis. First Nations repeatedly called for the rejection of Bill C-53 making clear numerous concerns including the lack of clarity within the Bill as to how overlapping First Nations rights, jurisdiction, and interests with the Métis were to be addressed. As a result of First Nations' advocacy, Bill C-53 did not receive royal assent.
- I. The AFN has several resolutions relating to concerns regarding Bill C-53 including:
- a. Resolution 55/2024, *Continued Rejection and Denouncement of Métis Illegitimate Rights Assertions*;
 - b. Resolution 81/2023, *Urgent Protection of First Nations Inherent and Treaty Rights from Ongoing Illegitimate Rights Assertions*; and
 - c. Resolution 44/2023, *Protect First Nations Rights and Interests from Unfounded Métis Rights*.
- J. There have been an increased number of challenges in rights recognition between First Nations and the Métis. First Nations, often asserting historical and territorial claims, have taken legal recourse to address issues related to land use, resource management, and cultural heritage. The legal disputes arise from disputed overlapping historical and geographical connections, prompting First Nations to seek clarity and recognition within Canada's legal framework.
- K. Canada has committed to addressing these fundamental challenges through the following Action Plan Measures (APMs) of the United Nations Declaration on the Rights of Indigenous Peoples Action Plan:
- a. APM # 24 (Shared Priority), which commits the Government of Canada to "remove and address jointly identified barriers to settlement and co-develop approaches for the implementation of the right to self-determination through treaties, agreements and other constructive arrangements, as well as through new policies and legislative mechanisms."
 - b. APM # 31 (Shared Priority), which commits the Government of Canada to "work in collaboration with Indigenous partners to identify opportunities to reform and strengthen the foundational elements that support rights-based negotiations and approaches."
- L. To date, Canada has not meaningfully implemented these commitments.
- M. The lack of a process to resolve such conflicts amounts to the Government of Canada offloading its responsibilities onto First Nations. First Nations do not have sufficient financial resources to engage in litigation to protect their rights and interest. Further the offloading of the Government of Canada's responsibilities onto First Nations has the potential to create a range of adverse effects and challenges.
- N. National, regional, and First Nations consultation processes are needed to develop respectful processes to recognize Inherent rights and jurisdiction while ensuring adequate safeguards to address overlapping claims and infringement of First Nations rights. Canada must establish fair, open, and timely mechanisms to secure recognition of First Nations' inherent and Treaty rights.

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

1. Reaffirm Assembly of First Nations (AFN) Resolution 55/2024, *Continued Rejection and Denouncement of Métis Illegitimate Rights Assertions*, including continued calls to the Government of Canada to immediately develop and implement public, comprehensive, appropriate, consistent and whole of government distinctions-based approaches and frameworks with respect to Canada's relations with First Nations, Métis, and Inuit, in consultation and cooperation with First Nations rights holders.
2. Call upon the federal government to ensure that any approach to recognition does not diminish, infringe, or supersede existing Treaty First Nations' rights or unceded Inherent First Nations' rights in the same territory.
3. Call upon the AFN to support First Nations for engagement with Canada through the development of tools, guidance, and supporting materials to engage with Canada, Inuit, and Métis peoples on the development of these approaches and or frameworks.
4. Direct the AFN to advocate that any federal framework for defining and recognizing Métis rights must:
 - a. Be grounded in Section 35 of the *Constitution Act*, 1982, Supreme Court jurisprudence, and the *United Nations Declaration on the Rights of Indigenous Peoples*;
 - b. Include a transparent, distinctions-based process for identifying and verifying rights holders in overlapping territories;
 - c. Require the Crown to engage in formal consultation and consent processes with First Nations before extending rights recognition to other groups in those territories; and
 - d. Provide the necessary resources and sustainable, needs-based funding for consultation and negotiation.
5. Call upon all provinces, including the Province of Manitoba to immediately disclose its current process for identifying rights holders in territories where numbered treaties, unceded inherent First Nations territories, and asserted Métis territories overlap, and to suspend any rights recognition processes that risk infringing upon First Nations' rights until the distinctions-based framework is in place.
6. Direct the AFN to provide a report at a future Assembly, summarizing implementation of this resolution, including through informing First Nations on existing Crown practices across Canada in overlapping rights contexts to support future First Nations policy positions to safeguard First Nations' jurisdiction, title, and Treaty rights.

DRAFT RESOLUTION # 35 / 2025

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TITLE:	Ensuring Rights-based Negotiations and Economic Accommodations are Mandated and Directed by Rights-bearing First Nations, not Provincial-Territorial Organizations without Authority
SUBJECT:	Governance, Rights Protection, and Economic Benefits
MOVED BY:	Chief Raymond Brown, Canupawakpa Dakota Nation, Unceded Oceti Sakowin Territory, MB
SECONDED BY:	Chief Dennis Pashe, Dakota Tipi First Nation, Unceded Oceti Sakowin Territory, MB

WHEREAS:

- A.** The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i.** Article 4: Indigenous peoples, in exercising their rights to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
 - ii.** Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
 - iii.** Article 28 (1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior or informed consent.
 - iv.** Article 28 (2): Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quantity, size and legal status or of monetary compensation or other appropriate redress.
- B.** The Assembly of First Nations (AFN) is mandated to advocate for and protect the Inherent, Treaty, and Aboriginal rights of First Nations, and to ensure that any negotiations, agreements, or accommodations involving those rights are directed and authorized by the rights-bearing Nations themselves.
- C.** Section 35 of the Constitution Act, 1982 recognizes and affirms the existing Aboriginal and treaty rights of First Nations, which are collective rights held by the Nation and not by political or service delivery organizations.
- D.** Provincial/Territorial Organizations (PTOs) are political or advocacy bodies that, while often serving important roles in coordination and representation, are not themselves rights-bearing entities and have no inherent legal standing to negotiate or settle rights-based matters without explicit and documented mandates from the rights holders.

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- E. Across Canada, instances have arisen where PTOs have entered into rights-based negotiations or accepted economic accommodation measures from governments or industry without transparent, prior, and informed legal mandates from the impacted First Nations, resulting in:
- i. Undermining of First Nations' Inherent and Treaty rights;
 - ii. Erosion of Nation-to-Crown relationships; and
 - iii. Diversion of economic benefits away from directly impacted First Nations.
- F. The lack of a mandated, transparent process for PTO involvement in rights-based negotiations risks violating the principle of free, prior, and informed consent (FPIC) under the UN Declaration and undermines the integrity of Section 35 rights protections.

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

1. Affirm that rights-based negotiations with the federal or provincial governments, as well as participation in economic accommodation measures arising from the infringement of Section 35 rights, must be conducted only by, or under the express legal authority of, the rights-bearing First Nations whose rights are directly impacted.
2. Call upon all governments (federal, provincial, territorial) to immediately cease entering into rights-based negotiations or granting economic accommodations with Provincial/Territorial Organizations (PTOs) unless such organizations are acting under a clear, documented, and legally enforceable mandate from the rights holders.
3. Direct the Assembly of First Nations (AFN) to develop and advocate for a national policy standard that:
 - a. Requires governments to verify the mandate of any organization claiming to negotiate or receive benefits on behalf of First Nations;
 - b. Establishes that all economic accommodations arising from infringements must flow directly to the impacted rights-bearing First Nations, not to PTOs or third-party entities without rights-holder authorization; and
 - c. Ensures transparency and accountability in all rights-based negotiation processes.
4. Call upon the federal and provincial governments to respect the Nation-to-Crown relationship by engaging directly with the rights holders in any negotiations, settlements, or accommodations affecting their Section 35 rights.
5. Direct the AFN to report back at a future Assembly on positive examples of PTOs engaging with appropriate mandates, the impacts on rights holders, and recommended strategies to protect the direct rights-holder relationship with the Crown.

DRAFT RESOLUTION # 36 / 2025

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TITLE: Affirming the Role of First Nations in Shaping Canadian Immigration Policy and Entry Decisions

SUBJECT: Truth and Reconciliation

MOVED BY: Chief E. J. Fontaine, Sagkeeng Anicinabe Nation, MB

SECONDED BY: Chief Gordon Bluesky, Brokenhead Ojibway Nation, MB

WHEREAS:

- A. The Creator placed the First Nations on Turtle Island with Inherent rights, responsibilities, and jurisdiction over their lands, waters, and nations, which predate the formation of the Canadian state.
- B. Section 35 of the *Constitution Act, 1982* recognizes and affirms the existing Aboriginal and Treaty rights of the Indigenous Peoples of Canada, including First Nations.
- C. The Royal Proclamation of 1763, historical treaties, and international instruments such as the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which Canada has adopted and committed to implement, affirm the Inherent rights of First Nations to self-determination and to participate in decisions that affect them.
- D. Canada's immigration policies have historically excluded First Nations voices and perspectives, despite the direct impact immigration has on the rights and interests as well as the political, economic, social, and cultural fabric of First Nations territories.
- E. Many newcomers to Canada are not supported to be educated on the nation-to-nation relationships between Canada and First Nations, leading to misunderstandings, perpetuation of colonial narratives, and marginalization of First Nations rights and interests.
- F. The Truth and Reconciliation Commission's Calls to Action #93 and #94 call upon the federal government to revise the information kit for newcomers to Canada and its citizenship test to reflect a more inclusive history of the diverse Aboriginal Peoples of Canada, including information about the Treaties and the history of Residential Schools. It also calls upon the Government of Canada to replace the Oath of Citizenship with language to affirm and uphold First Nations Treaties and agreements made with the Crown.
- G. On June 21, 2021, Canada passed C-8, *An Act to amend the Citizenship Act (Truth and Reconciliation Commission of Canada's call to action number 94)* fulfilling TRC Call to Action #94.
- H. Call to Action #93 remains outstanding. The Department of Immigration, Refugees and Citizenship Canada has not indicated when it intends to release the updated Citizenship Guide and accompanying materials.
- I. First Nations have a right to be informed and consulted about who is permitted to enter and reside in their territories and to help shape the values, processes, and priorities that guide immigration policy.

D R A F T R E S O L U T I O N # 3 6 / 2 0 2 5

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

- 1.** Affirm that First Nations, as self-determining nations with Inherent rights and jurisdiction, must have a meaningful role in shaping immigration policies and decisions regarding who is granted entry into Canada.
- 2.** Call on the Government of Canada to formally recognize First Nations' jurisdiction and interest in immigration matters as part of a nation-to-nation relationship and reconciliation efforts.
- 3.** Direct the Assembly of First Nations (AFN) to engage with First Nations and seek funding to develop a First Nations-led framework for participation in immigration policy, including consultation on immigration levels, settlement priorities, and an updated Citizenship Guide and materials to orient newcomers on Treaty obligations and First Nations inherent rights.
- 4.** Urge the Department of Immigration, Refugees and Citizenship Canada to establish a formal mechanism for ongoing consultation and cooperation with First Nations governments.
- 5.** Instruct the AFN to report back to the First Nations-in-Assembly on progress made toward these objectives at the next General Assembly.

DRAFT RESOLUTION # 37 / 2025

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TITLE: Honouring the Legacy of Elijah Harper through a Monument and AFN Advocacy

SUBJECT: Culture, Heritage, Commemoration

MOVED BY: Chief Samuel Knott, Red Sucker Lake Anisiniw Nation, MB

SECONDED BY: Chief Walter Harper, Wasagamack Anisiniw Nation, MB

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* affirms the right of Indigenous Peoples to maintain, protect, and develop the past, present, and future manifestations of their cultures, including historical sites, monuments, and memorials.
- B. Elijah Harper, of Red Sucker Lake Anisiniw Nation, stood with quiet strength and moral clarity during the Meech Lake Accord debates, at a time when the voice of First Nations was too often silenced. His single word, “**NO**”, became a defining affirmation of the sovereignty and dignity of First Nations peoples across this country.
- C. Elijah Harper’s leadership transcended politics; it embodied humility, integrity, and service to his people. He demonstrated that even one First Nations leader, guided by the wisdom of his ancestors and the strength of his Nation, could alter the course of Canadian history.
- D. Across Canada, monuments have been raised to colonial figures whose legacies are marked by harm to First Nations peoples. It is both just and fitting that First Nations leaders who embodied courage, integrity, such as Elijah Harper, be publicly honoured with the same permanence and prominence.
- E. A monument to Elijah Harper will not only mark his legacy but will stand as a beacon to future generations reminding them that the voices of First Nations peoples can and must shape the future of this land.
- F. To bring this vision to life requires a coordinated national effort, with the full weight of the Assembly of First Nations and its regional leadership engaged in advocacy and partnership with governments and philanthropic allies.

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

1. Call on all levels of government to formally honour the late Elijah Harper by supporting the establishment of a permanent public monument in Winnipeg, Manitoba, to be developed in consultation with the Harper family, proponents, and the appropriate jurisdictions.
2. Direct the Assembly of First Nations (AFN) to call on the Government of Canada, the Province of Manitoba, the City of Winnipeg, and philanthropic partners to secure dedicated funding for the monuments design, construction and long-term stewardship.

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3. Direct the AFN to work jointly with the Regional Chief for Manitoba to support the Harper family and proponents in advancing this initiative and leading lobbying efforts for funding, ensuring the process reflects humility, respect, and the highest regard for Harper's legacy.
4. Direct the AFN to report back to the First Nations-in-Assembly on progress, ensuring that this work is advanced with transparency, accountability and reverence.