SPECIAL CHIEFS ASSEMBLY
DECEMBER 14, 15 & 16, 2010, GATINEAU, QC

Resolution no. 52/2010

TITLE:	Federal Fiscal Policy Respecting Aboriginal Self-Government
SUBJECT:	Self-Government
MOVED BY:	Chief Bernie Elkins, Alexandria Indian Band, British Columbia
SECONDED BY:	Chief Frederick Blake, Tsiigehtchic First Nation, NWT
DECISION:	Carried by Consensus

WHEREAS:

A. Self-government is a constitutionally entrenched Aboriginal right.

B. The federal government has a legal obligation to enable that constitutional right to be effectively and meaningfully exercised.

C. Constitutional rights transcend any fiscal policy or regime that a subject government may have in effect at any given time.

D. The federal government's current fiscal policy and approach to the negotiation and implementation of Aboriginal self-government is so restrictive as to frustrate the effective and meaningful negotiation and exercise of the Aboriginal constitutional right to self-government.

E. The federal government has advised that it is reviewing its existing fiscal policy and approach to Aboriginal self-government.

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

1. Direct the AFN to urge the federal government to amend its fiscal policy respecting the negotiation and implementation of aboriginal self-government to recognize that significant incremental costs will be

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incurred to realize effective and meaningful aboriginal self-government and that the funding of those incremental costs is primarily a federal government responsibility.

2. Direct the AFN to urge the federal government to amend its fiscal policy respecting the negotiation and implementation of aboriginal self-government to recognize that the federal obligation to fund the effective and meaningful realization of aboriginal self-government is a mandatory constitutional obligation that should have priority among other competing federal funding requirements.
3. Direct the AFN to support the development of an appropriate legal challenge, should the federal government decline to amend the federal fiscal policy, respecting the negotiation and implementation of Aboriginal self-government to address the preceding amendment requests.

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