



ASSEMBLY OF FIRST NATIONS

2021 ANNUAL GENERAL ASSEMBLY (AGA) RESOLUTIONS UPDATE REPORT FOR 2021 DECEMBER SPECIAL CHIEFS ASSEMBLY (SCA)

December 2021



01/2021 Demanding Justice and Accountability for the Missing and Unidentified Children of Residential Schools

Mover: Kukpi7 Rosanne Casimir, Tk'emlúps te Secwépemc, BC

Seconded: Kukpi7 Judy Wilson, Neskonlith, BC

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

1. Stand in solidarity with the Tk'emlúps te Secwépemc and all survivors of the Residential School System and their families and assert that the mass grave discovered at the former Kamloops Indian Residential School reveals Crown conduct reflecting a pattern of genocide against Indigenous Peoples that must be thoroughly examined and considered in terms of Canada's potential breaches of international humanitarian and human rights law.
 2. Fully support United Nations Resolution 60/147: "*UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*," and assert that there is serious evidence that Canada and the churches have violated international human rights and humanitarian law through the hiding, damaging, interfering with and destroying of mass graves and the concealment of records and archival material about the schools with an intent to delay or hide identification of the sites.
 3. Calls on the federal and provincial governments, in full partnership with First Nations, to take immediate action to identify, seize and control all records of the schools to ensure they inform the investigation needed, and to provide without any limitation, the records to the Indian Residential School Survivors, their families and First Nations, supporting them to gain full and complete access, including funding the necessary resources to digitize, host and assess the records in the possession of churches, archives, and held by the federal government. A six month time frame will be given to governments and the Roman Catholic Church to respond.
 4. Calls upon the Government of Canada to work with First Nations impacted and identify and appoint a Special Rapporteur to conclude and establish a guardianship structure that respects the laws of Tk'emlúps te Secwépemc and any other First Nation where similar sites are identified, ensuring the entity has proper legal protection and takes all necessary measures to address this situation and comply with international and humanitarian standards, including powers to identify all unmarked burial sites connected to residential schools and protect these from erosion, destruction, manipulation or disturbance.
 5. Calls upon the Province of British Columbia and the Government of Canada to establish a safe and confidential process for the reporting of the existence and location of mass graves to support and ensure a verified list of all known locations of mass graves, a proactive search for additional sites, including those that might have been desecrated or concealed by religious or state officials, and to establish, fund, and regulate a proper framework
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regarding the use of digital technologies to discover mass burial sites which ensures complete accountability for the death or inhumane disposal of the remains of our children.

6. Calls upon the Roman Catholic Church, having operated the Kamloops Indian Residential School, and over 70% of all Residential Schools in Canada, to issue a formal apology through the Pope and to renounce the doctrines of moral superiority that the church used to justify imposing its spirituality and beliefs through a harsh environment without the consent of First Nations, and in particular to be fully accountable to the Tk'emlúps te Secwépemc along with all Indigenous Peoples.

IMPLEMENTATION ACTIVITIES:

- In spring of 2021, it was announced that a delegation of Indigenous leadership and residential school survivors would be travelling to Rome on December 17-20, 2021, to meet with Pope Francis. The delegation will include representatives from Inuit Tapiriit Kanatami, Assembly of First Nations (AFN) and Métis National Council and has been organized and sponsored by the Canadian Council of Catholic Bishops (CCCB). (TBIR #3 and #6)
- The AFN Justice Sector has created a standing bi-weekly regional check-in call to help fill the information gap and track the progress First Nations are making with ground searches and recovery efforts. These calls provide a forum for sharing information and resources regionally for those First Nations who want to start the process of searching for unmarked graves.
- The AFN has confirmed that the Pope, as head of the Holy Roman Catholic Church, will come to Canada to deliver a formal apology. (TBIR #3 and #6)
- The AFN Justice Sector is supporting the delegation to Vatican City to deliver messages to the Pope on required action. (TBIR #3 and #6)

STATUS: Ongoing

02/2021 Preliminary Examination of the Prosecutor of the International Criminal Court

Mover: Kukpi7 Rosanne Casimir, Tk'emlúps te Secwépemc, BC

Second: Kukpi7 Wayne Christian, Splat'sin First Nation, BC

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

1. Direct the Assembly of First Nations (AFN) to immediately begin work with all First Nations in Canada to support the investigation of former Indian Residential School sites with the purpose of identifying crime scenes of children.
2. Direct the AFN to work with all First Nations in Canada to support additional works as required and considered appropriate by each First Nation to conduct archeological



investigations, document research and other such methods of investigation as required to collect more information about any gravesites discovered during the investigation.

3. Direct the AFN to seek justice through intervention at the International Criminal Court in this matter, to hold the Imperial Crown, Government of Canada and the Vatican accountable for their actions and to seek justice for the crimes against humanity for the victims' families and the international community.
4. Direct the AFN to formally invite the International Commission on Missing Persons to work with First Nations to support the work as part of an international entity.

IMPLEMENTATION ACTIVITIES:

- The AFN has confirmed that the federal government will provide an additional \$321 million on a range of initiatives related to residential schools and to support First Nations who want to undertake searches of formal residential school sites. (TBIR #2)
- In August 2021, the federal government announced its intention to appoint a special interlocutor to suggest new legal measures and will create a national commemorative monument. The AFN has maintained that an investigation by an international rapporteur is needed and has called for support for interventions at the International Criminal Court (ICC). (TBIR #3)

STATUS: Ongoing

03/2021 Clarification of Designated Representative and Proxy

Mover: Khelsilem, Skwxwu7mesh Uxwumixq, BC

Second: Chief Roderick Gould, Abegweit First Nation, PEI

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

1. Direct that Article 2 (6) should be amended to change the term "designated representative" to Proxy representative.
2. Be it further resolved that Article 8 (1) be amended to read, "Quorum will be established when a minimum of 51% of those Chiefs and Proxies registered for the Assembly are present in the Assembly room. Decisions of the First Nations-in-Assembly shall be made as far as possible by consensus or general agreement. When all efforts at achieving a consensus have been exhausted without success, a positive vote of 60% of the Chiefs and Proxy representatives of First Nations present in the Assembly room shall be sufficient to constitute a decision."
3. Be it further resolved that the AFN Rules and Procedures be amended to reflect the same language as the Charter and that this amendment is effective immediately.



IMPLEMENTATION ACTIVITIES:

- The AFN Charter is updated with the approved amendments identified within the following footnotes of the document:
- TBIR #1 – Footnote #1 Principles Article 2(6)
 - 6. Any decision or direction on a subject matter of a fundamental nature that may affect the jurisdiction, rights and survival of First Nations, may be undertaken as a national or international matter provided the First Nations-in-Assembly have reached a consensus to grant delegated power, mandate or responsibility to the Assembly of First Nations. When all efforts at achieving a consensus have been exhausted without a success, a positive vote of 60% of the Chiefs and Proxies of First Nations shall be sufficient for the Assembly of First Nations to undertake any subject matter of a national or international matter. Quorum will be established when a minimum of 51% of those Chiefs and Proxies registered for the Assembly are present in the Assembly room. Decisions of the First Nations-in-Assembly shall be made as far as possible by consensus or general agreement. When all efforts at achieving a consensus have been exhausted without success, a positive vote of 60% of the Chiefs and Proxy representatives of First Nations present in the Assembly room shall be sufficient to constitute a decision.
- TBIR #2 – Footnote #6: Decision Making Article 8 (1):
 - 1. Quorum will be established when a minimum of 51% of those Chiefs and Proxies registered for the Assembly are present in the Assembly room. Decisions of the First Nations-in-Assembly shall be made as far as possible by consensus or general agreement. When all efforts at achieving a consensus have been exhausted without success, a positive vote of 60% of the Chiefs and Proxy representatives of First Nations present in the Assembly room shall be sufficient to constitute a decision.
- TBIR #3 – AFN Conference Booklet Rules of Procedure document has been updated.

STATUS: Complete

04/2021 Composition Change Prince Edward Island

Mover: Chief Darlene Bernard, Lennox Island First Nation, PEI

Seconder: Chief Roderick Gould, Abegweit First Nation, PEI

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



1. Direct that Article 17 Composition and any other articles that refer to the number of Regional Chiefs, be amended to include Prince Edward Island as a Region represented under the Charter.

IMPLEMENTATION ACTIVITIES:

- The AFN Charter is updated with the approved amendments identified within the following footnotes of the document:
 - TBIR #1:
 - Footnote #7: The Confederacy of Nations Composition Article 11:
 - For the purposes of representatives and quorum, the Executive Committee shall maintain a record of the First Nations populations of each region which shall be British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Labrador, Nova Scotia and Newfoundland, New Brunswick, Prince Edward Island, Northwest Territories, Yukon Territory.
 - Footnote #9: The Executive Committee Composition Article 17 (3):
 - The AFN Regional Chiefs shall be elected by the Chiefs in their regions according to the following formula: one each from British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Labrador, Nova Scotia and Newfoundland, New Brunswick, Prince Edward Island, Northwest Territories, Yukon Territory.
 - Footnote #15: Council of Women Article 23.A (1):
 - The Council of Women shall consist of one or more female(s) in a leadership position representing each of the eleven regions according to the following formulas: one each from British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Labrador, Nova Scotia and Newfoundland, New Brunswick, Prince Edward Island, Northwest Territories and the Yukon Territory. Each region will be responsible for identifying the process for the appointment of their regional representative. In addition, the Chairperson (or designate) shall be associated with the Secretariat and be a member of the Executive Committee.
 - Footnote #16: National Youth Council Article 23.B (1):
 - The National Youth Council shall consist of two youth representatives from each of the eleven regions of the Assembly of First Nations.

STATUS: Complete

05/2021 Allocation of Early Learning and Child Care Investments in Budget 2021

Mover: Chief George Ginnish, Natoaganeg First Nation, NB



Seconder: Chief Alvin Francis, Nekaneet First Nation, SK

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

1. Support the application of the interim funding model from Assembly of First Nations (AFN) Resolution 59/2018, *First Nations Early Learning and Child Care Regional Funding Allocation Approach*, to Budget 2021 investments in First Nations Early Learning and Child Care (ELCC) for governance capacity and programs and services for the current fiscal year, until March 31, 2022, based on the following formula:
 - a. Per capita funding based on the Modified Berger Formula using the Indian Registration System population counts of on and off-reserve children aged 0-6, weighted for remoteness.
 2. Direct the AFN to call on Canada to adequately and immediately fund national-level ELCC work at the AFN and the National Expert Working Group (NEWG) on First Nations ELCC.
 3. Direct the AFN to establish a Chiefs' Committee on Early Learning and Child Care to provide direction for the implementation of Budget 2021 investments and the ongoing implementation of the First Nations and Indigenous ELCC Frameworks.
 4. Direct the Chiefs' Committee on Early Learning and Child Care to report to the Chiefs-in-Assembly in December 2021.
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IMPLEMENTATION ACTIVITIES:

- TBIR 1: The Assembly of First Nations (AFN) notified Employment and Social Development Canada (ESDC) of the resolution to apply the interim funding model to Budget 2021 investments in July 2021.
 - TBIR 2: AFN drafted and submitted a funding proposal to ESDC in July 2021 seeking funds to support the development of a First Nations-determined funding formula and support the ongoing work of the National Expert Working Group (NEWG) on First Nations Early Learning and Child Care (ELCC). The AFN has yet to receive a response on this proposal.
 - TBIR 3 and 4: As a result of not receiving support for the AFN's proposal and funding to date, the AFN has not been able to undertake work on ELCC, including establishing a Chiefs Committee on ELCC.
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STATUS: Ongoing

06/2021 Yukon River Chinook Salmon of Canadian-Origin

Mover: Dan Yetthi Hede, Nicole Tom, Little Salmon Carmacks First Nation, YK

Seconder: Chief Byron Louis, Okanagan Indian Band, BC



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

1. Direct the Assembly of First Nations (AFN) to urge the Prime Minister and the Minister of Fisheries and Oceans to initiate a federal inquiry, in partnership with Yukon First Nations, to investigate the decline of Yukon River Chinook salmon of Canadian-origin and provide recommendations to address that decline.
2. Direct the AFN to advocate to the Minister of Fisheries and Oceans Canada to establish additional oversight and supports for the proper implementation of the *Yukon River Salmon Agreement* to ensure that Canada-US Treaty obligations are met on an annual basis.
3. Direct the AFN to work with Yukon River First Nations to engage with the Minister of Fisheries and Oceans to immediately prioritize and dedicate resources to reverse the long-term decline of Yukon River Chinook Salmon of Canadian-origin, ensuring direct funding towards Yukon First Nations to lead conservation efforts.

IMPLEMENTATION ACTIVITIES:

- Correspondence has been drafted urging the Prime Minister of Canada to launch a federal inquiry to investigate the decline of Yukon River Chinook salmon and provide recommendations to address that decline.
- The Yukon representative on the National Fisheries Committee was invited to provide background on the issue during the National Fisheries Committee's virtual meeting on November 2, 2021; and the AFN Fisheries Sector subsequently met with them to identify work areas.
- On behalf of the Regional Chief for British Columbia, the AFN Fisheries Sector drafted a letter to the Minister of Fisheries and Oceans requesting a meeting to discuss several portfolio-related issues, including this resolution.
- The AFN provided the National Fisheries Committee with briefing information on the federal cabinet appointments and a biography for the incoming Minister of Fisheries and Oceans.

STATUS: Ongoing

07/2021 **Creation and Implementation of Legislation for First Nations Policing as an Essential Service**

Mover: Ogimaa Duke Peltier, Wiikwemkoong First Nation, ON

Second: Chief Dylan Whiteduck, Kitigan Zibi Anishinabeg, QC

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



1. Direct the Assembly of First Nations (AFN) to continue working with Public Safety Canada on the co-development and implementation of a legislative framework that recognizes First Nations policing services as an essential service to end inequitable programming and funding under the First Nations Policing Program (FNPP).
2. Direct the AFN to work with AFN regional offices to carry out an engagement process with First Nations, Tribal Councils, or Treaty Organizations on the co-development and implementation of legislation that recognizes First Nations policing as an essential service while respecting and upholding both pre-existing or otherwise developed processes.
3. Direct the AFN to call on Provinces and Territorial governments to respect and honor the existing 48/52 funding formula under the FNPP. If that formula changes, it does so in favor of First Nations.
4. Direct the AFN to advocate for First Nations, Tribal Councils or Treaty Organizations to be sufficiently funded to create and administer their own essential police services.
5. Direct the AFN to advocate for sufficient funding be made available for the infrastructure necessary to create and administer essential police services.

IMPLEMENTATION ACTIVITIES:

- The AFN has struck a First Nations policing taskforce committee to provide support and guidance for the development of a new First Nations policing legislative framework. The committee is comprised of regional representatives, technical experts, and executive members of the First Nations Chiefs of Police Association.
- Ensuring that First Nations voices are included in the development and implementation processes of a new First Nations policing legislative framework is a top priority of the AFN.
- The Justice Sector has set up engagement processes with each of the AFN's 10 regions so they can engage with key stakeholders to identify priority policy areas that affect First Nation policing in their region. These regional engagement processes will ensure any new First Nations policing legislation fits the unique needs and circumstances of First Nations themselves.

STATUS: Ongoing

08/2021 **Implementation of the National Action Plan to End Violence Against Indigenous Women, Girls, and 2SLGBTQIA People**

Mover: Chief Adrienne Jerome, La Nation Anishnabe du Lac Simon, QC

Second: Chief Shelley Sabattis, Oromocto First Nation, NB

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

1. Call upon the federal government to ensure that all activities with respect to the National



Action Plan to end violence against Indigenous women, girls and 2SLGBTQIA people be carried out using a “Families First” and distinctions-based approach.

2. Direct the Assembly of First Nations (AFN) to advocate for and seek appropriate resources to engage in or carry out activities in support of implementation of the Nation Action Plan to end violence against Indigenous women, girls and 2SLGBTQIA people.

IMPLEMENTATION ACTIVITIES:

- On June 3, 2021, the AFN released a First Nations National Action Plan in response to the 231 Calls for Justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). The First Nations National Action Plan Framework is entitled “*Breathing Life into the Calls to Justice*” and was developed with direct input from First Nations survivors of gender-based violence and families of missing or murdered loved ones.
- The AFN Justice Sector is in active discussions with officials from Crown Indigenous Relations Canada (CIRC) regarding the implementation of the NAP. In August 2021 the Justice Sector submitted a funding proposal for implementation and further regionally funded engagement.

STATUS:

- Ongoing

10/2021 Support for the co-development of a new distinctions-based Indigenous Languages Funding Model

Mover: Ogimaa Duke Peltier, Wiikwemkoong, ON

Second: Kukpi7 Wayne Christian, Splantsin, BC

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

1. Reaffirm that jurisdiction over First Nations languages remains with individual First Nations.
2. Affirm that First Nations’ jurisdictions in respect of their languages apply in connection with their citizens residing off-reserve or off settlement lands as well as with citizens residing on reserve or on settlement lands.
3. Reaffirm the principles and direction set out in the *Indigenous Languages Initiative Report* and affirmed through Assembly of First Nations (AFN) Resolution 77/2017.
4. Direct the Chiefs Committee on Languages (CCOL), the Technical Committee on Languages (TCOL), and the AFN to be guided by those principles in the work that they undertake with Canada to develop a new Funding Model for revitalizing First Nations languages.



5. Direct the CCOL, TCOL and AFN to continue collaborating with regions, First Nations, First Nations educators, First Nations language experts, the Government of Canada, other Indigenous organizations, and other organizations as required, in developing a new Funding Model, including a framework or regulations for agreements or arrangements under sections 8 or 9 of the Indigenous Languages Act (the Act).
6. Direct the CCOL, TCOL, and the AFN to ensure that any Funding Model developed further to the parties' collaborative work, including any related framework or regulations for agreements or arrangements:
 - a. does not detract or hinder First Nations from advancing their own processes towards language revitalization;
 - b. does not define, limit, prejudice, abrogate or derogate from any of the rights, interests or jurisdiction of individual First Nations, or from advancing their own processes towards language revitalization;
 - c. supports First Nations, regional groups, Treaty groups, or language groups that want to independently engage in processes relating to First Nations languages; and,
 - d. includes an agreed upon process to ensure that there is an equitable and sustainable distribution of funds across the regions.
7. Direct the AFN to return to the First Nations-in-Assembly when the Funding Model is complete to seek ratification.
8. Direct the AFN to seek periodic involvement of central agencies of the Government of Canada in discussions about the Funding Model, including frameworks or regulations for funding agreements.
9. Call on the Government of Canada to include First Nations partners in these discussions to advance First Nations interests.
10. Call upon the Government of Canada to ensure that funding distributed through the funding model will be protected so that there will not be a decrease or loss in this funding in future years.
11. Call on the Government of Canada to give effect to paragraph 5(e.1) of the Act by facilitating meaningful opportunities for First Nations governments, First Nations governing bodies and First Nations-led organizations to collaborate in policy development related to the implementation of the Act.
12. Call on the Minister of Canadian Heritage to comply with paragraph 45(1) (a.1) and section 45.1 of the Act by:
 - a. consulting with First Nations governments, First Nations governing bodies and First Nations-led organizations before the Governor in Council makes regulations respecting procedures for consultations required under the Act, as well as for the negotiation of agreements or arrangements under sections 8 and 9 of the Act; and



- b. ensuring that First Nations governments, First Nations governing bodies and First Nations-led organizations are afforded a meaningful opportunity to collaborate in policy development leading to the making of regulations under section 45 of the Act.

IMPLEMENTATION ACTIVITIES:

- The Assembly of First Nations (AFN) attends meetings of the Joint Implementation Steering Committee (JISC), on a bi-weekly basis, with representatives from the Department of Canadian Heritage (DCH), Inuit Tapiriit Kanatami, and the Métis National Council). JISC's priority is the implementation of the *Indigenous Languages Act* (the Act), and its current focus is on the development of a new Indigenous Languages Funding Model. (TBIR #5)
- The AFN has set up bi-weekly bilateral meetings with DCH to provide on-going feedback regarding DCH's intention to seek a blanket authority for the Minister to enter into agreements under section 8 or 9 of the Act. (TBIR #5)
- The Technical Committee on Languages (TCOL) holds monthly meetings to discuss various elements of a draft First Nations Funding Model that will inform DCH's Treasury Board Submission. A drafting team has been set up and meets bi-weekly to address specifics regarding the First Nations Funding Model. The draft First Nations Funding Model includes section 8 and 9 agreements, the implementation of core funding, the possible continuation of annual and multi-year proposal-based funding, a whole of government approach to funding, consideration of the needs of on-reserve and off-reserve populations, and recommended changes to the terms and conditions for DCH's Indigenous Languages and Cultures Program. (TBIR #5, 6, 8, 10).
- The Languages and Learning Sector, along with the Working Group and the TCOL are preparing the draft First Nations Funding Model, including a revised regional funding allocation formula, for engagement discussions with First Nations that are planned January- March, 2022. Following the engagements, the Funding Model and regional funding allocation formula will be revised to accurately reflect First Nations' input, and ratification of the Funding Model will be sought at the 2022 July Annual General Assembly. (TBIR #7)
- The on-going discussions continue between AFN and DCH regarding paragraph 5(e.1), paragraph 45(1) (a.1) and section 45.1 of the Act. (TBIR #12)

STATUS: Ongoing

11/2021 Improving Assembly of First Nations Financial Procedures to reinforce transparency and accountability and advance First Nations jurisdiction, priorities and interests



Mover: Chief Roberta Joseph, Tr'ondëk Hwëch'in, YK

Seconded: Khelsilem, Skwxwú7mesh Úxwumixw, BC

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

1. Direct the AFN Executive Committee to provide to the Chiefs-in-Assembly, each year and prior to the commencement of a new fiscal period, budget projections for those funding proposals that have been submitted for the upcoming fiscal year. This projection will outline the proposed annual operating budget and spending priorities of the AFN in order that the First Nation members can provide recommendations to inform the resulting AFN annual operational and spending priorities.
2. Direct the AFN Executive Committee, as part of their responsibility to monitor and control the financial resources of AFN and in accordance with the principles of accountability and transparency, to review the financial reports (monthly or quarterly) with a purpose to ensure regional parity in the distribution of AFN resources (to financially support the regional and national implementation of AFN mandates) and compliance with the AFN financial policies, procedures and conflict of interest requirements.
3. Direct the AFN Executive Committee to strike an external review committee, comprised of one Chief or expert from each respective region, to conduct a review of AFN financial policies and practices (the "Review") and provide a report with recommendations to the AFN Executive Committee with the intent of implementing the recommendations in the 2022/2023 fiscal year. This Review will have, at minimum, the following scope:
 - a. identify how the current practice and process of awarding contracts is exercised;
 - b. review any concerns, past or present, with conflicts of interest with respect to AFN Executive Committee members and AFN management;
 - c. make recommendations to strengthen financial policies and procedures with respect to conflict of interest;
 - d. review policies and processes with respect to transparency, accountability and reporting to the AFN Executive Committee on contracts awarded, regardless of value; and
 - e. make recommendations on potential amendments to the financial policies and procedures on how to ensure greater transparency and accountability and consistency with other governance tools and processes.

IMPLEMENTATION ACTIVITIES:



- AFN Management Committee will be meeting November 30th to discuss the implementation of this resolution.

STATUS: Ongoing

12/2021 Implementation of Online Gaming

Mover: Chief Reginald Bellerose, Muskowekwan First Nation, SK

Second: Chief Marcel Head, Shoal Lake Cree Nation, SK

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

1. Support the Federation of Sovereign Indigenous Nations and the Saskatchewan Indian Gaming Authority in implementing online gaming as an assertion of First Nations Inherent and Treaty rights.

IMPLEMENTATION ACTIVITIES:

- After consulting with mover and seconder, the approach is for the AFN to prepare a template letter to link efforts to include implementation of online gaming and efforts related to more federal policy reform targeting increased First Nations participation in the gaming sector.
- The proposed letter will be developed once the AFN has access to more information on the scope of any engagement and reform exercise planned by Canada.
- On October 27, 2021, the Saskatchewan Throne Speech delivered by the Lieutenant Governor Russ Merasty committed to the development of an online gaming agreement with the Federation of Saskatchewan Indigenous Nations.

STATUS:

Ongoing.

13/2021 Single Event Sports Betting

Mover: Chief Wally Burns, James Smith Cree Nation, SK

Second: Proxy Neil Sasakamoose, Red Pheasant First Nation, SK

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



1. Support the implementation of Single Event Sports Betting and calls for the amendment of Bill C-218, *the Safe and Regulated Sports Betting Act* and the Criminal Code of Canada to allow First Nations to implement Single Event Sports Betting, without the requirement of a license or permission from a province or territory of Canada.
2. Direct the AFN Executive Committee Portfolio Holder to work with First Nations across Canada to secure the right for respective First Nations to implement Single Event Sports Betting within their Treaty and traditional territories.

IMPLEMENTATION ACTIVITIES:

- Numerous First Nations attempted to provide improvements to the legislation, which would have served to advance reconciliation, create more diverse and prosperous First Nations economies, and provide a robust regulatory framework for First Nations gaming, both on single sports betting and beyond.
- Parliament ignored those submissions from First Nations, in an effort to rush this legislation through.
- In August 2021, the AFN drafted and delivered a proposal to the Department of Justice for an engagement with First Nations to make legislative and policy reforms to enhance participation of First Nations in the gaming sector, while respecting the treaty and inherent rights and jurisdictions of First Nations.
- The AFN is awaiting word on the proposal to the Department of Justice to access funding and enable engagement activity.
- The federal election period impacted timing for a potential meeting between the Portfolio Holder and the Minister of Justice. To support a future meeting, the AFN has been monitoring for any new developments regarding First Nations jurisdiction over gaming. Since June 2021, Parliament has not considered amendments to the Criminal Code of Canada.
- On June 29, 2021, Bill C-218 received Royal Assent. As a result, there has been no opportunity to call for amendment to the Bill.

STATUS: Ongoing.

14/2021 Support for Criminal Code Amendments

Mover: Chief Lorie Whitecalf, Sweetgrass First Nation, SK

Secunder: Chief Nathan Pasap, White Bear First Nation, SK



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

1. Support amendments to the Criminal Code of Canada and any other laws of Canada that recognize the full jurisdiction of First Nations over gaming.
2. Direct that any amendments to the Criminal Code of Canada require a full in-depth consultation process with First Nations impacted.
3. Direct the AFN Executive Committee Gaming Portfolio Holder to engage with the Minister of Justice and Attorney General to secure full recognition of First Nations jurisdiction over gaming.

IMPLEMENTATION ACTIVITIES:

- In August 2021, the AFN drafted and delivered a proposal to the Department of Justice for an engagement with First Nations to make legislative and policy reforms to enhance participation of First Nations in the gaming sector, while respecting the treaty and inherent rights and jurisdictions of First Nations. The AFN anticipates developing an engagement process with Canada to explore, among other things, amendments to the Criminal Code.
- The AFN recognizes that various First Nations regions engage in the gaming sector using different approaches. Upon approval of funding, the AFN will be able to begin activity and plan for engagement including to develop a work plan that will be instructed by resolutions and informed by First Nations leadership. Objectives in this work will include to ensure that the jurisdiction, regulatory powers and arrangements of all First Nations are respected by future federal initiatives and supported by the advocacy of the Assembly of First Nations.
- The federal election period impacted timing for a potential meeting between the Portfolio Holder and the Minister of Justice. The AFN Economic Development staff has been monitoring for any new developments regarding First Nations jurisdiction over gaming. Since June 2021, Parliament has not considered amendments to the Criminal Code of Canada.
- On June 29, 2021, Bill C-218 received Royal Assent. As a result, there has been no opportunity to call for amendment to the Bill.

STATUS:

Ongoing.
