



# **RESOLUTIONS 2008**

## **RESOLUTION 2008-01**

### **Northwest Territories and Alberta Congress Aboriginal Association**

**Whereas** the Congress of Aboriginal Peoples was originally formed coast to coast to represent urban and rural off-reserve Aboriginal and Indigenous Peoples of Canada;

**Whereas** for the past five years the Congress of Aboriginal Peoples has rightfully included Manitoba, Saskatchewan and Ontario into the Congress of Aboriginal Peoples National Organization;

**Whereas** the Congress of Aboriginal Peoples National Office is working to include other provinces and territories not currently affiliated under the Constitution;

**Whereas** the Northwest Territories and Alberta Congress Aboriginal Association is now organizing their membership and has established a Board of Directors and want to be included in the National Organization as a Provincial/Territorial Organization under the Constitution and has met the terms set out by the constitution of CAP; and

**Whereas** Alberta Congress Aboriginal Association and NWT is prepared to become part of the CAP family;

**Be it resolved that** CAP National Office take the steps necessary to bring the Aboriginal Congress Alberta Association and NWT's to the national organization of CAP by August 2009.

**Therefore** the Aboriginal Congress of Alberta Association and the Northwest Territories are compliant as per the Bylaws of CAP that the CAP Board of Directors sign a Memorandum of Understanding/Protocol Agreement working towards the full member status of the CAP family by August 2009.

Moved by:                Noeline Villebrun

Seconded by:            Kim Beaudin

Defeated.

## **RESOLUTION 2008-02**

### **Composition of the Dispute Resolution Committee**

**Whereas** section 9.10 of the Constitution/Bylaws of the Congress of Aboriginal Peoples states that the Board shall appoint a Voting Delegate Dispute Resolution Committee comprised of three persons, at least one of whom shall be a person who is a member of the Bar of a province or territory;

**Whereas** resolutions have been adopted in the past for youth to gain experience in all committees;

**Be it resolved** that section 9.10 include a “youth representative” from the Annual General Assembly delegate list, to bring the total to four persons on the Dispute Resolutions Committee.

Moved by:                 Jamie Gallant

Seconded by:            Kayla Larkin

Constitutional amendment without notice provision. Withdrawn.

## **RESOLUTION 2008-03**

### **Support for the Vancouver Aboriginal Mothers' Centre Society**

**Whereas** the Congress of Aboriginal Peoples and members of the Nations across Canada did meet in a duly convened gathering on November 15-16, 2008 in Ottawa;

**Whereas** it is the duty of CAP acting collectively in addition to acting on behalf of their respective Nations/Tribes preserve, protect and enhance the treaty way of life and sovereignty of the members and their governments; and

**Whereas** CAP is concerned with the Indigenous Nations' children, elders, women, people with disabilities, youth and men who live in the lower mainland; on the lower east side in Vancouver and across Canada and encounter desperate conditions of poverty and addictions that impede their health and well being; and

**Whereas** CAP supports the agencies and the Indigenous Nations' authorities that currently work to assist these Indigenous people and their requirements for more appropriate resources to assist them including the critical need for safe and affordable housing; and

**Whereas** CAP confirms that the Aboriginal Mothers' Centre Society is an organization devoted to addressing the needs of Indigenous Nations children, elders, women, people with disabilities, youth and men who live in the lower mainland and across Canada; and

**Whereas** CAP supports many of the Indigenous people who use the Aboriginal Mothers' Centre Society and that most are from Indigenous Nations across Canada; and

**Whereas** CAP supports the Aboriginal Mothers' Centre Society in preparing a proposal for a health and wellness centre in Vancouver that may serve as a pilot project to assist Indigenous people from across Canada and similar circumstances in other urban centres.

**Therefore be it resolved** that CAP fully supports the Aboriginal Mothers' Centre Society's efforts to secure federal and provincial funding commitments to develop a health and wellness centre in Vancouver, British Columbia and other urban centres as required; and

**Be it further resolved** that CAP direct a task force group working with the Chiefs of Treaties 1-11 and the Union of British Columbia Indian Chiefs, Assembly of First Nations, the First Nation Summit, United Native Nations Society of BC,

Native Women's Association of Canada and other interested parties in First Nations to call upon federal and provincial governments to obtain a commitment for resources for this initiative.

Moved by: Bernie Williams-Poitras

Seconded by: Noeline Villebrun

Carried.

## **RESOLUTION 2008-04**

### **Environmental Assessment**

**Whereas** environmental assessments are vital to sustainable development and to address Aboriginal environmental health concerns; and

**Whereas** the federal government regulations and policy concerning environmental assessments are becoming increasingly numerous, complex, time consuming and bear considerable financial burden on PTOs to review and comment upon environmental assessments; and

**Whereas** the Crown has a duty to consult and accommodate Aboriginal peoples on environmental assessments yet there exists no clear mechanism by which the federal government is meaningfully engaging, consulting or accommodating PTOs;

**Be it resolved** that the Congress of Aboriginal Peoples make it a priority to solicit the federal government for new funds and other support to build capacity within PTOs to establish and maintain environmental assessment secretariats with the purpose of establishing Aboriginal environmental assessment mechanisms with the federal and provincial/territorial governments.

Moved by: Beverly Frances

Seconded by: Shari Johns

Carried.

## **RESOLUTION 2008-05**

### **Compensation for Aboriginal Veterans**

**Whereas** Aboriginal war veterans living off-reserve and their survivors have been denied compensation and excluded from the provisions of the Veterans' Compensation Package;

**Whereas** these veterans made the same sacrifices as any other war veteran, regardless of race or residency;

**Whereas** the dismissal of the claims of these veterans and their exclusions from veterans' programming and services clearly represents racism and discrimination;

**Therefore be it resolved** that the Congress of Aboriginal Peoples undertakes to hold the federal government accountable for ensuring that off-reserve Aboriginal veterans and their survivors receive no less than absolute parity with all other veterans in respect of any accommodation of veterans, regardless of Indian status and residency.

Moved by:           Lionel Harquail

Seconded by:       Jack Bernard

Carried.

## **RESOLUTION 2008-06**

### **Bill C-31 & Section 15 Canadian Charter of Rights and Freedoms**

**Whereas** the Status of Women Canada's mandate is to "advance the equality of women across Canada through the improvement of the economic and social conditions and their participation in democratic life."

**Whereas** the Status of Women has a partnership fund that provides contributions to support collaborative projects for non-profit organizations whose objectives reflect the equality measures set out in section 15 of the Canadian Charter of Rights and Freedoms.

**Whereas** the Congress of Aboriginal Peoples is an incorporated, not-for-profit organization representing the rights and interests of off-reserve, non-Status and Metis women across the country.

**Therefore be it resolved** that the Congress of Aboriginal Peoples' Annual Assembly instruct the Executive and Board of Directors to prepare a funding proposal to provide the financial resources necessary to advance a section 15 equality research project specifically with respect to Bill C-31 reinstates and their descendants.

Moved by: Rikki Schock

Seconded by: Jamie Gallant

Carried.

## **RESOLUTION 2008-07**

### **Inclusion of Past Leaders as Voting Delegates at CAP Annual Assemblies**

**Whereas** the Congress of Aboriginal Peoples' past leaders (National Chiefs/Presidents) were full voting delegates at AGAs until a few years ago; and

**Whereas** the knowledge, experience and insights of past leaders are a valuable asset to both the policy and development and future leadership evaluation processes;

**Therefore be it resolved** that CAP's past national leaders be fully reinstated as voting delegates to the AGA process and that they enjoy the rights and privileges attached thereto, provided they be members in good standing of a CAP PTO, effective immediately.

Moved by: Betty Ann Lavallee

Seconded by: Grace Conrad

Constitutional amendment without notice provision. Withdrawn.

## **RESOLUTION 2008-08**

### **NACOSAR**

**Whereas** it is the will of Parliament to meaningfully engage, consult and accommodate Aboriginal Peoples on Species at Risk, the Parliament established through the Species at Risk Agreement, a National Aboriginal Council on Species at Risk (NACOSAR) to advise the Minister on the implementation and administration of the Act; and

**Whereas** there is strong evidence of obstruction and resistance by Environment Canada in such areas as budgets, secretariat services, and vital support for NACOSAR, which is impeding the power and effectiveness of NACOSAR to perform its duties under the Act;

**Therefore be it resolved** that the Congress of Aboriginal Peoples write the Minister and demand that the appropriate budget, offices, secretariat and other required support be appropriated.

Moved by:                Jamie Gallant

Seconded by:            Grace Conrad

Carried.

## **RESOLUTION 2008-09**

### **Employment Strategy**

**Whereas** CAP is the national representation organization for off-reserve members; and

**Whereas** CAP has been mandated to ensure off-reserve members have all the opportunities for training and jobs;

**Be it resolved** that CAP implement an Employment Strategy/Partnership with all the provinces and territories;

**Be it further resolved** that CAP, as soon as possible, start lobbying with other agencies to ensure a collaborative approach.

Moved by:               Noelline Villebrun

Seconded by:       Nellie Prince

Carried

## **RESOLUTION 2008-10**

### **Residential School Settlement**

**Whereas** a number of day school students have been excluded from the residential school settlements;

**Whereas** many First Nation Metis and Inuit children suffered the same degree of massive human rights violations as a result of attending schools administered by the churches;

**Whereas** the federal government of Canada and the churches refuse to recognize this as part of their genocidal policies;

**Be it resolved** that the Congress of Aboriginal Peoples develop and implement as soon as possible a Residential School Department;

**Be it resolved** that CAP pursue funds for a class action suit to ensure day students are included as part of the Residential School Settlement;

**Be it further resolved** that CAP in conjunction with their affiliates be mandated to ensure that these survivors residing away from their homelands develop a committee and invite the Truth and Reconciliation Commission Secretariat to hear CAP's members' stories regarding the devastating impact on Indian residential school survivors in urban and rural communities.

Moved by:               Nellie Prince

Seconded by:         Noeline Villebrun

Defeated.

## **RESOLUTION 2008-11**

### **Residential School Survivors**

**Whereas** the Aboriginal Healing Foundation and government agencies have provided support to residential school survivors;

**Whereas** this support excludes many survivors who attended because of technicalities (i.e. lack of documentation, etc.);

**Be it resolved** that the Congress of Aboriginal Peoples seek funding from government agencies in order to ensure that no survivor is left out and equal opportunities are provided to on and off-reserve survivors;

**Be it further resolved** that if funding is obtained, CAP allocate such funds to the PTOs to provide the necessary services to their members who fall under this category.

Moved by:                James Parnel

Seconded by:            Sulian Stone Eagle Herney

Carried.

## **RESOLUTION 2008-12**

### **Prayerful Recognition of Veterans**

**Whereas** Canada's war veterans through their valiant and courageous efforts in times of conflict are directly responsible for the freedom all Canadians enjoy;

**Whereas** these veterans fought and struggled in defence of our freedom, especially those who made the ultimate sacrifice;

**Therefore be it resolved** that the Congress of Aboriginal Peoples undertake to begin each Annual General Assembly with two minutes of silent, prayerful remembrance in recognition and appreciation of the selfless acts of our veterans.

Moved by: Ken Mesher

Seconded by: Chris Lethbridge

Carried

## **RESOLUTION 2008-13**

### **Call for public enquiry into the Missing Women of the Downtown Eastside (Vancouver), the Highway of Tears (Northern British Columbia) and across Canada**

**Whereas** members of the Congress of Aboriginal Peoples gathered at a duly convened gathering on November 15-16, 2008, at Ottawa, Ontario;

**Whereas** it is the duty of the Congress of Aboriginal Peoples acting collectively, in addition to acting on behalf of their respective nations/tribes to preserve, protect and enhance the treaty way of life and sovereignty of the members and their governments; and

**Whereas** the Congress of Aboriginal Peoples is in support of Indigenous Nations that hold a sacred responsibility for all Indigenous Nations Citizens regardless of their residency; and

**Whereas** the Congress of Aboriginal Peoples is in support of all the Indigenous Nations women who have traditionally held positions of high regard in Indigenous societies, including givers of life, leaders and integral and valued members of society; and

**Whereas** the Congress of Aboriginal Peoples affirms strongly that the Indigenous Nations Women have the right to personal safety and security, no matter what their socio-economic status may be; and

**Whereas** the Congress of Aboriginal Peoples is concerned that the Indigenous Nations Women are experiencing a disproportionate amount of violence; and

**Whereas** the Congress of Aboriginal Peoples supports the Indigenous Nations people, including women who live in the downside eastside in Vancouver and the Highway of Tears of Northern BC and all across Canada encounter desperate conditions of poverty and addictions that impede their health and well being;

**Whereas** the Congress of Aboriginal Peoples is concerned that there are over 3000 missing and murdered women and 80% of these women are indigenous nations women in Canada, including the women from the downtown eastside in Vancouver and the Highway of Tears of northern BC and across Canada; and

**Whereas** the Congress of Aboriginal Peoples is concerned that the British Columbia Chief coroner/provincial chief coroners and law enforcement across Canada have not initiated any substantial investigations into the cases surrounding the missing and murdered indigenous nations women across Canada; and

**Therefore be it resolved** that the Congress of Aboriginal Peoples' Assembly direct the task group working with Chiefs of Treaty 1-11 First Nations Summit/Union of British Columbia Indian Chiefs, Assembly of First Nations, United Native Nation Society of British Columbia, Native Women's Association of Canada and interested First Nations engage in a justice reform initiative that reviews and reforms the institutions, legislation and policies that permit/support the tragic and ongoing violence against Indigenous women and children, the missing and murdered Indigenous women and children of the downtown eastside of Vancouver and the Highway of Tears of Northern BC and across Canada; and

**Be it further resolved** that the Congress of Aboriginal Peoples' direct the task group working with Chiefs of Treaty 1-11, First Nations Summit/Union of British Columbia Indian Chiefs, Assembly of First Nations, United native Nation Society of British Columbia, Native Women's Association of Canada to send letters to the Minister of Justice of Canada, the Attorney General of Canada and the Governor General and to the provincial Attorney Generals requesting their cooperation initiating a full public enquiry into the missing and murdered women of the downtown eastside of Vancouver, the Highway of Tears of Northern BC and across Canada.

Moved by: Noeline Villebrun

Seconded by: Bernie Williams-Poitras

Carried

## **RESOLUTION 2008-14**

### **Indigenous Knowledge and Aboriginal Engagement**

**Whereas** Indigenous knowledge and engagement of all Aboriginal Peoples are vital to biodiversity strategies, sustainable development, Aboriginal health and the education of our youth; and

**Whereas** Indigenous knowledge is held by individuals at varying levels throughout communities; and

**Whereas** many of our Elders want the opportunity to share their knowledge with our youth; and

**Whereas** governments have been creating government led and controlled “Indigenous Knowledge Centres”, protocols and strategies which in fact underline the grassroots involvement;

**Be it resolved** that CAP send a strong message to government Ministers and leaders that engagement of Aboriginal Peoples must include all Aboriginal Peoples and the government must first engage in a process of understanding, trust, building relationships and respect for Indigenous knowledge and Aboriginal involvement and that the collection, use, storage and protection of Indigenous knowledge must be determined by communities;

**Be it further resolved** that CAP seek additional resources to build community, PTO and CAP capacity to be meaningfully involved in biodiversity issues and help communities document, store and share Indigenous knowledge with our youth.

Moved by: Georgina Knockwood Crane

Seconded by: Barry Labillois

Carried

## **RESOLUTION 2008-15**

### **National Aboriginal Health Organization (NAHO)**

**Whereas** Health Canada has funded the National Aboriginal Health Organization (NAHO) to advance the health and well-being of Aboriginal Peoples through knowledge based activities;

**Whereas** since its incorporation in 2002 NAHO has undertaken a systemic exclusion of the Congress of Aboriginal Peoples by means of a discriminatory governance structure with a Metis Centre for MNC, a First Nations Centre for AFN and an Inuit Centre for ITK;

**Whereas** the actions of NAHO constitute discrimination on the basis of race and Aboriginal residency;

**Whereas** Health Canada is aware that NAHO is not operating in the interests of all Aboriginal peoples and has taken no action to remedy the situation;

**Therefore be it resolved** that CAP file a formal complaint concerning NAHO to the Canadian Human Rights Commission.

Moved by: Betty Ann Lavallee

Seconded by: Jamie Gallant

Carried

## **RESOLUTION 2008-16**

### **OCAP and Fair Funding**

**Whereas** the Ontario Coalition of Aboriginal People (OCAP) is newly affiliated with the Congress of Aboriginal Peoples (CAP);

**Whereas** CAP receives funding from different government agencies based on affiliation and numbers;

**Therefore be it resolved** that CAP consider OCAP to ensure a fair share of funding be distributed accordingly.

Moved by:            Ron Swain

Seconded by:        Ted Barnes

Defeated

## **RESOLUTION 2008-17**

### **Tax Exemptions**

**Whereas** Section 87 of the Indian Act provides for on reserve Indian or band property to be exempted from federal taxation;

**Whereas** off-reserve Aboriginal people are not afforded these equal benefits under the law;

**Whereas** the Congress of Aboriginal Peoples represents the off-reserve, non-status and Metis peoples of Canada;

**Therefore be it resolved** that the Congress of Aboriginal Peoples lobby the federal government in order to amend section 87 of the Indian Act;

Moved by: Patricia Casey

Seconded by: Georgina Knockwood Crane

Carried

## **RESOLUTION 2008-18**

### **Ontario Coalition of Aboriginal People (OCAP) Letter of Support for Class Action Suit**

**Whereas** the provincial government of Ontario is still charging Metis who exercise their rights to hunt, fish and gather in the province;

**Whereas** the Ontario Ministry of Natural Resources dictate that they will deal with each case individually as opposed to bunching all similar cases together;

**Whereas** the Algonquin/Nipissing Attikameks, Metis Nations, West Nipissing Woodland Metis Communtiy, the French River Metis Tribe, Jackfish Metis or Rat Portage, Renfrew Woodland Metis Aboriginal Association, Northern Pottawatomi Nation Wabigoon in the territory known as Ontario.

**Whereas** the above mentioned groups have established the Aboriginal Legal Fund Committee and raised a considerable amount of money for the hiring of Michael Swinwood as council for the purposes of filing a Class Action suit against her Majesty Queen Elizabeth II, and the Crown in the Right of the Province of Ontario;

**Be it resolved** that all of the above mentioned groups request the Congress oof Aboriginal Peoples (CAP), annual general assembly supports the CAP Chief writing a letter of support for this class action suit, after consulting with Michael Swinwood.

Moved by:                    Jessica Bolduc

Seconded by:                Elmer St. Pierre

Defeated

## **RESOLUTION 2008-19**

### **Funding for Band Members**

**Whereas** bands receive funds on behalf of all members on the band list;

**Whereas** these funds are not always spent for benefits and services for off-reserve members;

**Therefore be it resolved** that the Congress of Aboriginal Peoples lobby the federal government for these funds to be distributed directly to the organizations representing the off-reserve constituency.

Moved by: Georgina Knockwood Crane

Seconded by: Patricia Casey

Carried

## **RESOLUTION 2008-20**

### **Ministry of Justice Public Education and Information**

**Whereas** the Programs Branch of the Ministry of Justice has an initiative entitled Public Legal Education and Information;

**Whereas** Public Legal Education and Information activities provide members of the public with legal information they need to make informed decisions and participate effectively in the justice system;

**Whereas** the Department of Justice project program provides funding to non-governmental organizations such as the Congress of Aboriginal Peoples to develop and deliver information activities;

**Whereas** the Congress of Aboriginal Peoples is a non-governmental organization who must transmit legal information to its affiliates and constituents;

**Therefore be it resolved** that the Congress of Aboriginal Peoples' Annual General Assembly instruct the Executive and Board of Directors to prepare a funding proposal to submit to the Department of Justice in order to provide the financial resources for establishing a "layman's law library" online, as well as a quarterly plain language publication containing the latest updates on Aboriginal law.

Moved by: Carl Dubé

Seconded by: Johanne Nault

Carried

## **RESOLUTION 2008-21**

### **Affiliation Request Process**

**Whereas** the CAP Constitution/Bylaws provides for a process to become affiliated with the Congress of Aboriginal Peoples;

**Be it resolved** that the 2008 Assembly instruct the CAP Executive to bring forth modifications to the Constitution/Bylaws under section 2.04 specifically under subsection (h), to add the words “including confirmation of verifiable number of members in good standing”.

Moved by: Jerry Jewers

Seconded by: Jack Bernard

Carried

## **RESOLUTION 2008-22**

### **Correctional Services and Gang Reintegration**

**Whereas** the 2006-07 Annual report of the Office of the Correctional Investigator revealed that Aboriginal people make up less than 3% of the Canadian population but comprises almost 19% of the total federal prison population;

**Whereas** a large percentage of crimes are being committed off-reserve in an urban environment;

**Whereas** Correctional Services Canada provides research projects on Aboriginal reintegration and “gang reintegration” projects;

**Whereas** the Congress of Aboriginal Peoples represents off-reserve, non-status and Metis;

**Therefore be it resolved** that the Congress of Aboriginal Peoples’ Annual Assembly instruct the Executive and Board of Directors to prepare a funding proposal to provide the financial resources necessary to support a research project on Aboriginal “reintegration”.

Moved by:            Kim Beaudin

Seconded by:        Brendan William Cross

Carried

## **RESOLUTION 2008-23**

### **Correctional Services & Aboriginal Women**

**Whereas** the 2006-07 Annual report of the Office of the Correctional Investigator revealed that the number of federally incarcerated First Nations women increased by a staggering 151% over the last ten years;

**Whereas** a large percentage of crimes are being committed off-reserve in urban environments;

**Whereas** Correctional Services of Canada provides research project funds for “Aboriginal reintegration”;

**Whereas** the Congress of Aboriginal Peoples represents off-reserve, non-status and Metis women across the country;

**Therefore be it resolved** that the Congress of Aboriginal Peoples Annual Assembly instruct the Executive and Board of Directors to prepare a funding proposal to provide the financial resources necessary to begin a women’s reintegration research project.

Moved by: Diann Langley

Seconded by: Jamie Gallant

Carried

## **RESOLUTION 2008-24**

### **Environmental Impacts on the Off-Reserve and Rural Communities**

**Whereas** the Congress of Aboriginal Peoples has a fiduciary obligation to pursue issues that directly impact on its constituency due to environmental and climatic changes;

**Therefore be it resolved** that the Congress of Aboriginal Peoples creates an Environmental Department in order to access funding to address these impacts on the members living off-reserve or in rural communities.

Moved by:                Noeline Villeburn

Seconded by:          Nellie Prince

Carried