

Resolution #1 – Daniels Decision

Whereas the Supreme Court of Canada issued a unanimous decision on *Daniels v. Canada* on April 14, 2016 declaring that Métis and non-status Indians are “Indians” under s. 91(24) of the Constitution Act, 1867;

And Whereas this landmark ruling removed the uncertainty surrounding Canada’s constitutional responsibility to Métis and non-status Indians.

And Whereas this decision means that Métis and non-status Indians now fall under the federal government’s jurisdiction;

And Whereas Métis and non-status Indians have a fiduciary relationship with the federal Crown as a matter of law;

And Whereas on April 14th, 2016, Prime Minister Justin Trudeau stated “We, of course, respect the Supreme Court decision and we’ll be engaging, not just on our own but with Indigenous leadership to figure out what the path is forward.”;

And Whereas the Honourable Prime Minister Justin Trudeau called *Daniels* a landmark ruling with broad consequences and that his government will work in partnership with Indigenous peoples;

And Whereas on April 14th, 2016, the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs Canada, stated “the Government of Canada welcomes and respects this decision, which will guide our work with Indigenous peoples to advance real reconciliation and renew the relationship, based on recognition of rights, respect, and partnership. Today's decision speaks to a renewed relationship with Métis and non-Status Indians, one the Government of Canada has already been actively pursuing.”;

And Whereas Minister Bennett committed to working in partnership with Métis and non-Status Indians on a nation-to-nation basis, along with other partners, to ensure we are following the court's direction in implementing this decision;

And Whereas Minister Bennett stated that making progress will require real co-operation and genuine partnership in order to advance this important dialogue and map the way forward together. This is both the right thing to do and a key path to economic growth for all Canadians.”;

And Whereas on March 21-22, 2017, CAP hosted the *Daniels* Symposium to bring together a representative cross section of CAP’s grassroots constituency for progressive dialogue that would provide greater insights on grassroots needs and concerns, mobilize future legislation, and address strategies to improve the lives of its constituency;

And Whereas in June 2017, the CAP National Chief met with Minister Bennett and provided the Final Report on the *Daniels* Symposium to Minister Bennett;

And Whereas the federal government has not taken any concrete steps to address the implications of the *Daniels* decision on the lives of Métis and non-status Indians;

And Whereas Métis and non-status Indians are amongst the most marginalized and disadvantaged groups in Canada and do not have access to the same programs and services as status Indians;

Therefore be it resolved that CAP call on the Prime Minister and the Government of Canada to uphold their commitments made through their comments on the *Daniels* decision;

And be it further resolved that CAP call on the Prime Minister and the Government of Canada, and the provincial governments, to immediately engage in discussions, negotiations, and work in partnership with CAP on *Daniels*.

Moved by: Debbie Smith, Native Council of Nova Scotia

Seconded by: Wade White, Native Council of Nova Scotia

Resolution Passed without revisions

Resolution #2 - Manitoba Métis Lands Questions Negotiations

Whereas RECALLING the failure of the government of Canada to implement Manitoba's Gradual Métis Settlement Scheme of 1870 for the benefit of the families of the Métis residents within the boundaries of the original province of Manitoba;

And Whereas EMPHASISING that the Métis Settlement Scheme was part of Riel's 'Manitoba Treaty' which included the promises behind the Métis agreement to join Canada as a Partner in Confederation;

And Whereas RECOGNIZING that Canada's own Supreme Court of Canada found that Canada was delinquent in failing its constitutional obligations to the Métis in its 2013 decision in the MMF Inc case;

And Whereas AFFIRMING the importance of the Manitoba Métis Lands Question to the constituents of CAP, whether Métis or Non-Status Indians or status Indians;

And Whereas AFFIRMING ALSO that justice demands that the descendants of all the entitled families who were beneficiaries of the Manitoba Métis Lands be included in negotiations to remedy Canada's historic constitutional failure in Manitoba;

And Whereas EMPHASIZING that many of those descendants of old families today have Indian status or otherwise do not fall within the narrow limits of the definition of members accepted by the Métis National Council and its members including the Manitoba Métis Federation Inc.;

And Whereas NOTING that Canada has entered into an agreement with the MMF Inc. that purports to contemplate a 'settlement' with that corporation in respect to the injury that has been done to the descendants of the Michif and "Half-Breed" families that were entitled to the benefits guaranteed by section 31 of the Manitoba Act 1870;

And Whereas PROCLAIMING that The Indigenous Peoples' Alliance of Manitoba (IPAM) and Ontario Coalition of Indigenous Peoples (OCIP) and the Aboriginal Affairs Coalition of Saskatchewan (AACS) join in representing the interests of their members and other Métis and Half-Breed descendants of the s.31 families and urge the government of Canada to include in its negotiations ALL the parties that must be included for a fair and true reconciliation with the descendants of the original families of the Métis of Manitoba;

And Whereas EMPHASIZING ALSO that the Congress of Aboriginal Peoples (CAP) is one of five National Aboriginal Representative Organizations recognized by the Government of Canada. Founded in 1971 as the Native Council of Canada (NCC), the organization was originally established to represent the interests of Métis and non-status Indians. Reorganized and renamed in 1993, CAP has extended its constituency to include all off-reserve status and non-status Indians, Métis and Southern Inuit and serves as the national voice for its provincial and territorial affiliate organizations. CAP also holds consultative status with the United Nations

Economic and Social Council (ECOSOC), which facilitates its participation on international issues of importance to Indigenous Peoples.

Therefore be it resolved that the Congress of Aboriginal Peoples is requested and instructed to write a letter to the Prime Minister of Canada to advise that the Manitoba Métis Federation Inc. does not represent all Métis persons or families who are descendants of the original families resident within the original province of Manitoba in 1870;

And be it further resolved that representatives of the Indigenous Peoples' Alliance of Manitoba (IPAM) and Ontario Coalition of Indigenous Peoples (OCIP) and the Aboriginal Affairs Coalition of Saskatchewan (AACS) as well as the Congress of Aboriginal Peoples (CAP) must be included in negotiations to resolve the Manitoba Métis Lands Question and the related matters flowing from the Manitoba Métis Treaty;

And be it further resolved that the federal government forthwith provide financial capacity to these organizations for the conduct of the negotiations.

Moved by: Ernie Blais, Indigenous Peoples Alliance of Manitoba

Seconded by: Brad Maggrah, Ontario Coalition of Indigenous Peoples

Resolution Passed without revisions

Resolution #3 - Use of Acronyms in Resolutions and Bylaws

Whereas not all delegates are familiar with the acronyms used in resolutions and bylaws of the Congress of Aboriginal Peoples;

And Whereas the use of acronyms in resolutions and bylaws can cause confusion regarding the purpose of the resolution or bylaw.

Therefore be it resolved to stop using acronyms in the Congress of Aboriginal Peoples resolutions and bylaws

Moved by: Robert C. Hooper, Indigenous Peoples Alliance of Manitoba

Seconded by: Charles Simard, Indigenous Peoples Alliance of Manitoba

Resolution Passed without revisions

Resolution #4 – Day of Action

Whereas the government of Canada continues to exclude CAP at the national negotiation table;

And Whereas it was CAP who carried through and supported the Harry Daniels case in the Supreme Court of Canada;

And Whereas CAP will need the help of every provincial affiliate to help elevate its public image.

Therefore be it resolved that CAP declare April 14 a day of action for all off-reserve Aboriginal people to challenge their governments to demand recognition.

And be it further resolved that CAP lead a media storyline for all PTO's, to help align messages.

Moved by: Amanda LeBlanc, New Brunswick Aboriginal Peoples Council

Seconded by: Della Brown, New Brunswick Aboriginal Peoples Council

Resolution Passed with revisions

Resolution #5 – Self- Determination of Michel Indian Band

Whereas the Michel Indian Band (Chief Michel Callihoo) signed Treaty 6 on September 18, 1876 with the Crown and was recognized Indian Band under the *Indian Act*. They were a Nation whose reserve consisted of forty square miles of land located in the Province of Alberta.

And Whereas in March of 1958 then Minister of Indian Affairs for Canada, Frank Oliver, and INAC staff members held a meeting on Indian reserve #132 attended by seven community member families and a number of non-Michel Band people living Alberta. Minister Oliver coerced those in attendance to sign script that resulted in the full enfranchisement of the Michel Band Indian reserve.

And Whereas the Government of Canada, led by Prime Minister John Diefenbaker, signed off on enfranchisement of the land the Michel People and hundreds of Michel Band citizens were not consulted or notified or given the opportunity to sign legal document relating to the adhesion of land (including mineral rights) or their Treaty rights. Seven hundred fifty former Michel Band people became off reserve Indigenous people.

And Whereas as a result of Bill C-31 (1985) and Bill C-3 (2010), more descendants of the Treaty Signatories were added to the Alberta general INAC list.

And Whereas hundreds of Michel Band members became non-status Indians as defined by Indian and Northern Affairs Canada and the Supreme Court ruling 2016 *Daniels v. Crown* and only a small number of descendants of Michel Band #132 benefited from Indian and Northern Affairs full enfranchisement of the land and its resources.

And Whereas the Michel Band was the last Indian Band in Canadian history to lose its traditional land base and was fully enfranchised by the Federal Government.

Therefore let it be resolved that the Congress of Aboriginal Peoples will begin a process of discussions with the Minister of Crown-Indigenous Relations and Northern Affairs and the Attorney General of Canada and the general list of INAC Michel members and descendants to ensure the Michel Indian Band achieves full status under the *Indian Act* and the Government of Canada honors Treaty 6 and self-determination for all members of the Michel Band.

Moved by: Beverly Allard, Aboriginal Congress of Alberta Association

Seconded by: Brendan Mitchell, Qalipu Mi'kmaw First Nations Band

Resolution Passed with revisions

Resolution #6 – NYC Flag and Logo

Whereas CAP has a youth flag that is used during the opening and closing ceremonies of its assemblies;

And Whereas the National Youth Council has undergone a process to identify an official logo.

Therefore be it resolved that CAP work with the NYC in the creation of a new youth flag featuring the official NYC logo to be used in future assemblies;

And be it further resolved that CAP make efforts to include the official NYC logo on youth-focused initiatives and alongside PTO logos where reasonably appropriate;

And be it further resolved that CAP engage with the Elder’s Council on the need, viability, and potential creation of an official Elder’s logo and its subsequent inclusion within CAP.

Moved by: Bradley Cooper, National Youth Representative

Seconded by: Richard Cooper, Native Council of Prince Edward Island

Resolution Passed

Resolution #7 – Daniels Decision

Whereas the Federal government is, at this time, reviewing pre-budget submissions;

And Whereas CAP as the plaintiff in the *Daniels* Supreme Court decision and funded and led the work that was needed for a successful outcome;

And Whereas CAP and its affiliates have the right to full engagement on the impacts and implications of the *Daniels* decision;

And Whereas CAP's role is to lead and support their members in the business of the impacts and implications of the *Daniels* decision.

Therefore be it resolved that CAP shall submit a Federal budget request to Canada before the deadline of December 4th, 2017 for CAP and affiliated Provincial and Territorial Organizations (PTOs), to conduct a comprehensive, national needs assessment in collaboration with PTOs, aimed at the development and implementation of those policies and practices arising from the *Daniels* decision.

Moved by: Beverly Allard, Aboriginal Congress of Alberta Association

Seconded by: Lisa Cooper, Native Council of Prince Edward Island

Resolution Passed

Resolution #8 – BOC Core Funding

Whereas a special relationship exists between the government of Canada and the Indigenous peoples of Canada;

And Whereas Section 35(2) of the Constitution Act, 1982 states that “Aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada;

And Whereas the Congress of Aboriginal Peoples represents the collective and individual interests of Métis, non-status, and off-reserve status Indians and the Inuit;

And Whereas the Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia PTO’s have no core funding to engage with CAP, Canada, and the Provinces on the implementation of the inherent right of self-government as it relates to Indigenous peoples and concomitant relevant issues;

And Whereas these PTOs do not have the capacity to ensure their continuance and full representation of Métis, Inuit, and off-reserve Indigenous peoples in their provinces;

And Whereas the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the Government of Canada, affirms that 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.

Therefore be it resolved that CAP shall submit a funding request to the Federal Treasury Board before the deadline of December 4th, 2017, and advocate for policy changes to ensure BOC core funding for all PTO's into the future.

Moved by: Scott Clark, Northwest Indigenous Council

Seconded: Marcel Allard, Aboriginal Congress of Alberta Association

Resolution Passed

Resolution #9 – National Inquiry into Missing and Murdered Indigenous Women and Girls

Whereas the logistics of the National Inquiry into Missing and Murdered Indigenous Women and Girls are complex and require a respectful approach;

And Whereas the families of the loved ones deserve the time they need to engage in the Inquiry if they so choose.

Therefore be it resolved that the Congress of Aboriginal People support the request for an extension from the National Inquiry into Murdered and Missing Indigenous Women and Girls.

Moved by: Souie Gorup, Northwest Indigenous Council

Seconded by: Shauna Yamkovy-Amaya, Aboriginal Congress of Alberta Association

Resolution Passed

Resolution #10 - CAP Political Accord

Whereas CAP wants to reinvigorate the organization with a strong foundation from which to build closer strategic relationships with the Government of Canada;

And Whereas adoption of The Political Accord on Renewal and Reconciliation between CAP and the Federal Government will strengthen the resolve to embark and engage in all future negotiations, collaborations, and governance relationships.

Therefore be it resolved that CAP finalize, adopt, and action their Political Accord on Renewal and Reconciliation with the Government of Canada by end of October 2017.

Moved by: Beverly Allard, Aboriginal Congress of Alberta Association

Seconded by: Christine Solomon, Aboriginal Congress of Alberta Association

Resolution Passed

Resolution #11 – Standards of Recognition

Whereas the *Daniels* SCC Decision is fundamental to the aims and objectives of Congress of Aboriginal Peoples (CAP) for 45 years;

And Whereas inclusion of Métis and non-status Indians within Federal fiduciary responsibility of Canada’s Constitution is in harmony with the Truth and Reconciliation Commission (TRC) and the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP).

Therefore be it resolved that the *Daniels* forward agenda of CAP be firmly and unequivocally based upon the principles of equality and equity of access to rights and a quality of life comparable to the general population;

And be it further resolved that CAP Board of Directors, Executive, and Affiliates reject any lower standard of recognition or exclusion from processes or allocations of funds based on “Distinction Based” ideologies, and prepare concrete actions such as:

1. Filing court actions as needed to facilitate the inclusion of CAP members in all relevant processes and funding allocations;
2. Filing complaint(s) with International bodies for the failure to recognize the constitutional rights of CAP members and their rights to be involved in negotiations.

Moved by: Scott Clark, Northwest Indigenous Council

Seconded by: Rhonda Kronyk, Aboriginal Congress of Alberta Association

Resolution Passed

Resolution #12 - Solitary Confinement

Whereas Aboriginal people account for 25% of the inmate population yet only account for 4% of the total population in Canada;

And Whereas Aboriginal people have longer prison sentences, spend more time in segregation or maximum security, are less likely to be granted parole or have their parole revoked than non-Aboriginal inmates;

And Whereas on average, Aboriginal people are faced with 25% more charges than non-Aboriginal people and only have a 21% chance of getting bail in comparison to 56% of the rest of incarcerated individuals.

Therefore be it resolved that the Congress of Aboriginal Peoples (CAP) advocate for a national inquiry into Canada's justice system and those policies as they relate to solitary confinement.

Moved by: Beverly Allard, Aboriginal Congress of Alberta Association

Seconded by: Shawna Yamkovy-Amaya, Aboriginal Congress of Alberta Association

Resolution Passed

Resolution #13 – Gender Discrimination

Whereas the Government of Canada is aware that sex-based inequities in Indian status is one of the number of issues relating to Indian registration and band membership under the Indian Act that are of concern to First Nations and other Indigenous groups;

And Whereas the Government of Canada has agreed, following the passage of *Bill S-3, An Act to amend the Indian Act (elimination of sex-based inequities in registration)*, that a collaborative process on the broader issues relating to Indian registration, band membership and citizenship will be launched;

And Whereas following the passage of legislative amendments to the Indian Act under *Bill S-3*, it was agreed that this second stage of consultations will be conducted within a 12 to 18- month time frame.

Therefore be it resolved that the Congress of Aboriginal Peoples to support the more inclusive *Bill S-3* Senate version which removes all gender-based discrimination from the *Indian Act* and lobbies to ensure a regional and national engagement strategy to create procedures and policies aimed at eliminating gender discrimination in S-3 in a manner that is consistent with UNDRIP.

Moved by: Rhonda Kronyk, Aboriginal Congress of Alberta Association

Seconded by: Christine Solomon, Aboriginal Congress of Alberta Association

Resolution Passed