



MUSHKEGOWUK COUNCIL

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MUSHKEGOWUK COUNCIL 14TH ANNUAL ASSEMBLY

RESOLUTION NO. 1999-09-11

MOVED BY:

Attawapiskat
First Nation

Chief Dan Kooses
Kashechewan First Nation

Kashechewan
First Nation

SECONDED BY:

Fort Albany
First Nation

Chief Mike Metatawabin
Fort Albany First Nation

Moose Cree
First Nation

New Post
First Nation

ADOPTED BY CONSENSUS

Chapleau Cree
First Nation

Certified copy of a Resolution
passed on September 2, 1999

Missanabie Cree
First Nation

FIRST NATIONS ORGANIZATIONS' SUPPORT RE WORKFARE APPEAL

WHEREAS Mushkegowuk Council challenged recent changes to provincial social assistance legislation in court because the changes infringed on rights of self-government and failed to meet the needs of First Nation communities;

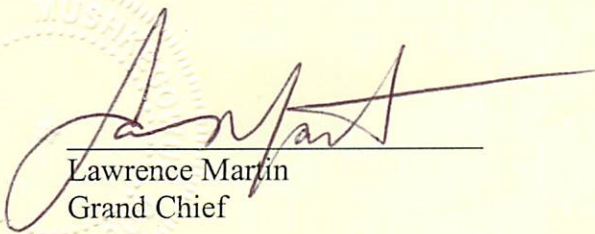
WHEREAS the federal government in the court hearing opposed the position of Mushkegowuk Council and supported the position of the province;

WHEREAS the Court ruled that the amended workfare legislation is unenforceable because the legislation contravenes the historic and constitutional self-government rights of the Mushkegowuk First Nations;

WHEREAS the Court's decision is an important judicial affirmation of the self-government rights of First Nations in other parts of Ontario and Canada;

WHEREAS the Premier of Ontario has indicated that the province intends to appeal the Court's decision, despite the fact that the province recognized, in its sworn testimony filed with the Court, that

"Indian bands are the natural and appropriate choice for the delivery of social assistance on reserves...because bands know their clients better than anyone else;



Lawrence Martin
Grand Chief

September 2, 1999
Fort Albany, Ontario

...speak the same language;...know the community programs and services; are accessible within the community; and understand the unique and specific circumstances and needs of their community and their clientele....Furthermore, having bands deliver social assistance on reserves is consistent with aboriginal self-governance and administration.”

THEREFORE BE IT RESOLVED that the Nishnawbe Aski Nation, the Chiefs of Ontario, and other First Nation representative organizations be invited to:

1. strongly urge the Premier and government of Ontario to not appeal the Court's decision, but instead to meet with Mushkegowuk Council and other First Nation representatives to discuss appropriate changes to the social assistance legislation to recognize the unique rights and needs of First Nations;
2. strongly urge the new federal Minister of Indian and Northern Affairs, the Honourable Robert Nault, to advise the court in any appeal that the federal government supports the existing decision of the Court;
3. consider obtaining intervenor status before the court in any appeal, to argue in support of the Court's decision and Mushkegowuk Council's legal position, provided that any such intervention occur on a basis of co-operation and co-ordination with Mushkegowuk Council.