

MUSHKEGOWUK COUNCIL

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MUSHKEGOWUK COUNCIL 17TH ANNUAL ASSEMBLY

RESOLUTION NO. 2002-09-09

Attawapiskat
First Nation

Kashechewan
First Nation

Fort Albany
First Nation

Moose Cree
First Nation

New Post
First Nation

Chapleau Cree
First Nation

Missanabie Cree
First Nation

MOVED BY:


Chief Leo Friday
Kashechewan First Nation

SECONDED BY:

Andrew Linklater, Deputy Chief
Fort Albany First Nation

ADOPTED BY CONSENSUS

Certified copy of a Resolution
passed on September 11, 2002


Mike Carpenter, A/Grand Chief

September 11, 2002
Missanabie, Ontario

ONTARIO WORKS

WHEREAS the Ontario Court of Appeal ruled in *Mushkegowuk v. Ontario* that the province could not enforce the Ontario Works Act in First Nations communities without their consent, and;

WHEREAS the Mushkegowuk First Nations are working with Nishnawbe Aski Nation (NAN) to develop a bilateral agreement with the federal government by June 1, 2003 to deliver social assistance, and;

WHEREAS substantial progress towards a bilateral agreement is being made, and;

WHEREAS the Court stated that it would be contrary to the spirit of the Court's order for changes to be made to the present service delivery system and arrangement between Ontario and First Nations in the delivery of social assistance, and;

WHEREAS, without First Nation consent, Ontario has made substantial changes to the present system with the purported imposition of the Cap on Non-health Discretionary Health Benefits and Mandatory Literacy Testing and other requirements in 2001, and;

WHEREAS these changes and in particular the cap placed on emergency and special assistance have seriously impacted and continue to seriously impact social assistance recipients in those remote communities where the cost of living is extremely high.

THEREFORE BE IT RESOLVED that the Mushkegowuk Chiefs in Assembly make known to Ontario and the Court their concerns that Ontario is not living up to the spirit of the ruling, and;

BE IT FURTHER RESOLVED that the Mushkegowuk Chiefs in Assembly demand that Ontario be made to rescind the changes that have been made and to restore the Non-discretionary Health Benefits to the level that was in existence at the time of the Court's ruling, and;

BE IT FURTHER RESOLVED that the Mushkegowuk Chiefs in Assembly authorize an application to the Court if necessary to enforce First Nations' rights and the spirit of the Court's ruling.