



**CHIEFS IN ASSEMBLY
ON LINE CHIEFS MEETING
AUGUST 19-20, 2020**

**RESOLUTION 20/21
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SUBJECT: SUPPORT FOR CLEAN DRINKING WATER CLASS ACTION

MOVER: Chief Emily Whetung, Curve Lake First Nation

SECONDER: Chief Christopher Moonias, Neskantaga First Nation

DECISION: CARRIED

WHEREAS:

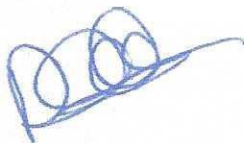
1. Many First Nations in Ontario and across Canada have suffered and continue to suffer from a lack of access to clean, safe drinking water on reserve;
2. Curve Lake First Nation and Neskantaga First Nation have commenced a class action against Canada in Federal Court seeking immediate help for First Nations across Canada to address their drinking water advisories and compensation for the harms they have suffered;
3. Tataskweyak Cree Nation has also commenced similar proceedings in Manitoba, which have been recently certified by the courts;
4. Curve Lake First Nation and Neskantaga First Nation are coordinating their approach with Tataskweyak and advancing the class action against Canada together;
5. The class action alleges that Canada has been negligent, breached its fiduciary duties, breached the honour of the Crown, and breached various rights under the *Charter of Rights and Freedoms*;
6. The class includes all members of First Nations whose communities were subject to a drinking water advisory which lasted at least one year from November 8, 1995 to the present;

7. This proposed class includes both individual members of First Nations who have been affected by long-term drinking water advisories and the First Nations themselves;
8. In order to respect the self-determination of First Nations, the class action does not automatically include First Nations but allows them to "opt in" to advance the rights of their community.

THEREFORE BE IT RESOLVED that we, the Chiefs in Assembly:

1. Support Curve Lake First Nation and Neskantaga First Nation in advancing these class actions without derogating or negatively affecting any ongoing or future negotiations or actions of other First Nations; and
2. Call on Canada to finally resolve the deplorable condition of drinking water on reserves.
3. Call on Canada to compensate all the First Nations for the damages they have suffered, and to ensure First Nations have adequate infrastructure and Operations & Maintenance funding.

Copy of Signed Resolution dated August 20, 2020



RoseAnne Archibald, Ontario Regional Chief