Eabametoong First Nation
Fort Hope Indian Reserve #64
P.O. Box 298
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FIRST NATION
COUNCIL RESOLUTION

Chronological No.

2025/2026- 30

File Reference

NOTE: The words "From our Band Funds" "Capital" "Revenue" whichever is the case, must appear in all resolutions requesting expenditures from First Nations Funds.

The council of the **EABAMETOONG FIRST NATION**	
Region **NORTH REGION**	
Province **ONTARIO**	
Place **EABAMETOONG (FORT HOPE)**	
Date **08** Day **DECEMBER** Month **2025** Year	

DO HEREBY RESOLVE:

WHEREAS: The Eabametoong First Nation Chief and Council are elected body to represent the membership of Eabametoong First Nation pursuit to the governance of the Indian Act.
WHEREAS Eabametoong First Nation (the "Nation") asserts title over the whole of our territory, rooted in the pre-colonization occupation of land by our people, and in our pre-existing systems of law and governance;
WHEREAS: the Nation relies upon the inherent jurisdiction to create law, and our inherent right to self-determination, including the authority to make orders for the protection of the health and safety of the members of our Nation;
WHEREAS: the United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP"), endorsed by Canada and enshrined in Canadian law through the *United Nations Declaration on the Rights of Indigenous Peoples Act* (S.C. 2021, c. 14), affirms and recognizes the right of self-determination of Indigenous peoples, including the right to adopt measures protecting and promoting health and safety (see, in particular, Articles 4, 7, 10, 18, 20-24, 26, 33-37);
WHEREAS the authority to make law necessarily includes the authority to enforce same;
WHEREAS there is a pressing and substantial need to combat the illegal drug crisis facing our Nation;
WHEREAS this severe health and community safety crisis is linked to illegal drug smuggling at border entry points into our Nation, including airports;
WHEREAS the Ontario Superior Court, in the decision *R. v. Winter*, 2008 CanLII 66155, confirmed that First Nations have the authority to enact laws authorizing searches for prohibited substances at border entry points, provided there is public notice of such laws, including the expectation of being searched when entering into a community, therefore considerably lessening the reasonable expectation of privacy compared to other communities;
WHEREAS at the direction of the Chiefs, the Nishnawbe Aski Police Service ("NAPS") has developed a NAPS Border Control Strategy ("NBC") to tackle this urgent crisis, based on searches for illegal drugs, paraphernalia, weapons, and contraband, at border entry points;
WHEREAS on August 11, 2022, the Chiefs of Nishnawbe Aski Nation ("NAN") adopted Resolution 22/16: *Support for the NAPS Border Control Strategy*;

A quorum for this First Nation Consists of **Four (4)** Council Members

Chief

Councillor

Councillor

Councillor

Councillor

Councillor

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WHEREAS on December 10, 2024, NAPS became the first ever legislated First Nation police service under the *Community Safety and Policing Act*, 2019, S.O. 2019, c. 1, Sched. 1 ("*CSPA*"), with a duty to deliver "adequate and effective" policing pursuant to O. Reg. 392/23: *Adequate and Effective Policing*;

WHEREAS on October 9, 2025, the NAN Chiefs declared a State of Emergency ("*Declaration of a State of Emergency and Public Safety Crisis Over Illegal Drugs and Drug-Related Violence in NAN First Nations*, Oct. 9, 2025") over the escalating drug crisis affecting our communities, including increasing rates of violence and drug smuggling;

WHEREAS our Nation has agreed to participate as a "pilot" community for NBC;

WHEREAS the primary drug-related cause of death in our communities is opioids, including fentanyl and its analogues such as carfentanyl, which are classified as "Schedule I" prohibited substances under the *Controlled Drugs and Substances Act* (S.C. 1996, c. 19);

THEREFORE, BE IT RESOLVED: that Eabametoong First Nation

Authorizes and instructs NAPS to implement search and seizures at border entry points for illegal substances, as prohibited under the *Controlled Drugs and Substances Act* (S.C. 1996, c. 19), and the *Criminal Code* (R.S.C., 1985, c. C-46), and pursuant to NAPS's existing policing powers under relevant statutes, including authority under the Ontario *Trespass to Property Act*, R.S.O. 1990, c. T.21;

Directs that notice be provided at all points of entry – including, but not limited to, connecting airports, winter roads, regular roads, bodies of water, other ports of entry – that:

all travellers shall, prior to entry into the Nation, be subject to a search of their person, as well as having their belongings searched – including carry-on baggage, checked baggage, and any freight shipped by them – for illegal drugs, paraphernalia, weapons, and contraband; and,

further, that if a traveller does not wish to be searched, they will have the option to not enter the territory; and,

that the purpose of this search is to enforce a Border Control program, authorized by Band Council Resolution, Treaties, and/or other expressions of the First Nation's self-determination and the will of the community, prohibiting controlled drugs from being taken into the community;

AND FURTHERMORE BE IT RESOLVED that, while the police, using all lawful means, will assist in the Enforcement of the NBC measures, the Police Service must remain independent of all political leadership;

AND FINALLY BE IT RESOLVED that the First Nation acknowledges that the NAPS Chief of Police will have final independent authority over law enforcement actions, and that such authority is to be exercised independent of any political direction, pressure, or interference

A quorum for this First Nation
Consists of
Four (4)
Council Members

Chief

Councillor

Councillor

Councillor

Councillor

Councillor