



ASSEMBLY OF FIRST NATIONS

NATIONAL WATER DECLARATION

Context

We, the First Nations, were placed on this land by the Creator to live in harmony with nature and humankind. The Creator gave us our spiritual beliefs, languages and laws and cultures that teach us to respect, nurture and care for Mother Earth. Water is the lifeblood of the Earth and we as First Nations recognize water as a sacred gift that connects all life.

Ceremonies

All First Nations place a high importance on water, and practice sacred ceremonies to ensure waters are respected and that these water ceremonies are passed on to future generations. We continue to honour our spiritual ancestors and the spirits of the water through our traditional ways and ceremonies. We have the right to maintain and strengthen our spiritual relationship with our traditionally occupied lands, waters and coastal seas. We continue to exercise these rights to fulfill our responsibilities and obligations given to us by the Creator.

Inherent and Treaty Rights

First Nations have the right to free, prior and informed consent to developments on our lands, waters and coastal seas. We have the right to govern ourselves, and the right to self-determination. We have the right to freely pursue our economic, social and cultural development. We continue to exercise our rights to ownership and control over our traditional lands, territories and natural resources.

Our internationally recognized right to self-determination gives First Nations the power to make decisions, based upon our laws, customs, and traditional knowledge to sustain our waters, for all life and future generations.

First Nation sovereignty is recognized through the UN Declaration of the Rights of Indigenous Peoples. We have inherent and human rights to water for basic human needs, sanitation, social, economic, cultural and ceremonial purposes.

First Nations Peoples have Inherent rights and title to the waters located in their traditional lands. Treaties have affirmed and further protect our relationship with water. We respect the waters and harvest the marine resources in a sustainable manner as our way of life and reaffirmed under the *Canadian Constitution* and case law. The waters sustain our health, spirituality and physical wellbeing.

Our traditional activities depend on water for transportation, for drinking, cleaning, sustenance, purification, and provide habitat for the fish, plants and animals that provide medicines and foods. We affirm our right to the reclaiming, conservation and protection of the environment, and the sustainable development of First Nations lands in a balanced responsible way.

Current Condition and Protection of Waters

The waters in Canada are increasingly being disrespected, misused and polluted by industrial development, agriculture, urbanization and climate change. Water in First Nations territories is often degraded by activities that occur outside or adjacent to our communities and traditional lands. We must continue to exercise our right to protect and care for our waters, as our Ancestors have taught us to ensure there are clean waters for future generations to come.

Consultation & Accommodation

First Nations must be adequately and fairly consulted and accommodated prior to any decisions or actions related to our waters in Canada's provinces or territories. First Nations are entitled to free, prior and informed consent to any activities



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within and surrounding our waters. We have the right to consultation by culturally appropriate means, where these consultations must be carried out with deep and mutual respect, and consent. Any activities within and surrounding our waters must be carried out with full participation of First Nations Peoples, through fair, independent, impartial, open and transparent processes.

Water Governance

First Nations inherent right to self-government extends to our right to manage and govern our waters. We have a right to make our own water and environmental laws and to practice our customary and Indigenous legal orders. Many First Nations live without sufficient water allocations and suffer frequent infringements on their Aboriginal and Treaty rights to water.

Our inherent water rights must be recognized, protected and upheld and First Nations must be fully and actively engaged in any legislative or regulatory development pertaining to our waters.

The right of First Nations to manage our own water resources, to develop and enforce laws is affirmed by Section 35, Canada Constitution 1982 and must be recognized by Canada. We affirm that nothing in this Declaration shall be construed so as to abrogate or derogate from any aboriginal or treaty rights of the aboriginal peoples of Canada, affirmed or recognized in section 35 of the Constitution Act, 1982, or given effect through any self-government agreement.

Indigenous Knowledge Systems

First Nations have a direct relationship with all waters that exist on Mother Earth, and we care, protect and honour them through our traditional ways. Our own Indigenous knowledge systems are the foundation of our Nations. Our knowledge systems inform our relationship with water as an element, a spiritual entity, a resource and a source of life. We care, protect and honour those relationships through our customs, traditions and practices.

Many First Nations seek to restore our traditional ways of protecting the health of water and to share these ways with the world. We assert our internationally recognized right to maintain, control, protect and share in the benefits of the use of our Indigenous knowledge systems and cultural heritage. These have been given to us by the Creator through our Ancestors, and passed to us through our Elders, and must and will be shared with the future generations to come. We affirm our right to protect our intellectual property rights and reserve the right to maintain, protect and transmit Aboriginal Traditional knowledge as deemed appropriate by the rights holders.

Final Affirmation

First Nations are traditional knowledge keepers and sacred protectors of the land and resources, who will continue to support our people now, and in the future. Through the guidance of the Creator, we will do what is necessary to protect our waters, land and air. We must improve our relationships and foster stronger relationships between Canada and First Nations that are respectful of our inherent and Treaty rights which are also affirmed by the *Constitution Act, 1982*. First Nations seek the recognition of our inherent jurisdictional authorities over water and require resources to build capacity to advocate for our water rights and to protect the health of the water that Mother Earth bestows.

The Creator placed us on this earth, each on our own sacred lands, to care for the earth, environment and humankind. We stand united to follow and implement our knowledge, laws and self-determination to preserve and protect life's most sacred gift – water. We call on the Canadian Government, provinces and Territorial Governments and People of Canada to recognize, support and affirm all First Nation Water declarations put forth and appeal for greater cooperation to protect our water through this National Water Declaration.