ANNUAL GENERAL ASSEMBLY
JULY 20, 21 & 22, 2010, WINNIPEG, MB

Resolution no. 08/2010

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| TITLE: | Support for Algonquins of Barriere Lake and Development of a National Framework on First Nation-Driven Elections |
| SUBJECT: | Elections |
| MOVED BY: | Tony Wawatie, Proxy for the Algonquins of Barriere Lake, QC |
| SECONDED BY: | Arthur Manuel, Proxy for Neskonlith Indian Band, BC |
| DECISION: | Carried by Consensus |

WHEREAS:

A. The Algonquins of Barriere Lake First Nation have Aboriginal Title & Rights and have operated under a customary system of governance for generations and have never been under the *Indian Act* Section 74 Elective System.

B. The Barriere Lake Customary Chief and Council entered into a 1991 Trilateral Agreement and other related agreements with the governments of Canada and Québec. However, after the signing of these significant agreements with the Algonquins of Barriere Lake relating to co-management, revenue-sharing and community development: the governments of Canada and Québec have resisted their implementation and used "divide-and-conquer" tactics and community divisions to try and avoid their obligations under the 1991 Trilateral Agreement and related agreements.

**C.** The government of Canada through the Minister of Indian Affairs, as well as, the bureaucracy from the Department of Indian Affairs (INAC) have for over the past 15 years, interfered with the internal affairs of the First Nation, while trying to avoid implementing the significant agreements they have signed with the First Nation. On April 1, 2010, Minister Chuck Strahl issued an order under section 74 of the *Indian Act*, putting Barriere Lake under the *Indian Act* election system. Efforts have been made to get the Minister to cancel the section 74 order, but so far INAC officials have refused to do so and have scheduled *Indian Act* election nominations for July 22nd, 2010.

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D. While divisions have existed in the First Nation as a result of federal INAC interference, a community reconciliation process has been underway. The result is an overwhelming majority of community members resident in the traditional territory confirming that they want to continue to operate under their customary governance code and make amendments to the code if necessary and agreed upon by the First Nation. There is broad consensus within the First Nation in opposition to the federal Minister of Indian Affairs, Chuck Strahl's attempts to impose an *Indian Act* Section 74 elective system over the First Nation.

E. On July 18, 2010, Elders representing the two sides within the First Nation and supported by the two First Nation Leaders who have both been recognized by the federal government in recent years, sent a joint letter to Minister Strahl, which was copied to the National Chief and Regional Chiefs: 1) Informing the Minister that community meetings have been held July 15-18, 2010, and that the First Nation has reconciled and is united in their opposition to Minister Strahl's Section 74 Election Process; 2) The First Nation has set up an Interim Task Force representing a broad consensus in the First Nation to oppose the Section 74 process until a Customary Chief and Council is named; and 3) denounced Minister Strahl and demanded that he cancel the Section 74 elections in the First Nation, including the nomination meeting scheduled for July 22, 2010.

F. In 2000, the AFN Confederacy in Resolution #66, supported the Algonquins of Barriere Lake and urged the Québec government to negotiate in good faith with the First Nation and in 2001, the AFN Confederacy in Resolution #34 (D), again supported the Algonquins of Barriere Lake and urged Canada to honour its obligations under the 1991 Trilateral Agreement. The AFN National Office was also directed to support the Algonquins of Barriere Lake in a national and international campaign to highlight the federal government's dishonourable conduct.

G. The imposition of the section 74 Order on the Algonquins of Barriere Lake is a violation of Aboriginal and Treaty Rights; a draconian abuse of power by the Minister and is inconsistent with the recent Report of the Senate Standing Committee on Aboriginal Affairs, entitled *First Nation Elections: The Choice is Inherently Theirs*, which noted: "Ever since the arrival of the colonizers and the imposition of their governance systems throughout Canada, the Aboriginal peoples have resisted and struggled to reconstitute their traditional forms of political representation and governance practices, to maintain control of their own affairs, and to have governments be accountable to them."

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Condemn the federal Minister of Indian Affairs, Chuck Strahl for his disregard for the customary leadership selection code and reconciliation process within the Algonquins of Barriere Lake First Nation by trying to impose the *Indian Act* Section 74 Election System over the Algonquins of Barriere Lake First Nation.

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2. Demand that the federal Minister of Indian Affairs, Chuck Strahl, immediately rescind the Section 74 Order imposing the Section 74 elective system over the Algonquins of Barriere Lake First Nation.

3. Demand that the governments of Canada and Québec implement the 1991 Trilateral Agreement and related agreements with the Algonquins of Barriere Lake.

4. Mandate the AFN to work with First Nations, Tribal Councils, PTOs and AFN regional offices on a national framework to support and facilitate First Nations-driven elections and leadership selection processes, including the resolution of community disputes, consistent with the internal sovereignty and customs and traditions of First Nations.

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