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

Resolution no. 44/2010

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| TITLE: | First Nations' Rejection of a "Property Ownership Act" |
| SUBJECT: | Protecting Title to First Nation Reserve Lands and Traditional Territories |
| MOVED BY: | Chief Raphael Paul, English River First Nation, SK |
| SECONDED BY: | Chief Ovide Mercredi, Misipawistik Cree Nation, MB |
| DECISION: | Carried; Opposed: 3 |

WHEREAS:

A. First Nations have a relationship with our territories that is rooted in our spirituality as a gift from the Creator.

B. Our spiritual connection with our territories is the foundation of our life as Peoples. First Nations have a sacred responsibility to honour and preserve our spiritual connection to our territories.

C. The United Nations Declaration on the Rights of Indigenous Peoples affirms First Nations collective rights to our territories and resources.

D. The First Nation Tax Commission (FNTC) has received funding from the Government of Canada to pursue the concept of proposed federal legislation – a " First Nation Property Ownership Act" (POA).

E. The FNTC is currently meeting with "interested stakeholders, including First Nations" to promote the development of POA legislation and provide a report to the Government of Canada by the December 2010.

F. This proposed POA would endorse "fee simple title" of First Nation reserved lands, a concept that is in direct contradiction to First Nation sacred responsibilities and distinct relationship to our territories.

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G. This proposed POA would enable First Nation lands to be “transferred to non-First Nation persons” and would erode our collective rights in our reserved lands.

H. Fee simple title will lead ultimately to the individual privatization of indigenous collective lands and resources and impose the colonizer’s model on our Peoples.

I. The POA literature ignores the ultimate risk that all First Nation lands, currently held in trust by us for our future generations, could disappear through “fee simple title” thereby violating our responsibility to subsequent generations and our sacred treaties.

J. The POA literature negates the constitutionally protected land rights and those affirmed through treaty.

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

1. Collectively affirm our inherent Aboriginal and Treaty rights and jurisdiction to advance our own land tenure systems as directed and mandated by our peoples, consistent with our spiritual connection with the land

2. Reject the proposed federal legislation for a First Nation “Property Ownership Act”.

3. Mount a strategic lobby to oppose the proposed federal legislation for a First Nation “Property Ownership Act”.

4. Convey to the Government of Canada that “stakeholder feedback” is not consultation.

5. Recommend that First Nations pass resolutions rejecting this process.

6. File a complaint at the United Nations outlining Canada’s violations of our Nations’ collective rights to our territories and resources and the internationally recognized principle of FPIC (free, prior, and informed consent).

7. Direct the AFN to advocate for Canada to put more federal funding into stimulating economic development, creating jobs and generating revenues from our territories.

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