SPECIAL CHIEFS ASSEMBLY
DECEMBER 4, 5 & 6, 2012, GATINEAU, QC

Resolution no. 35/2012

TITLE:	Assertion of Inherent and Treaty Rights to Lands, Traditional Territories and Resources
SUBJECT:	Inherent and Treaty Rights
MOVED BY:	Chief Craig Makinaw, Ermineskin First Nation, Treaty 6, AB
SECONDED BY:	Anne Marie Sam, Proxy, Soda Creek Indian Band, BC
DECISION:	Carried by Consensus

WHEREAS:

A. First Nations are the children of Mother Earth. This relationship and our spiritual obligations to the land and waters are essential to our responsibilities as First Nations peoples and serves as the foundation of our identity. This leads to different understandings based upon our teachings passed along from the Creator.

B. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) recognizes the rights of indigenous peoples to lands, territories and resources they have traditionally owned, occupied or otherwise used or acquired through the negotiation of Treaty in good faith, or any other means, since time immemorial.

C. The Government of Canada is bringing forth a unilateral legislative and policy agenda designed to exclude First Nations from participation in meaningful decision making in the stewardship and management of their lands, territories and resources, and denying First Nations an equitable share of economic opportunities and benefits associated with the development of their lands, territories and resources, and the successful implementation and enforcement of the Treaties.

D. These policies are undermining the constitutionally protected inherent and Treaty rights, and title of First Nations, and represent an ongoing failure in achieving reconciliation between First Nations and the Crown.

Certified copy of a resolution adopted on the 5th day of December, 2012 in Gatineau, Quebec

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

E. Government of Canada legislation and policies are designed to accentuate differences, divide regions and communities and impede First Nation successes in governance, education, and in areas such as child welfare, housing and health.

F. Reconciliation with First Nations is recognized as a necessary precondition for the future development of Canada's resource economy.

G. In the continued absence of real progress, conflict and confrontation will be the inevitable result.

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

1. Reaffirm their unity and resolve to advance the principles of the United Nations Declaration on the Rights of Indigenous Peoples and to fulfil the unmet promise of reconciliation between the Crown and First Nations.
2. Direct the National Chief on behalf of the Chiefs-in-Assembly to support a First Nations-led coalition of business, civic and civil society leaders who are committed to supporting First Nations in achieving the implementation of the Treaties and recognition of their rights to lands, territories and resources, an equitable share of economic opportunities and benefits, and reconciliation between First Nations and the Crown.
3. Direct the National Chief on behalf of the Chiefs-in-Assembly to communicate to the Governments of Canada, the Provinces and Territories that continued failures on the part of the Crown to meaningfully engage First Nations in decision making in the management of their lands, territories and resources, or provide equitable shares of economic opportunities and benefits from resource development is resulting in continued conflict and crisis.
4. Direct the National Chief on behalf of the Chiefs-in-Assembly to develop strategies to support First Nations to assert their rights to their lands, territories and resources, to pursue the successful implementation of the Treaties in the spirit and intent as originally negotiated by the ancestors, and to provide such assistance and support as First Nations may request in this regard.

Certified copy of a resolution adopted on the 5th day of December, 2012 in Gatineau, Quebec

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF