AFN Special Chiefs Assembly
December 9-11, 2008 Ottawa, ON

Resolution no. 66/2008

SUBJECT:	ESTABLISHING COUNCIL OF CHIEFS FOR THE DEVELOPMENT OF AN ACTION PLAN FOR TREATY IMPLEMENTATION
MOVED BY:	Chief Isadore Day, Serpent River First Nation, ON
SECONDED BY:	Chief Ralph Paul, English River First Nation, SK
DECISION:	Carried (1 opposed)

WHEREAS:

A. First Nations come from Mother Earth and this determines our relationship with nature, our role as stewards of this land and all forms of life and our sovereignty. First Nations occupied North America as sovereign nations long before other peoples came to our shores. First Nations have always exercised our jurisdiction and made our own laws that reflect our culture, values and languages. Our inherent sovereignty enabled us to enter Treaty and other political accords with other Nations, such as the Imperial British Crown.;

B. The *Royal Proclamation of 1763* affirmed our sovereignty and set out the Treaty process;

C. The United Nations Declaration on the Rights of Indigenous Peoples states that *"Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements"*;

D. The Honour of the Crown is a legal imperative that requires the Crown to honour its promises and commitments; section 35 of the *Constitution Act 1982,* "recognizes and affirms" existing Aboriginal and Treaty Rights and provides the constitutional imperative for the implementation of Treaties;

E. First Nations and Canada participated in a joint National Treaty Implementation Conference on March 26-27, 2008 in Saskatoon, SK. A key point of consensus among all participants was the recognition of the need for the development of a national Action Plan for Treaty Implementation.

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PHIL FONTAINE, NATIONAL CHIEF

THEREFORE BE IT RESOLVED that:

1. The Chiefs-in-Assembly, declare that the Crown is required by various Treaties, International Law, the Honour of the Crown and section 35 of the Constitution, to participate in Treaty implementation processes to give full effect to Spirit and Intent of the Treaty relationship.

2. The Chiefs-in-Assembly call on Canada to work in full and equal partnership with First Nations on the development of an Action Plan for Treaty implementation that honours the Nation to Nation relationship and the original Spirit and Intent of the Treaties.

3. The Chiefs-in- Assembly encourage consensus among individual Treaty First Nations and recognize the value of unity and collective action at the regional and national levels in working to achieve Treaty Implementation.

4. Therefore, the Chiefs-in-Assembly direct the AFN to seek available and new resources, to establish a National Council of Treaty Chiefs and Advisors for the purpose of facilitating consensus and collective efforts on Treaty implementation,

5. In order to elevate the Treaty agenda, the Chiefs-in-Assembly support the National Council of Treaty Chiefs and Advisors providing direct political advice to the Office of the National Chief.

6. The Chiefs-in-Assembly mandate the National Council of Chiefs, to seek available and new resources, to develop a work plan for Regional and/or Treaty-based Roundtables to support the Treaty Partners working at all levels, in the development of a National Strategy and Action Plan for Treaty implementation.

7. The Chiefs-in-Assembly recognize and support the work of Treaties 1 – 11 and that the National Council of Treaty Chiefs and Advisors will work together with Treaties 1 – 11 to advance in unity.

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