

Assembly of First Nations

50 O'Connor Street, Suite 200
Ottawa, Ontario K1P 6L2
Telephone: (613) 241-6789 Fax: (613) 241-5808
www.afn.ca



Assemblée des Premières Nations

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Téléphone: (613) 241-6789 Télécopieur: (613) 241-5808
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SPECIAL CHIEFS ASSEMBLY
December 2-3-4, 2025, Ottawa, ON

Resolution no. 74/2025

TITLE:	Repatriation of First Nation Artifacts and Documents from the Hudson's Bay Company and Court Injunction Against Sale
SUBJECT:	Repatriation of Artifacts
MOVED BY:	Chief Sylvia Weenie, Stoney Knoll First Nation, SK
SECONDED BY:	Chief Edwin Ananas, Beardy's & Okemasis First Nations, SK
DECISION:	Approved by the AFN Executive Committee by consensus.

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) affirms the Inherent rights of Indigenous Peoples to practice, revitalize, protect, and maintain their cultural heritage, including artifacts, ceremonial objects, and historical records. Specifically:
- Article 11(2): States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.
 - Article 12(2): States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.
- B. On March 7, 2025, the Hudson's Bay Company group (HBC) applied for protection from their creditors under the *Companies' Creditors Arrangement Act* (CCAA). Justice Peter Osborne of the Ontario Superior Court of Justice granted the initial CCAA order. The insolvency firm of Alvarez & Marsal Canada Inc. was appointed the CCAA Monitor.
- C. The HBC has held, since its founding in 1670, a significant collection of Indigenous artifacts, sacred items, documents, and cultural property obtained through colonial trade, coercive acquisition, and extraction from Indigenous Nations across Turtle Island.
- D. These items carry deep spiritual, ceremonial, historical, and cultural significance to their respective First Nations, and their continued possession by HBC violates the rights of Indigenous Peoples to manage, protect, and access their own cultural property.

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- E. Such actions contradict the Truth and Reconciliation Commission of Canada's Calls to Action on the repatriation of Indigenous cultural property, which calls upon all levels of government and institutions to recognize Indigenous Peoples as the rightful stewards of their cultural heritage.
- F. AFN Resolution 106/2017, *Support for International Repatriation of Sacred Items*, directs the Assembly of First Nations (AFN) to advocate on behalf of First Nations across Canada to ensure that the issue of repatriation is addressed nationally and internationally.
- G. In a November 17, 2025, report, the CCAA Monitor has identified approximately 24 artifacts in the Art Collection that are believed to be of Indigenous origin, including three artifacts of Indigenous origin currently on long-term loan at a Museum. These items will be temporarily excluded from the ongoing Art Collection auction, pending consultation with Indigenous communities and others for possible returns or donations.
- H. The lack of federal regulatory protection, mandatory consultation processes, or repatriation frameworks enables the ongoing removal, sale, or private transfer of Indigenous cultural property without the free, prior, and informed consent of the original Nations.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Call upon the Assembly of First Nations (AFN) to urge the Government of Canada to immediately intervene to stop any auction, sale, transfer, or disposal of Indigenous artifacts, documents, ceremonial items, or cultural property currently held by the Hudson's Bay Company (HBC) or its affiliated entities.
2. Demand that First Nations are immediately informed of any items that are believed to be of First Nations origin and that any process of consultation, cataloguing or any other activity undertaken with respect to those items only proceed with the free, prior and informed consent of those First Nations.
3. Demand that First Nations items of deep spiritual, ceremonial, historical, and cultural significance to their respective First Nations are returned to First Nations.
4. Direct the AFN to request that the Government of Canada work collaboratively with First Nations to establish a national repatriation framework, grounded in the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), ensuring the return of all Indigenous cultural materials held by HBC to their rightful First Nations owners.
5. Call upon the AFN to urge all museums, auction houses, private collectors, cultural institutions, and corporate entities to suspend all transactions, and provide documents related to historical transactions, involving cultural items of Indigenous origin pending a Nation-specific repatriation assessment.
6. Direct the AFN to support First Nations seeking legal remedies, including injunctions and claims, to prevent the unauthorized sale or transfer of their cultural property, and to advocate for federal legislation preventing corporations or private entities from selling Indigenous artifacts without First Nations' consent.
7. Request the AFN to coordinate, with relevant experts and partners, on the creation of a national inventory and identification strategy, led by First Nations Knowledge Keepers and cultural experts, to catalogue items held by HBC and other corporate or private entities and to support repatriation prioritization.

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