

Assembly of First Nations

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Assemblée des Premières Nations

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SPECIAL CHIEFS ASSEMBLY
December 2-3-4, 2025, Ottawa, ON

Resolution no. 73/2025

TITLE: Natural Resource Transfer Agreement Technical Table and Advocacy Committee

SUBJECT: NRTA, Rights, Environment

MOVED BY: Chief Shaun Longman, George Gordon First Nation, SK

SECONDED BY: Chief Calvin Sanderson, Chakastaypasin Cree Nation, SK

DECISION: Approved by the AFN Executive Committee by consensus.

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- i. Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
- ii. Article 26(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- iii. Article 26(3): States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.
- iv. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

B. First Nations have Inherent and Treaty Rights to their lands and resources. First Nations have consistently asserted Inherent and Treaty Rights to their natural resources, challenging the Natural Resources Transfer Agreement (NRTA) and calling on the Government of Canada to take action, including through Assembly of First Nations (AFN) Resolution 39/2023, *Repeal or Amend Legislation that Breaches First Nations Inherent and Treaty Rights to Natural Resources*; AFN Resolution 54/2022, *Political and Financial Support for the Western Treaty Nations on the Natural Resource Transfer Agreement Summit*; AFN Resolution 31/2017, *Natural Resource Transfer Act*; and AFN Resolution 26/2016, *Natural Resource Transfer Act Violation of Aboriginal and Treaty Rights*.

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- C. First Nations did not relinquish, cede, or surrender rights to their lands and natural resources during Treaty negotiations, but rather agreed to share the land for settlement, sharing six inches into the ground - or a plough depth for agricultural purposes.
- D. In 1930, the federal Crown transferred the administration and control over the lands and natural resources to the provinces of Manitoba, Saskatchewan, and Alberta pursuant to the *Natural Resource Transfer Act*, 1930, via the *Constitution Act*.
- E. The transfer of the administration and control to the provinces was done without the consent of nor consultation with the First Nations in the three aforementioned provinces.
- F. The NRTA has caused significant economic, social, and cultural harm to First Nations in Manitoba, Saskatchewan and Alberta by undermining their access to lands and resources, infringing upon Inherent and Treaty rights to hunt, fish, trap and gather, and by excluding First Nations from decision-making authority.
- G. There have been numerous First Nations-in-Assembly Resolutions adopted since 1980, directing the Federation of Sovereign Indigenous Nations (FSIN) to advocate for resource revenue sharing.
- H. On October 24, 2024, the FSIN adopted a motion directing it to collaborate with Alberta and Manitoba First Nations to develop a Research Table and Advocacy Committee.
- I. On April 15, 2025, the Southern Chiefs Organization (SCO) adopted a motion, directing the SCO to collaborate with Saskatchewan, Alberta and Manitoba First Nations to develop a Research Table and Advocacy Committee.
- J. The mandate of this Research Table and Advocacy Committee is to work toward a potential legal challenge; to assess potential damages; to investigate land titles and resource claims; to review the legislative history; and to advocate for Treaty Governance.
- K. The SCO and FSIN have further directed the Committee to undertake historical research and use this information to strategize and develop a collective approach to challenging the NRTA, which would include First Nations leadership, legal experts, academics, economists and allies from the three provinces.

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

- 1. Direct the Assembly of First Nations (AFN) to collaborate with Manitoba, Saskatchewan and Alberta First Nations on the establishment of a Research Table and Advocacy Committee, which will consist of First Nation leadership, legal experts, academics, economists and allies mandated to strategize on and develop a collective approach to challenging the Natural Resources Transfer Agreement (NRTA).
- 2. Direct the AFN to provide technical and political support to the Research Table and Advocacy Committee to work toward a potential legal challenge, assess potential damages, investigate land titles and resource claims, review legislative history, and advocate for Treaty Governance.
- 3. Affirm that this Resolution does not bind any Nations, including those Nations that are already engaged in this work and/or currently in negotiations with the provincial and/or federal governments.

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