SPECIAL CHIEFS ASSEMBLY
DECEMBER 14, 15 & 16, 2010, GATINEAU, QC

Resolution no. 84/2010

TITLE:	Support for Land Rights over $150 million
SUBJECT:	Land Rights
MOVED BY:	Chief William K. Montour, Six Nations of the Grand River, Ontario
SECONDED BY:	Grand Chief Sohenrise Paul Nicholas, Mohawk Council of Kanesatake, Québec
DECISION:	Resolution was referred to AFN executive by Chiefs-in-Assembly on December 16, 2010. Passed by the AFN Executive at a duly convened meeting on January 20, 2011

WHEREAS:

A. The spirit and intent of the relationship between Indigenous peoples and Canada was aimed at a sharing of the lands in Canada and not a transfer of title to the Crown.

B. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) [S. 26] recognizes the land rights of Indigenous peoples, including the right to own, use, develop and control their lands, territories and resources.

C. Many First Nations with Land Rights valued over $150 million do not have access to a clear, fair or timely process to resolve their land rights wrongly called claims.

D. Canada has ceased to engage the Assembly of First Nations on this matter.

E. Canada is attempting to play First Nations off against each other and their existing processes for dealing with large value land rights are totally inadequate and unacceptable for a variety of reasons, including the continuation of a policy of extinguishment and the absence of the option for return of lands to First Nations.

Certified copy of a resolution adopted on the 20th day of January, 2011 in Ottawa, Ontario

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

F. The Parliamentary Aboriginal Standing Committee has agreed to study a possible process to deal with land rights valued over $150 million.

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

1. Call on Canada to support First Nations with land rights valued over $150M in their efforts to access a clear, fair and timely process to resolve their land rights.

2. Call on Canada to work cooperatively and in collaboration in a true partnership with First Nations in discussions aimed at putting in place a clear, fair and timely process, with no preconceived criteria, for First Nations with land rights over $150 million.

3. To call on the Minister of Indian Affairs to honour the 2007 Political Agreement with the Assembly of First Nations and re-engage on the process to support First Nations with land rights over $150 million in the establishment of a clear, fair and timely process to resolve their land rights, beyond any specific claims tribunal of Canada, to be coordinated by a Committee of First Nations with large land rights valued over $150 million.

4. This process will start immediately with voluntary involvement of those First Nations with large valued land rights who wish to participate, with a view to concluding an agreement with Canada within 6 months.

5. Call on the large valued land rights First Nations Committee to develop a strategy and approach to present to the Aboriginal Standing Committee studying a large valued land rights process.

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SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF