
Assembly of First Nations

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Assemblée des Premières Nations

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ANNUAL GENERAL ASSEMBLY
July 23, 24 & 25, 2019, FREDERICTON, NB

Resolution no. 29/2019

TITLE: 100 Wellington Street

SUBJECT: Reconciliation

MOVED BY: Chief Lance Haymond, Kebaowek First Nation, QC

SECONDED BY: Frankie Cote, Proxy, Kitigan Zibi Anishinabeg

DECISION: Carried; 6 objections, 5 abstentions

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 11: Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
 - ii. 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.
 - iii. 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.
 - iv. 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.

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- v. Article 27: States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.
 - vi. Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
 - vii. Article 28(2): Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.
- B.** The Charter of the Assembly of First Nations (AFN) states:
- i. *Ideals*, Article 1b: By virtue of the recognition and affirmation of their mutual freedom and self determination, First Nations possess the knowledge and political will to respect the sovereignty of each First Nation.
 - ii. *Principles*, Article 2, 5: The Assembly of First Nations shall remain at all times an instrument to advance the aspirations of First Nations and shall not become greater in strength, power, resources or jurisdiction than the First Nations for which it was established to serve.
- C.** The Algonquin Nation holds inherent title to their traditional lands. The "Parliamentary Precinct" is located on unceded Algonquin territory.
- D.** On June 21, 2017 the Prime Minister of Canada announced that the 100 Wellington Street building, located in Ottawa, is to become a space for Indigenous Peoples.
- E.** There is a need for First Nations to establish their own process to determine the preferred use, function, and governance of the 100 Wellington Street space.
- F.** AFN Resolution 29/2017, *100 Wellington Street*, mandated the Assembly of First Nations (AFN) to initiate a process to determine the most effective use of the 100 Wellington Street space, with certain conditions.

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- G. AFN Resolution 29/2017 directed the National Chief and the AFN to acknowledge the duly recognized Algonquin First Nations and make sure that the appropriate protocols with the Algonquin Nation are engaged to ensure a respectful process is initiated and to ensure Algonquin involvement.
- H. AFN Resolution 29/2017 also urged Canada to recognize the title of the Algonquin Nation and ensure the Algonquin Nation participates equally in the ongoing process to allow the building to ultimately be used as an Indigenous Peoples space in a manner which reflects and respects the engagement process with First Nations and the protocols with the Algonquin Nation.
- I. On July 1, 2019, Prime Minister Justin Trudeau committed to the Algonquin Nation that the Indigenous Peoples Space, particularly 100 Wellington St., would not open until the issues raised by the Algonquin Nation were resolved to its satisfaction.
- J. On July 2, 2019, Minister Bennett sent a letter to the Algonquin Nation committing to including 119 Sparks St. in the Indigenous Peoples Space project along with 100 Wellington St. and the infill space.
- K. In the July 2, 2019 letter, Canada committed to establishing a bilateral process with the Algonquin Nation on the creation of a building in the existing infill between 100 Wellington St. and 119 Sparks St. for the Algonquin Nation.
- L. Canada also confirmed in the July 2, 2019 letter Canada's commitment of not launching the Indigenous Peoples' Space where she stated, "I can also confirm that the Indigenous Peoples' Space will remain closed until a resolution has been reached on the issues by the Algonquin".

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

- 1. Support the Algonquin Nation to represent their own interests, rights and title by establishing a bilateral process with Canada to develop a dedicated Algonquin space in a newly created building between 119 Sparks Street and 100 Wellington Street.
- 2. Direct the Assembly of First Nations (AFN) to ensure the Algonquin Nation are equal partners (decision makers and beneficiaries) in the short-term project in 100 Wellington St., through the signing of a partnership agreement between the Algonquin Nation, the AFN, Inuit Tapiriit Kanatami (ITK) and the Métis National Council (MNC). The partnership agreement would last until such a time when construction is complete on the Algonquin specific site. All decisions in this partnership will be made by consensus.

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3. Direct the AFN to work with Algonquin Nation, MNC and ITK to set-up of a principals committee and technical working group dedicated to the long-term planning and use of 100 Wellington Street and 119 Sparks Street to be used by Indigenous leadership (Chiefs, tribal councils, First Nations, etc.) to conduct intergovernmental business.
4. Direct the National Chief to immediately inform the Prime Minister, his relevant Ministers, ITK and MNC of this resolution.

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