



ALL ONTARIO CHIEFS CONFERENCE
June 26-27-28, 2018
Hosted by Nipissing First Nation

RESOLUTION 32/18
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SUBJECT: REJECTION OF FEDERAL RECOGNITION OF RIGHTS AND IMPLEMENTATION FRAMEWORK

MOVER: Chief Denise Stonefish, Delaware Nation

SECONDER: Chief Elaine Johnston, Serpent River First Nation

DECISION: CARRIED

WHEREAS:

1. First Peoples on Turtle Island have inherent rights recognized in their own Indigenous legal systems and Nations. There are pre-existing Nation-to-Nation agreements between many of these Nations that existed well before Europeans arrived in Canada. The First Nations in Ontario are descendants of those First peoples and the communities today safeguard those laws, customs, and traditions of the pre-existing societies as recognized in the *Calder* decision of 1763.
2. Guided by the Chiefs in Assembly, the Chiefs in Ontario observe and recognize the self-determination efforts of all the nations, the Anishinaabek, Mushkegowuk, Onkwehonwe, and Lenape peoples in protecting and exercising their inherent rights and responsibilities;
3. On February 14th, 2018, Prime Minister Trudeau announced the government's intention to table a Recognition and Implementation of Rights Framework and Legislation, to be passed before the October 2019 federal election. The Rights Framework and associated processes will only support the further infringement of jurisdiction and rights for First Nations in Ontario and is separate from the fulfilment of long-held Canadian treaty obligations;
4. The federal government continues to emphasize the supremacy of the Canadian constitutional order and Section 35 jurisprudence, which almost fully constrains any true exercise of self-determination by First Nations and Indigenous Nations in Ontario; and

5. Canada is bound by legally enforceable obligations in both Canadian and Indigenous law to the treaty First Nations, especially in regard to the sharing of land, and those First Nations continue to hold legal systems of land tenure over those shared lands, and that must be fully understood by both Ontario and Canada. Canada represents the Crown who we entered into Treaties with and the "Framework" erodes not only the "Honour of the Crown, but also the honour of our sacred Treaty relationship.

THEREFORE BE IT RESOLVED that we, the Chiefs in Assembly:

1. Reject the Recognition and Implementation of Indigenous Rights Framework, and will take all necessary steps to prevent the passing of any legislation, especially "opt-in" legislation created by the federal government in 2018-2019;
2. Develop an educational strategy, in partnership with the treaty regions, about the legally enforceable obligations held by Ontario and Canada in the region of Ontario. These Crown obligations include understanding and legally defining the land rights of First Nations in a fair and independent process that is consistent with International law and the United Nations Declaration on the Rights of Indigenous Peoples. This should be done through an Indigenous lens, recognizing our views of the land;
3. Direct the Regional Chief to establish a working group to give life to Association of Iroquois and Allied Indians (AIAI) thirteen Principles, and report to the Assembly of First Nation Assembly;
4. Encourage like-minded First Nations to continue to assert their sovereignty through our own nation-to-nation governance structures and processes.

Certified Copy of a Resolution dated June 28, 2018



RoseAnne Archibald, Ontario Regional Chief