

## **RESOLUTION NO. 23**

**Annual General Assembly  
Resolution No. 23/2007  
July 10, 11, & 12, 2007, Halifax, NS**

**Subject:  
Canada's New Specific Claims Legislation**

Moved By:  
Chief Marcel Balfour, Norway House, MB

Seconded By:  
Chief Jeffrey Nepoakesik, Shamattawa, MB

Decision:  
Carried by consensus.

### **WHEREAS:**

- A. Prime Minister Harper's announcement on the new specific claims process on June 12<sup>th</sup>, 2007 and the proposed Specific Claims legislation by fall of 2007 appears to not include the outstanding claims relating to land and natural resources and other specific and "special claims" by Manitoba First Nations; and,
- B. The proposed legislation to reform the specific claims process also appears to aim only at outstanding claims relating to the historic Treaties with a defined limit on settling claims and may not address the much larger gaps coming from the Crown's failure to uphold the Treaty relationship and the Honour of the Crown; and,
- C. Based on the limited information available, the proposal may not address the outstanding claims arising from resource development, i.e. Hydro Development and Operations, to which Canada played a significant role and now ignores any claims; and
- D. Other claims such as the unresolved Aboriginal Title and "Special Claims" of the Manitoba Denesuline, and the non-implementation of hydro agreements to which Canada is a party and inter-provincial land and resource claims may also not be part of the proposed process; and
- E. The federal proposal, to this point, does not include a timely implementation process which is essential given that over the past 10 years only 4.6% of 836,306 acres of settlement lands have actually been transferred to Manitoba First Nations under the 1997 Treaty Land Entitlement Framework Agreement; and
- F. The new proposed legislation must be premised on the Honour of the Crown and the Treaty relationships (historic and modern Treaties) and ensure resolution that provides the rightful and equitable share of the benefits and revenues of hydro, mining and forestry developments and other resource developments.

### **THEREFORE BE IT RESOLVED that:**

1. The Assembly of First Nations through the National Chief and the Executive Council ensures that the proposed legislation of Prime Minister Harper will undergo adequate and formal consultations with First Nations at the local levels; and,
2. The Assembly of First Nations through the National Chief and the Executive Council ensures that the proposed Specific Claims process include all "settled specific claims agreements" (past, present and future) i.e. the Treaty Land Entitlement are dealt with in a timely manner with set timelines and mechanisms to ensure compliance; and
3. The Assembly of First Nations through the National Chief and the Executive Council advocates that the Federal Government implement the 1996 Royal Commission on Aboriginal Peoples Report including all other land claims or natural resource claims are part of the new proposed legislation. In the alternative, to advocate for an immediate separate agreement with Canada to expedite other outstanding claims, ie. Hydro

agreement to which Canada played a significant role, that builds upon the Honour of the Crown and Treaty Relationships.