



ONTARIO STATEMENT READ TO PRIME MINISTER STEPHEN HARPER BY REGIONAL CHIEF ANGUS TOULOUSE

JANUARY 23, 2012 – OTTAWA, ON

Today and tomorrow is an important opportunity to reaffirm the Treaty relationship as the foundation for a revitalized and renewed relationship going forward.

We have inherent rights and responsibilities that are existing in the Spirit and Intent of the Treaties and these provides for the sustained existence of our Nations.

The Spirit and Intent of our Treaties set the terms of the relationship between Indigenous nations and the British Crown on how the lands and resources would be shared. Canada as the successor state was conferred specific legal obligations by the Crown to implement the terms of the treaties. Canada has failed to implement the Treaties. Canada has a legal obligation to implement the Treaties made with the Crown. The original relationship was one of peace, friendship, mutual respect and equality.

When the Spirit and Intent of the Treaty is fully implemented, Mr. Prime Minister, Indigenous Peoples will not be faced with the social and economic challenges that we see today. There are significant financial and economic benefits owed to Indigenous Peoples.

We go into this meeting with cautious optimism aware that none of this will be accomplished in one day.

The Indigenous Nations will monitor the State of Canada's Implementation of the Treaties and set the standards on the implementation of the Treaties and will inform Canada what the Nations expect of the Crown's representative. If Canada is fully prepared to implement the Treaties we are prepared to work with them.

Achieving tangible results and Justice for Indigenous Peoples on Great Turtle Island will require courage, innovative thinking and sustained political commitment.

But, today we have a choice between a path of conflict and a path of peace. Peace is not the absence of war.

Assimilation, colonization, systemic genocide, has been the path Canada has chosen to embark upon. So while we co-exist today, there is clearly a lack of peace, friendship and respect. And despite not being at war, our nations and people are under attack through the imposition of assimilation based on the federal government's policies, regulation and legislation to control our lives, lands and resources.

It was not supposed to be this way. Prior to contact, sovereign Indigenous Nations prospered in the sharing of lands, air and waters and fire in a way that respected their collective responsibility to protect Mother Earth. When the settlers arrived on Turtle Island, they were in need of the basic necessities of life and survival.

The Indigenous Nations who held, and continue to hold, the principles of peace, friendship and respect in their dealings were central to the settlers and the future evolution of their relationship with settler governments.

Central to the evolution of the relationship was the making of Treaty and the representation of these relationships through wampum belts. The International Court of Justice in the Western Sahara case stated that the only way for non-Indigenous people to live in the lands of Indigenous Peoples is through a treaty. The basis of the First Nation Crown relationship was solidified in the Treaty of Niagara of 1764. This was to have been a nation-to-nation relationship based on mutual respect.

We are putting you on notice that the time to honour the Treaty relationship and the path of peace is here. As befits our status as self determining Nations, our imperatives for delivering notice to you vary. Our brothers and sisters in the Far North experience unique circumstances – they are impacted by a lack of basic services and infrastructure requirements that are compounded by factors of geography and the cost of living in 2012. Resource development activities occurring in our traditional territories without Indigenous Nations free prior and informed consent are a violation of our inherent rights and the Treaty relationship.

Canada has been following a path of conflict. Indigenous Nations have always wanted and continue to strive to clear the path to peace and we look to you today to join us as true partners. June 21st can be the beginning of celebrations or days of direct action.

The security of your investments can not be guaranteed.

This is not a time to build a relationship based on dialogue or symbolic gestures – it is time for concrete action. A time to ensure that the inherent and Treaty rights of First Nations citizens are met.

Indigenous Nations come to this gathering mindful of significant foundational concepts that are the basis for establishing a respectful political relationship with the Canadian governments. These concepts are neither negotiable nor debatable.

- 1) Indigenous peoples have full jurisdiction over their Home Lands, Turtle Island, the resources, and their citizens through comprehensive governance systems.
- 2) Treaties and other agreements were entered into as living relationships, establishing peace, friendship, and economic stability with other Indigenous Nations and settler governments.
- 3) Indigenous nations and peoples possess the inherent right of self-determination by which they freely choose and pursue their political, economic, social, cultural and spiritual growth and development.
- 4) The formation and consolidation of Canada was made possible through the cooperation and goodwill of First Nations.

Fundamental to clearing the path to peace, the federal government, acting to protect the Crown's honour and its obligations to us, must:

- *Abandon its efforts to terminate and assimilate Indigenous peoples.*
- *No longer utilize the tools of colonization, including extinguishment, delegated authority, legislation and policy.*
- *Take concrete steps with clear milestones for accomplishing the dismantling of the colonial system, including the phasing out of the Indian Act, the creation of government-to-government mechanisms, and the clear acknowledgement of the inherent and treaty rights of Indigenous Nations and peoples.*

Steps to Clear the Path to Peace:

- 1) A mutually agreed upon process with Indigenous Nations and the federal government to achieve a staged withdrawal of federal jurisdiction and the implementation of Indigenous inherent jurisdiction.
- 2) Jointly establish a mechanism with the full capacity to compel, facilitate, mediate and arbitrate all the parties in the process.
- 3) Each of the parties report to their respective governing bodies on progress.

Good Faith

If there is real commitment to the process the Federal government should provide an immediate good faith action to alleviate the burden in First Nations communities.

- The immediate removal of the 2 percent cap on funding to an increase of 5 percent in year one, and an additional 5 percent in each successive year until a new fiscal relationship is developed.
- Placement of a moratorium on all legislation and policies that have not been agreed to by First Nations governments.

Will you Prime Minister Harper commit to full and effective implementation of the Treaty relationship based on mutual respect with Indigenous Nations?