

31st Anniversary International Indian Treaty Council Conference
hosted by the Confederacy of Treaty 6 First Nations
at Ermineskin Cree Nation, Alberta Canada

August 3 – 7, 2005

Resolution on Treaties and Land Rights

Whereas the 31st Annual Conference of the International Indian Treaty Council held on August 3rd-7th 2005 held in Ermineskin First Nations Treaty No. 6 territory, co-existent with Alberta Canada, was attended by Indigenous Peoples from North, Central and South America and Pacific; and

Whereas we the Indigenous Peoples in attendance, representing our respective Nations and Indigenous organizations, re-affirm previous IITC resolutions regarding Treaties and Land Rights. This re-affirmation pays particular regard to our assertion that Treaties and Agreements between nation/states and Indigenous Nations are to be regarded from our respective traditional spiritual understanding; and

Whereas nation/states are undermining Treaty and Land Rights, specifically by:

- 1) Not honouring treaty obligations to a large number of Indigenous Peoples by denying their rights to land e.g. such as those who have had their reserves illegally surrendered in Canada.
- 2) Developing policies and law extinguishing the nation/state's legal recognition of legal personality e.g. Canada's Treaty Land Entitlement process and New Zealand's "governance" initiative eliminating the legal status of hapu as Treaty partners.
- 3) The passing of laws and regulations by nation/states limiting the exercise by Indigenous Peoples of Treaty and Land Rights e.g. Canada's gun registry legislation.
- 4) Interpreting Treaties as domestic agreements rather than as international agreements.
- 5) The non-recognition of rights implicit in Indigenous Nations entering into Treaties and Agreements with nation/states.

Therefore Be it Resolved that the International Indian Treaty Council will undertake the following:

- 1) Affirm and support the Onion Lake resolution of the Confederation of Treaty No. 6 First Nations in regards to sovereignty and self determination.

- 2) Actively engage in Treaty education initiatives.
- 3) Support the development of Treaties between our Indigenous Nations for our mutual support and development.
- 4) Support the development of aggressive legal strategies to target key nation/state legal decisions that undermine Treaty and Land Rights.
- 5) Support the recognition of Health as an inherent Treaty and Land Right explicitly for the Confederation of Treaty No. 6 First Nations and implicitly for all Indigenous Peoples.
- 6) Support the development of an Indigenous Peoples institution regarding Indigenous Peoples legal frameworks based on our respective traditional spiritual beliefs.
- 7) Supports the Yaqui of Rio Yaqui Sonora Mexico in their case to the Organization of American States (OAS) and the assertion of traditional Yaqui authority.

Be it finally Resolved that the International Indian Treaty Council (IITC) endorses, supports and will participate in the United Nations Treaty Seminar to be held in the Confederation of Treaty No. 6 First Nations territory in September of 2006, and will continue its advocacy on Treaty Rights utilising the United Nations Treaty Study on Treaties, Agreements and Constructive Arrangements between Indigenous Peoples and states conducted by Special Rapporteur Miguel Alfonso Martinez, the United Nations Declaration on the Rights of Indigenous Peoples, and the OAS Inter-American Declaration on the Rights of Indigenous Peoples.

Adopted by Consensus on August 7th 2005