



FIRST NATIONS SUMMIT

RESOLUTION # 0610.09

SUBJECT: SUPPORT FOR THE CAMPAIGN AGAINST THE HST

WHEREAS

- A. BC First Nations have Aboriginal title and rights over their traditional lands and resources and have a right to be involved in the development of any government policies and decisions that impact our respective communities, lands and resources.
- B. The United Nations Declaration on the Rights of Indigenous Peoples provides that Indigenous peoples have the right to participate in decision-making in matters which would affect their rights (Article 18). Further, Article 19 provides that States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.
- C. The British Columbia government announced its intentions on September 1, 2009 to adopt the proposed Harmonized Sales Tax ('HST') which combines B.C.'s provincial sales tax (PST) with the federal Goods and Services Tax (GST), and would be applied to the same tax base as GST.
- D. The HST has the potential to increase the poverty of BC First Nations.
- E. A fight the HST campaign has been launched in BC, which is dedicated to repealing the HST tax throughout BC. As part of the Fight HST campaign, Bill Vander Zalm has launched a Citizen's Initiative Petition against the HST and has successfully met the threshold of collecting the signatures of 10 per cent of registered voters in each of the province's 85 ridings. These signatures will be verified by Elections BC after July 5, 2010.
- F. The Fight HST campaign will ultimately consider a legal challenge to the HST, if necessary, asserting that the HST contravenes the *Constitution Act 1867* and the *Excise Tax Act*.
- G. First Nations opposed the GST when it was implemented and oppose any additional taxes that are administered in the same manner as the GST, including the impending HST.

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H. At the June 2010 First Nations Summit meeting, Merle Alexander gave a presentation on the HST and its potential impacts on First Nations.


THEREFORE BE IT RESOLVED

1. That the First Nations Summit Chiefs in Assembly support the campaign against the harmonized sales tax in its efforts to continue publicizing the impacts of the HST on First Nations in British Columbia.
2. That the First Nations Summit Chiefs in Assembly direct the First Nations Summit Task Group to urge Canada to respect and uphold First Nations' right to be consulted and accommodated on any Canadian tax legislation that may impact upon Aboriginal title, rights and treaty rights.

MOVED BY: Chief Larry Nooski, Nadleh Whut'en First Nation
SECONDED BY: Chief John T. Jones, Old Massett Village Council
DATE: June 11, 2010

Passed by consensus

ENDORSED BY:



Dan Smith



Chief Douglas White III Kwulasultun



Grand Chief Edward John