OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

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UNION OF B.C. INDIAN CHIEFS
42ND ANNUAL GENERAL ASSEMBLY
SEPTEMBER 15TH-17TH, 2010
VANCOUVER, B.C.

Resolution no. 2010-46

RE: Creation of a National Secretariat for Aboriginal Rights Supreme Court Fishing Cases

WHEREAS as Indigenous Peoples, we have Aboriginal Title and Rights and Treaty Rights to our lands, waters and resources and we will exercise our collective, sovereign and inherent authorities and jurisdictions over these lands, waters and resources, including our fisheries;

WHEREAS Article 26 of the *United Nations Declaration on the Rights of Indigenous Peoples* provides that Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use;

WHEREAS court decisions affirm that First Nations must be legally consulted and accommodated by the Crown before proposals commence that may impact on Aboriginal Title or Rights or Treaty Rights including the right to fish;

WHEREAS significant Supreme Court Decisions such as *Gladstone*, *Marshall*, *Ahousaht*, *Delgamuukw*, *Haida* and *Sparrow* which directly and indirectly impact Aboriginal Title, Rights and Treaty Rights have not been honourably fulfilled or implemented by the Government of Canada;

WHEREAS federal legislation is required to move these and other Supreme Court Decisions forward on behalf of First Nations across Canada, both treaty and non-treaty;

Certified copy of a resolution adopted on the 17th day of September of 2010 in Vancouver, British Columbia

Grand Chief Stewart Phillip, President

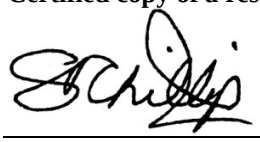
WHEREAS the Assembly of First Nations supports the development of a National Secretariat to promote the bridging of the unlawful gap between Supreme Court Decisions and Crown action so that these decisions are honoured and implemented;

THEREFORE BE IT RESOLVED that the Union of BC Indian Chiefs-in-Assembly support the establishment of a National Secretariat to:

a) Promote the implementation of all successful Supreme Court Decisions as well as all Aboriginal and Treaty Rights;
b) Facilitate and promote the development and enactment of the legislation required to implement Aboriginal and Treaty Rights on behalf of all First Nations across Canada, including, but not limited to, those Section 35 rights confirmed by successful Supreme Court Decisions.

Moved: **Chief Donna Gallinger, Nicomen Indian Band**
Seconded: **Chief Jonathan Kruger, Penticton Indian Band**
Disposition: **Carried**
Date: **September 17, 2010**

Certified copy of a resolution adopted on the 17th day of September of 2010 in Vancouver, British Columbia



Grand Chief Stewart Phillip, President