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APPENDIX A

ASSOCIATION OF METIS AND NON-STATUS INDIANS OF SASKATCHEWAN

DECLARATION  
OF  
ABORIGINAL RIGHTS

WHEREAS, the Metis and Non-Status Indians of Rupertsland and the Northwest are the legitimate descendants of the original people of the area; and

WHEREAS, these Natives of the area had at one time exercised self-government, made their own laws, and established their own institutions and therefore considered themselves to have achieved the status of a New Nation of People; and

WHEREAS, the people of the Province of Assiniboia under the leadership of Louis Riel and others, being in a situation where there was no government, constitutional or otherwise, for the protection of their life, property and other rights, did establish, on January 25, 1870, the Provisional Government of the Red River, in accordance with the provisions of International Law; and

WHEREAS, Sir John A. Macdonald, the Prime Minister of Canada, in a letter to the Lieutenant-Governor elect, McDougall, did recognize that where anarchy existed, the people had a right to take such action; and

WHEREAS, Sir John A. Macdonald and the Canadian Government by accepting, meeting with and negotiating with the delegates of the Provisional Government on the entry of Manitoba into the Canadian Confederation, did in fact recognize the Provisional Government by these acts; and

WHEREAS, many of the promises made to the delegates of the Provisional Government and which were entrenched in the Manitoba Act were never carried out; and

WHEREAS, the Manitoba Act being a constitutional act, which was later illegally amended by the government of Canada so that the Metis did not benefit from its provisions that guaranteed land and other rights; and

WHEREAS, the government of Canada, under Section 146, O.C.9 of the BNA Act, made a solemn pledge to deal with the Native people in accordance with the equitable principles which had governed the British Crown and in consultation with the British

Government; and

WHEREAS, the Government of Canada acted unilaterally by way of the Dominion Land Act to extinguish Metis rights in violation of the provisions in the BNA Act; and

WHEREAS, these acts by the Government have left our Native people poor and/or destitute, have seriously undermined our culture, and have put us in a position of second-class citizens in our own land, despised, discriminated against, and without the means by which we can work for our own social and economic advancement; and

WHEREAS, the Government of Canada has never dealt with the rights of the Metis and Non-Status Indian people of the Northwest outside Manitoba in accordance with the accepted principles of International Law, or the solemn agreements they made with the Government of Great Britain, when Rupertsland was transferred to Canada; we therefore;

DECLARE that we as inheritors of the rights of our ancestors, still have those special individual and national human rights which belong to the original people of this land and to their descendants. These rights we claim as those set out in the following list of rights:

1. The right of nationality and nationhood which includes the right to their native language, the right to their own historical and cultural institutions, the right to self-government, and the right to a land base and to their own economic institutions.

2. The right to have our special status as Native people entrenched in the Constitution of Canada.

Land &  
Resources

3. The right to a just settlement for the loss of our land and the other means by which we made our livelihood.

4. The right to compensation for damages caused by the degradation of our people in accordance with the equitable principles of British Law.

5. The right to land and financial compensation in an amount and in a form which will enable our people to develop their economic base and become an independent and self-sufficient people.

6. The right, until such time as a just settlement is reached with our people, to determine when and how the resources on lands in the North, which we have traditionally occupied, will be developed.

7. The right to benefit from resource development in all parts of Saskatchewan.

8. The right to ensure that these resources are developed for the benefit of our people and in partnership with other Canadian people.

9. The right, even when a just settlement has been made, to have the first opportunity to hunt, trap, fish, farm and to the use of other resources, such as timber, water, air, wild fruit, etc.

10. The right to determine fish and game management policy in keeping with the traditions of our people.

Government

11. The right to self-determination and self-government in regard to those matters affecting our cultural heritage.

12. The right to establish our own political organizations to be responsible for the operation of our own social, cultural, educational, and political institutions and to represent the views and interests of our people to other Governments.

13. The right for all native people to have their own representatives in all legislative assemblies.

Culture

14. The right to have our cultural differences recognized and protected so that we can enjoy equal treatment and opportunities in all areas of living.

15. The right to preserve our identity as Native people and access to the necessary resources to establish and operate cultural institutions for this purpose.

16. That we have the right to have our children educated in our languages and to also educate our children in the traditional customs, beliefs, and art forms of our cultural heritage.

17. The right to our own social, culture and economic institutions and to the resources necessary to establish such institutions.

Legal  
System

18. The right to have public documents and acts published in our Native languages.

19. The right to the use of our languages in legislative bodies and in the courts.

20. The right to have legal actions against our people conducted in our languages before Native judges who are able to speak the languages and who have an understanding of the special cultural characteristics of our people.

Human  
Rights

21. The right to resources to ensure that our people have access to adequate housing.

22. The right to become involved in the delivery of job training, job placement and job counselling programs and to the resources we require to operate these programs.

23. The rights of Native women to equal treatment before the law.

24. The right to meaningful work and job opportunities.

25. The right of access to free health care services.

26. The right to freedom from racial discrimination.

27. All of the rights and privileges enjoyed by citizens.

We respectfully submit that it will not be possible for our people to become independent, self-sufficient and self-respecting citizens, fully participating in and contributing to Canadian Society until these rights are granted in ways which do not involve the usual controls and restrictions imposed on us in the past and at present by Governments in this Nation.