

*"OUR TREATIES ARE SACRED. WE MUST PROTECT THEM!
...AS LONG AS THE SUN SHINES, THE RIVER FLOWS AND THE GRASS GROWS"
— CONFEDERACY OF TREATY SIX FIRST NATIONS ELDERS.*

ENOCH RIVER CREE DECLARATION
OF THE INTERNATIONAL INDIGENOUS NATIONS TREATY SUMMIT
NOVEMBER 12 – 13, 2006
ENOCH CREE NATION, TREATY NO. 6 NATIONS' TERRITORY

FOR PRESENTATION TO THE UNITED NATIONS EXPERT SEMINAR ON
TREATIES, AGREEMENTS AND CONSTRUCTIVE ARRANGEMENTS
NOVEMBER 14-17, 2006, MASKWACIS CREE TERRITORY

With the understanding that we as Indigenous Peoples and Indigenous Nations are a critical and integral part of the universal family of Peoples and Nations; and

Recognizing that the **INTERNATIONAL INDIGENOUS NATIONS TREATY SUMMIT** held in Enoch Cree Nation, was attended by Chiefs, Leaders, Elders and other authorized representatives of Indigenous Nations and Peoples from North, Central and South America, Africa, and the Pacific; and

Affirming that the fundamental sacredness of our Indigenous understanding of our treaties and the relationships they represent is based on our traditions, histories, our ceremonial ways, our relationships with our lands that are reflected in our creation stories, blood and sacrifices of our ancestors; and

Affirming also that Treaties and Agreements between states and Indigenous Nations are to be regarded from our respective spiritual understandings; and

Understanding that the inherent rights, responsibilities and relationships encompassed in treaties impact every aspect of our lives, including our health, cultural practices, means of subsistence and food sovereignty, access to and protection of our sacred sites and our rights to our lands, territories and natural resources, to self determination and free, prior and informed consent; and

Considering that the legally-binding Nation to Nation Treaties which were freely, entered into by Indigenous Peoples with non-indigenous governments constitute an important body of international law; and

Recognizing the vital contribution and role of the United Nations Study on Treaties, Agreements and Constructive Arrangements and the work of its Special

Rapporteur Miguel Alfonso Martinez, and strongly endorsing its conclusions and recommendations; and

Reaffirming the call by the UN Study on Treaties, Agreements and Constructive Arrangements for the international recognition of our Treaties with states, as well as effective and accessible mechanisms to provide international redress for Treaty violations and abrogations; and

Appreciating the important recent advances in this regard by international bodies and mechanisms including the UN Committee on the Elimination of Racial Discrimination (CERD), the UN Human Rights Committee, and the OAS Inter-American Human Rights Court; and

Calling attention to the reality that Canada and other states continue to undermine our Treaties and related Treaty Rights, specifically by:

- 1) Failing to honour their treaty obligations to Indigenous Peoples by denying their rights to land, such as those who have had their reserves illegally surrendered in Canada and through similar actions in other parts of the world.
- 2) Developing policies and laws designed to extinguish states' legal recognition and responsibility under Treaties and Agreements made with Indigenous Peoples.
- 3) The unilateral passing of laws and regulations terminating and limiting the exercise by Indigenous Peoples of Treaty and Land Rights, for example, Canada's gun registry legislation.
- 4) Interpreting Treaties as domestic rather than as international agreements and establishing so-called "settlement" processes based on unilateral decisions by the state parties.
- 5) Attempting to diminish the legal standing of Treaties by referring to modern negotiated settlements and even unilateral, non-consensual state decisions as "treaties."
- 6) Refusing to recognize the essential rights of free, prior and informed consent, permanent sovereignty over lands, territories and natural resources and self-determination which are implicit and explicit in existing Treaties and agreements.
- 7) Denying, undermining, and diminishing rights recognized and upheld in Treaties to social services, child and family wellness, traditional

subsistence, health care, education, culture, spiritual practices and language among others.

- 8) Continuing, in courts and other processes, to disregard and deny Indigenous understandings, interpretations and oral histories regarding our treaties and agreements, as well as the rights affirmed for all Peoples under international law.

The participants in the International Indigenous Nations Treaty Summit meeting in Enoch Cree Nation, Treaty No. 6 Territory, November 12 – 13, 2006

Hereby declare the following:

- 1) To affirm and support the following current struggles of Indigenous Nations to uphold Treaties and the rights they recognize including sovereignty and self determination:
 - a) The efforts of the Onion Lake Cree Nation and other Nations of Treaty No. 6 Territory to assert their sovereignty under Treaty No. 6 and international law.
 - b) The Maori struggle against New Zealand's Foreshore and Seabed Act as well as other domestic legislation that seeks to violate and undermine the Treaty of Waitangi, and in particular the endeavours by the Te Whanau a Apanui to ensure the full measure of their rights in regard to their nation, lands, territories, and natural resources.
 - c) The Yaqui of Rio Yaqui Sonora Mexico and their case to the Organization of American States (OAS) to defend their land and water rights and assert traditional Yaqui authority.
 - d) The Lubicon Lake Cree Nation's struggle for their lands.
 - e) The 1868 Ft. Laramie Treaty between the United States and the Great Sioux Nation and the defence of the Sacred Paha Sapa (Black Hills).
 - f) The Western Shoshone Nation's efforts to assert their rights under the Treaty of Ruby Valley in the international arena including at the CERD.
 - g) First nations' efforts to uphold and enforce the Jay Treaty & Lambull Treaty that support First Nations border crossing rights.
 - h) Recognition and full implementation of the Kuna Nation's treaty, land, and resource rights in Panama and Colombia.
 - i) The Moskitia Nation's right under international law to exercise its sovereignty under a new Constitution approved by 386 communities.

- j) The assertion of land recognition by Treaty No. 7 Nations as presented to the Canadian government.
 - k) The Kakisiwew-Ochapowace and other Treaty No. 4 Nations' assertion of sovereignty under their Treaty and their rejection of Canada's taxation law.
 - l) Full preservation and implementation of the Pimicikamak Nation's self-determination process according to their laws, treaty rights, and Creator-granted rights and powers.
 - m) The Akaitcho Dene's implementation of their Treaty negotiated and concluded in 1900.
- 2) To actively engage in and support Indigenous Nations' Treaty education initiatives and worldview to protect our future generations against alienation, assimilation, and genocide.
 - 3) To support the development of Treaties between our Indigenous Nations for our mutual support and development.
 - 4) To support the development of aggressive strategies on the national and international levels to target key legal decisions that undermine Treaty Rights.
 - 5) To support the vital need to develop effective international mechanisms to monitor compliance with Treaties between states and Indigenous Peoples and to ensure effective redress in the case of abrogations or violations.
 - 6) To support the recognition of Health, Education, Housing, Subsistence Rights, Land Rights, Peace and Security, Free Prior informed Consent and Permanent Sovereignty over natural resources as well as Self-determination as inherent Rights of all Indigenous Peoples and Nations which are affirmed in Treaties, Agreements and Constructive Arrangements.
 - 7) To continue to call upon the United Nations, other international bodies and states to recognize and uphold the rights affirmed in Treaties concluded with Indigenous Peoples and to develop effective mechanisms in this regard with the full participation of the Indigenous Peoples involved.
 - 8) To reaffirm the recommendation that the United Nations Office of the High Commissioner on Human Rights organize, in conjunction with the UN Working Group on Indigenous Populations and Indigenous Treaty Nations and Organizations, a World Conference on Indigenous Peoples'

Treaties, Agreements and Constructive Arrangements to take place during the first half of the Second UN International Decade of the Worlds' Indigenous Peoples.

- 9) To commit to continue to meet in annual Treaty Nation's Summits to share information, build alliances, develop strategies, and solutions and unite our efforts to defend our rights as Treaty Peoples and Nations internationally and in our homelands.

We further declare that we will continue to advocate for Treaty Rights utilising the United Nations Study on Treaties, Agreements and Constructive Arrangements between Indigenous Peoples and states, the United Nations Declaration on the Rights of Indigenous Peoples, the OAS Inter-American Declaration on the Rights of Indigenous Peoples and any and all other relevant international mechanisms, Conventions and bodies.

Titawiyh saweyhtam Wiyohawiyimaw mamawo askiyw iyntwaysinyw wiyihcikewin. Koh itotamahk oma eh aspih kiskisiyahk kakiyh niykanohakoyahkok nikehteyayiminanah miyna wiyawaw ohcih ayaniskac oteh niykan awasisak.

*May the Father bless this completed Indigenous World Declaration.
We do this in honour of ancestors and on behalf of our future generations.*

Adopted by consensus this 13th day of November, 2006, Enoch Cree Nation. Alberta Canada