

DEH CHO FIRST NATIONS

Spring Leadership Meeting
Ft. Liard, NT
May 15-19, 2000

Resolution #10-05-00

RE: Free Entry

WHEREAS, the Canada Mining Regulations purport to allow prospectors to stake claims and acquire mineral rights on First Nations land without any consultations with First Nations; and

WHEREAS, this “free entry” system has serious impacts on Deh Cho communities; and

WHEREAS, the Supreme Court of Canada has held that First Nations’ lands cannot be impacted without first holding good faith consultations with First Nations; and

WHEREAS, the free entry system is therefore illegal; and

WHEREAS, Canada has refused to modify the free entry system in an interim measure agreement.

THEREFORE BE IT RESOLVED THAT,

1. The DCFN Grand Chief is directed to write to the Minister of Indian and Northern Affairs to inform him that the D CFN will challenge the free entry system through the courts if negotiations on the Mining Regulations are not undertaken on a priority basis;
2. If Canada continues to refuse to negotiate changes to the free entry system, the DCFN is directed to initiated legal action to challenge the constitutional validity of the free entry system.