

In 1969, the White Paper sought to eliminate the Indian Act , get rid of treaty rights, do away with reserve lands and assimilate First Nations.

**This is the 2012 White Paper
but instead of a policy proposal, this is a number of laws pushed through at one time.**

Bill C-45

Land Surrenders

- The Minister of Indian Affairs will have the power to call a community meeting, ask the band to surrender their lands and a majority vote of those present will be used.
- It is no longer necessary to have a majority of eligible voters, as was required when members voted on issues that impacted their fellow members and communities until now
- Now a handful of people can surrender reserve lands
- The Minister can expedite this process and neither First Nation leaders nor members will have a say in it

Navigable Waters Act

- The federal government passes jurisdiction to the province over waters, parks, fisheries, etc, along with the duty to consult and honour treaty rights
- By doing so, the federal government washes their hands of treaty rights, knowing the provinces are free to do as they want, including more powerful expropriation powers
- Major pipelines will be exempted under this new law. Lakes, rivers and streams often stand in the path of large industrial development, particularly pipelines.
- This Bill, combined with last springs legislative changes, hands oil, gas and other resource extraction industries a free pass, without the duty to consult with First Nations
- Changes will be made to the Fisheries Act and the Hazardous Materials information Review Act

Education Act

- Incorporates and imposes provincial laws into First Nation education on reserves
- Federal government passing jurisdiction to province isn't just stepping away from treaty right obligations, but funding obligations as well
- Does not account for chronic under funding of First Nation education
- Soon First Nation and Aboriginal peoples will be told 'if you don't like under funded schools, go to provincial schools' ... 'want to apply for post-secondary? Apply for provincial grants and loans'

Bill C-27 First Nation Financial Transparency Act

- Canadians need to know that First Nations already produce audits for all federal and provincial monies received
- This Bill will force First Nations to open the books, to the public, on all own source revenue and business revenue.
- By doing so, the Federal government can continue to make funding cuts and justify them by highlighting businesses on reserve to address poverty, housing, education with these revenues
- Failure to disclose business information to the public can result in First Nation being taken to court and all funding being cut off

Bill S-2 Family Homes On-Reserves and Matrimonial Interests or Rights Act

- Does not recognize any First Nation bylaws that address matrimonial property laws
- For the first time in history, legal rights can be given to non-First Nations over holdings on lands on reserve
- Majority of First Nation marriages are outside of community, 80-90% out marry in some places
- Reserve land can begin to transfer to non-First Nation people
- A judge, without charges, arrest or conviction, can order occupation of the house, on reserve land, to a non-First Nation spouse - indefinitely
- This will add to the over representation of Aboriginal people in the justice system and ultimately in prisons
- There isn't a law like this that applies to Canadian citizens
- Even though housing lists are long and there is a lack of land, this will add to it
- Land, protected by treaties, exclusively for First Nations can be transferred to non-First Nations through this bill

Bill S-6 First Nation Election Act

- Anyone in a First Nation community who protests illegal elections, or questionable election processes, or raises any issue regarding a problematic election in their community can go to jail and/or pay up to a \$5000 fine, effectively silencing voices
- Election problems will not go the INAC but to the provinces to decide the community's fate
- Minister will retain the power to impose a new bill and create new election codes, even replacing band custom election codes

Bill S-8 Safe Drinking Water for First Nations

- Gives the federal government the power to set rules and regulations around water and sanitation, and the power to force Chief and Councils to install, repair and maintain water systems from band operating funds
- Transfers federal jurisdiction and pushes provincial laws on First Nations abrogating their responsibilities
- Contractors and water companies associated with Harper stand to get very wealthy off First Nations, federal government are not liable for their contractors and indemnify themselves from being sued

Bill C-428 Indian Act Amendment and Replacement Act

- Removing provisions of the Indian Act without consultation or consent of First Nations
- As paternalistic as the Indian Act is, it currently protects us from provincial laws, protects treaty rights..
- Any changes to the Indian Act must be made by working with First Nations to ensure our ongoing existence, land bases and treaty rights

Bill S-207 An Act to Amend the Interpretation Act

- Specifically impacts the non-derogation clause of Aboriginal and Treaty rights protected in the Canadian Constitution

Bill S-212 First Nation Self-Government Recognition Act and the First Nation Private Ownership Act

- Will take community held reserve lands and divide them up into individual parcels
- This land can be sold to non-First Nation and corporations like any piece of provincial land, under provincial laws and registry, with no Aboriginal or Treaty rights associated anymore
- Canada is now eyeing up the tar sand, the ring of fire, pipelines etc.
- To put a pipeline through a community, community consent would no longer be required, only the individual whose land the pipe would go underneath

Essentially, this combination of legislation could result in the privatization of reserve lands, owned by non-First Nations to develop at will. They circumvent all duty to consult and abrogates the Federal Government's responsibilities to uphold it's contractual obligations outlined in our treaties.

This Bills represent a two pronged attack on the democratic process and Canada's treaty responsibilities by short circuiting both parliamentary discussions and reducing the consultation process as defined and entrenched in the Canadian Constitution.

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