

Green Party of Canada - The Indian Sovereignty Act 1

(All Pending approval) LOGO

Policy Number: *To be assigned when submitted.*

Initiative Subject: *The Indian Sovereignty Act 1.*

Policy Area

Indian Act, Indigenous Land Management, Indigenous Financial Management

Existing Policy

Indian Act: 18 (1) ...the Governor in Council may determine whether any purpose for which lands in a reserve are used or are to be used is for the use and benefit of the band.

Indian Act: Section 18(2), 20(1), 20(2), 23, 24, 25, 51, 60, 63, 64, 65, 66, 67, 68, 91, 93. - These sections give Federal representatives direct veto-power over the use of the resources of Indigenous First Nation

Indian Act: 57(c) providing for the disposition of surrendered mines and minerals underlying lands in a reserve.

Discussion

A crisis in infrastructure management on Indigenous reserves led to a drinking water catastrophe that left Indigenous people across Canada without access to clean drinking water for years at a time. While the Federal government has taken some actions to mediate the existing crisis, nothing has been done to address the underlying cause of the issue. Indigenous First Nations have to contend with reams of red tape that can add years to the construction of any infrastructure projects on their land. At the same time, access to capital for the development of these projects can be limited in both when funding is available and how it can be spent. In the spirit of

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Reconciliation, it is time for Canada to recognize that colonial control over the administration of First Nation governance needs to end. It has cost lives and livelihoods through the drinking water crisis, and it continues to limit economic opportunities on reserves. To begin addressing this issue, we need to reform the fundamental document governing the lives of Indigenous people in Canada: the Indian Act. At the same time, we have to make the conscious choice to enable access to capital for Indigenous First Nations on an ongoing basis.

India Act: <https://laws-lois.justice.gc.ca/eng/acts/i-5/page-1.html>

Motion Text

The Federal government will streamline the loan process for First Nations infrastructure and make capital more readily available to address the basic needs of Indigenous people.

Replace the text of the Indian Act: section 18(1) with the following: "18 (1) Subject to this Act, reserves are held by Her Majesty for the use and benefit of the respective bands for which they were set apart, and subject to this Act and to the terms of any treaty or surrender."

Replace the text of the Indian Act: section 57(c) with the following: "(c) providing for the disposition of surrendered mines and surrendered minerals underlying lands in a reserve;"

Repeal and replace the following sections of the Indian Act and replace them with identical text that puts the decisions for the use of Indigenous resources and land in the hands of Indigenous Chief and Council Members without requiring the consent of any Federal Ministers or other government agents: Section 18(2), 20(1), 20(2), 23, 24, 25, 51, 60, 63, 64, 65, 66, 67, 68, 91, 93

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