

MUSHKEGOWUK COUNCIL

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Mushkegowuk Council 20th Annual Assembly

Resolution No. 2005-09-23

Moved by:

Attawapiskat
First Nation

John Wynne, Delegate
Kashechewan First Nation

Non-Enforcement of Highway Traffic Act on Winter Road

Kashechewan
First Nation

Seconded by:

Fort Albany
First Nation

Chief Leo Friday
Kashechewan First Nation

WHEREAS it has been the traditional practice of Mushkegowuk First Nation members to access the "Winter Road" in the pursuit of traditional activities and for the purpose of commuting and transportation of necessary goods to and from Moosonee; and

Moose Cree
First Nation

Against:

Chief Mike Carpenter

WHEREAS recently there has been increased activity of various business ventures and projects occurring within the area such as the Victor Mine Project adjacent to the community of Attawapiskat; and

New Post
First Nation

Adopted

Chapleau Cree
First Nation

Certified copy of a Resolution
passed on Sept. 22, 2005

WHEREAS these activities have resulted in additional financial resources to upgrade the road to four wheel access which has also increased the level of traffic in both public and business; and

Missanabie Cree
First Nation

WHEREAS these activities have given cause for provincial authorities responsible for law enforcement of public transportation to implement the enforcement of the Highway Traffic Act on the Winter Road without including a process for dialogue, discussion to consult and inform the affected First Nation individual and communities; and



Stan Louttit, Grand Chief

September 22, 2005
Moose Factory, Ontario

WHEREAS this resulted in a number of incidents early on in the winter of 2005 in which the Ontario Provincial Police

confronted a number of First Nation members requesting the appropriate registration, licensing and insuring of motor vehicle accessing the road; and

WHEREAS this is an ice road which is accessible for three months of the year, namely January, February and March, weather permitting; and

WHEREAS there continues to be a large number of local First Nation individuals who access this road for the purpose of pursuing traditional pursuits; and

WHEREAS none of the coastal communities have any road access to a public transportation road system under the jurisdiction of the Highway Traffic Act and therefore many are not prepared to make the investment of a certified vehicle, registration, licensing and insurance to access a road that is only available for three months of the year; and

WHEREAS the enforcement of the Highway Traffic Act on traditional lands in a way that interferes with traditional harvesting is a breach of Mushkegowuk Treaty and Aboriginal rights.

THEREFORE BE IT RESOLVED that the Chiefs in Assembly reject the implementation and enforcement of the Highway Traffic Act on the "Winter Road" by the Ontario Provincial Police; and

FURTHER BE IT RESOLVED that the Chiefs in Assembly authorize and direct Nishnawbe Aski Police Services to patrol the "Winter Road" and apply ordinary road safety and insurance principles, in a manner respectful of Mushkegowuk Treaty and Aboriginal Rights.