

MUSHKEGOWUK COUNCIL

Box 370

Moose Factory, On. P0L 1W0

Tel: 705-658-4222

Fax: 705-658-4250



MUSHKEGOWUK COUNCIL 17TH ANNUAL ASSEMBLY

RESOLUTION NO. 2002-09-18

Attawapiskat
First Nation

Kashechewan
First Nation

Fort Albany
First Nation

Moose Cree
First Nation

New Post
First Nation

Chapleau Cree
First Nation

Missanabie Cree
First Nation

MOVED BY:


Chris Kataquapit, Delegate
Attawapiskat First Nation

SECONDED BY:

Chief Norm Hardisty Jr.
Moose Cree First Nation

ADOPTED BY CONSENSUS

Certified copy of a Resolution
passed on September 12, 2002


Ernest C. Beck, Grand Chief

September 12, 2002
Missanabie, Ontario

MUSHKEGOWUK HARVESTING REVIEW OFFICER (MHRO)

WHEREAS the individual Mushkegowuk First Nations and the Mushkegowuk Council regional government have since time immemorial governed the hunting, trapping, fishing and other harvesting in Mushkegowuk Territory, and;

WHEREAS the Mushkegowuk people continue to have the inherent right, and the duty to govern and manage harvesting activities and practices in Mushkegowuk Territory, and;

WHEREAS the harvesting laws of the Canadian and Ontario governments have not well served the Mushkegowuk people and the other natural inhabitants of Mushkegowuk territory, and therefore it is necessary to further develop practical ways for Mushkegowuk governments to manage harvesting;

THEREFORE BE IT RESOLVED that the Mushkegowuk Assembly hereby authorizes the position and powers of a Mushkegowuk Harvesting Review Officer (MHRO), for the better management and governance of hunting, trapping, fishing and other harvesting practices in Mushkegowuk Territory, through the investigation of incidents of over hunting, overfishing, over trapping or other harvesting conduct that is detrimental to the common harvesting interests of the Mushkegowuk

people;

AND BE IT FURTHER RESOLVED that the MHRO be appointed by the Board of Chiefs, if and when deemed necessary by the Board of Chiefs, for a time period decided on by the Chiefs;

AND BE IT FURTHER RESOLVED that the MHRO shall be a person deemed by the Board of Chiefs to be fair-minded, of good judgement, concerned for the present and future good management of Mushkegowuk harvesting, respectful of Mushkegowuk land and heritage, and able to consult with and learn from Mushkegowuk elders;

AND BE IT FURTHER RESOLVED that the MHRO shall investigate and report on individual harvesting complaints, when asked to do so by the Board of Chiefs, or when a complaint is made by the MHRO (including anonymously) by anyone and when such an investigation and report is authorized by the Board of Chiefs;

AND BE IT FURTHER RESOLVED that the MHRO shall investigate a harvesting complaint by making inquiries of people who may have knowledge about the facts of the incident, and by inquiring of the harvester in question about the alleged incident, and by inquiring of relevant Mushkegowuk or other sources about applicable standards, and by carrying out other investigations he or she deems necessary;

AND BE IT FURTHER RESOLVED that MHRO jurisdiction, procedures and standards arise from the inherent rights of the Mushkegowuk people, and exist and are to

operate independently of any laws or policies of Ontario or Canada;

AND BE IT FURTHER RESOLVED that the MHRO shall not be a salaried position but shall be paid according to a budget set by the Board of Chiefs for each individual investigation and report;

AND BE IT FURTHER RESOLVED that the MHRO shall prepare a written report for each investigation authorized by the Chiefs, and shall deliver the report to the Chiefs, and the Chiefs shall decide whether any further action is required;

AND BE IT FURTHER RESOLVED that the Chiefs shall have the authority to issue reprimands to the harvester in question, and the reprimand may be in writing, or may be in person, or the Chiefs may request the harvester to meet with an elder or other person or persons to discuss the incident, and the Chiefs may decide to issue the report publicly, or issue other public comments about the incident.