



## NEWS RELEASE

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**FOR IMMEDIATE RELEASE**

### **NAN STATEMENT ON MINING ACT AMENDMENT BILL**

**THUNDER BAY, ON:** Nishnawbe Aski Nation (NAN) Grand Chief Stan Beardy acknowledges the attempts the Government of Ontario has made to address First Nations concerns over mining in the *Mining Act* amendment bill introduced by the Government of Ontario today, but is very concerned that the legislation might not fully recognize the rights of First Nations to decide on mining in NAN territory.

“Our primary concern is that NAN First Nations must have free, prior and informed consent before any activity can take place in their homelands,” said Nishnawbe Aski Nation (NAN) Grand Chief Stan Beardy. “That’s the standard expressed in Article 32 of the United Nations Declaration on the Rights of Indigenous Peoples, and that’s the standard we expect Ontario to meet.”

Some key areas NAN First Nations want addressed in the amended legislation include:

1. Free Prior Informed Consent - No prospecting, staking, exploration or mine development will proceed without a written agreement in place, at the discretion of the First Nation.
2. Participation in Regulations - All regulations under the new Act must be made in consultation with First Nations in a government-to-government relationship.
3. Spirit and Intent of the Treaties (No. 9 and No. 5) – These agreements to live and work together will be recognized by any person exercising authority under the Act.
4. Environmental Standards – The land, water, air and all living things must be protected - by the highest environmental standards with all exploration and development projects subject to the scrutiny of environmental assessments.
5. Dispute Resolution - An independent dispute resolution mechanism involving NAN Nation communities that respects the values and laws of First Nations people.
6. Funding and Capacity - A firm commitment to funding and technical resources to engage and respond to the project assessment process.
7. Land Use Planning - An assurance that new legislation does not pre-empt the current process, that land use plans take precedence over mining rights, and clear indication that land use plans will be respected, and will not be trumped by mining tenure.

8. Map Staking and Land Designations - A commitment that consultation and accommodation obligations will be met and that capacity and technology will be provided to First Nations who want to participate.

NAN has requested a commitment from the Government of Ontario to a process that will see more meaningful participation by First Nations during the regulation and policy stages; detailed work that will be conducted following the implementation of the Mining Act amendment bill.

“The Government of Ontario did not allow enough time to conduct meaningful consultation with NAN First Nations in the development of this legislation,” said Beardy. “We will continue to insist upon a mechanism through which NAN First Nations will be consulted and will have meaningful input into the decision-making process.”

“We have a sacred responsibility to future generations to secure the protection of our homelands, which has been the basis of the survival of the people of Nishnawbe Aski for generations,” said Beardy. “It is critical that any development of natural resources in the Far North must respect Aboriginal and treaty rights while supporting an environmentally sustainable economic future for our people.”

Nishnawbe Aski Nation is a political territorial organization representing 49 First Nation communities in James Bay Treaty 9 and Ontario portions of Treaty 5 – an area covering two thirds of the province of Ontario.

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