

APPENDIX "SEND-11"

APPENDIX A

REVISED (26-1-83) SASKATOON

WORKING DRAFTPROPOSED AMENDMENT TO PART II OF CONSTITUTION ACT 1982

(Adopted in principle by the Confederacy of Nations)

- 35 (1) The aboriginal title to their lands, aboriginal rights and treaty rights of the aboriginal peoples of Canada, are hereby recognized, affirmed, guaranteed, ratified, sanctioned, and confirmed.
- 35 (2) In this Act "aboriginal peoples of Canada" includes the peoples of the various Indian nations and the Inuit and Metis peoples of Canada.
- 35 (3) The title and rights of the aboriginal Indian peoples of Canada referred to in subsection (1) include but are not limited to:
- a) those rights confirmed by the Royal Proclamation of October 7, 1763 particularly aboriginal title to lands throughout Canada;
 - b) the right of the respective Indian Nations to the collective ownership, possession and control of land and waters (surface and sub-surface) as well as of the airspace thereof and to the natural resources (renewable and non-renewable) therein;
 - c) the right of the respective Indian nations to the collective ownership, possession and control of their heritage resources;
 - d) their right to move freely within their traditional lands regardless of territorial, provincial or international boundaries;
 - e) those rights or freedoms confirmed or acquired by treaties or agreements entered into prior or subsequent to the Constitution Act, 1867 in Canada and those signed outside of Canada which directly affect the aboriginal Indian nations of Canada;
 - f) those rights or freedoms that may be confirmed or acquired by way of treaties, land claims settlements or other agreements;
 - g) their right to Indian government including their right to determine their respective forms of government and institutions and to enjoy satisfactory fiscal relationships with other governments;