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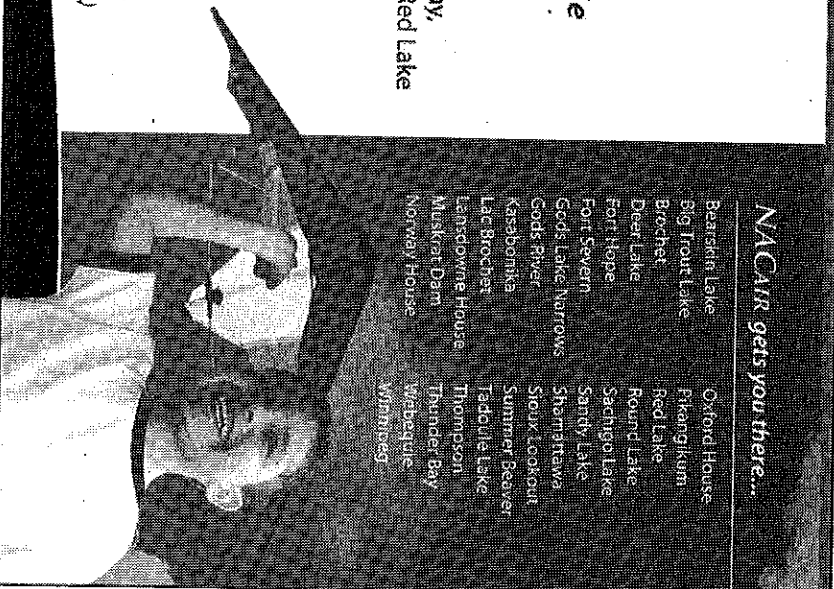
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Kitchenuhmaykoosib chief seeks assistance from public in lawsuit

Open letter to all supporters of Kitchenuhmaykoosib Innuwug.

I am chief of Kitchenuhmaykoosib Innuwug, the people of Big Trout Lake.

We are a First Nation community located in what is called Northwestern Ontario.

We live in the Boreal Forest and are fighting in the Canadian legal system to strike down the antiquated, anti-environmental and disrespectful mining regime in Ontario.

We write to ask for your financial support in our struggle.

The case is already of critical importance to environmental and Aboriginal law and policy in Ontario and throughout Canada, and with your help, we can effect even more historic, significant and positive change.

In February 2006, a junior mining exploration company unilaterally came onto our lands to begin a drilling exploration program despite our moratorium on such activity.

When we protested the drilling, the company pulled out and sued us for \$10 billion and an injunction.

We believe this is the largest amount of money a First Nation has ever been sued for in Canada.

If we were to give every penny of our annual budget over to this company, it would take us until the year 3498 to pay it off.

I do know that we, the people of Big Trout Lake, have been entrusted by our ancestors to care for this land.

We stated in unison, "No, Not on our land and not like this."

This action perpetrated by external forces is an unconstitutional violation of Aboriginal and Treaty Rights, not only for KI, but for First Nations across Canada.

We have already had some success in the Canadian courts, winning a temporary injunction against the company.

In its decision, the Court stated that "the relationship that Aboriginal peoples have with the land cannot be understated.

The land is the very essence of their being. It is their very heart and soul.

No amount of money can compensate for its loss.

Aboriginal identity, spirituality, laws, traditions, culture, and rights are connected to and arise from this relationship to

the land."

These judicial pronouncements have resonated far and wide, and set a new threshold in Canadian law.

But the fight is far from over. To have the court strike down the Mining Act, to put a stop to free entry, and to prevent the destruction of the environment, we have to go to trial.

And that takes money, money that we don't have.

Much is at stake – for all First Nations and all Canadians – in this already historic case. I ask that you do what you can to assist us with funding.

Our ability to advance the case depends in large part on our ability to raise funds through the generosity of people like yourselves. Financial contributions can be made at the following:

Kitchenuhmaykoosib Innuwug
Kanaawayandan D'aaki Legal Fund
Account Number 22-07117
Transit Number 00387
CIBC, Sioux Lookout, Ont.

Please contact me directly if you would like to discuss any details of the legal action or anything about our community. Thank you in advance for your financial assistance in this important and historic fight.

Chief Donny I. Morris
Kitchenuhmaykoosib
Innuwug

According to Ontario's Mining Act, Platirex is within its rights to drill the area under dispute. However, recent Supreme Court decisions require that First Nations be consulted where lands and resources are concerned in their traditional territories. The two parties each have asked the courts to rule in their favour where this dispute is concerned.

Letters to editor

If you have a comment or concern about something you see in the news or in the community and want to comment on it, write your letter attentioned to the editor at 216 South Algoma Street, Thunder Bay, Ont., P7B 3C2 or fax it to 807-344-3182.

'Women and children need protection legislated:' Jacobs

To the editor,

It is time to set the record straight on the Native Women's Association of Canada's position on Matrimonial Real Property.

I am frustrated when the media are blindly led to write clearly biased reports without getting all of the facts.

We have read about many cases regarding Aboriginal women who are being threatened by eviction from their matrimonial home.

I have heard of too many stories (by the Aboriginal women who we heard from during the three months of discussions on the Matrimonial Real Property issues) of violent relationships and the abuse of power of elected Indian Act chiefs and councils.

I know this is not occurring in all First Nations communities, but the women we have heard from addressed these issues as a priority – loud and clear. Along with these facts and the facts about the brutal violence against Aboriginal women who were once missing and then found murdered, I am disgusted that most basic of all human rights are being violated – the rights to life and the rights to safety.

I am also appalled with the total indifference of society in not knowing the history of colonization and not knowing or ignoring the detrimental impacts that the historic genocidal and current assimilation policies government has had in our communities.

One of the impacts is the issue of matrimonial property on reserve. The problem was not created by Aboriginal people. The issue of matrimonial real property on reserve is now a complex one to resolve. However, it should not be.

When couples who are separating or divorcing and do agree on how to deal with their matrimonial real property, they do not have a comprehensive legal framework where they can work to implement their intentions.

Where couples do not agree, there is no mechanism for resolving their disputes. Many of these couples are attending provincial courts to obtain court orders for an equal division of their assets and find out that the courts will not and cannot address the situation of the property on reserve because of jurisdictional squabbling.

That's the issue that NWAC is trying to find solutions to – the fact that many women and their children are suffering because it is the women and children who are forced out of their family homes.

It is the women and children who are the most affected because of the housing crises on reserve.

It is the women and children who have to try to find places to stay, whether it's with their own families, in shelters (of which there are only 36 shelters on reserve) or have to move to an urban centre – mostly with no financial resources. This is

where the cycle again occurs because most of these women live in poverty and end up in the most poverty-stricken areas of urban centres causing even more risk to their families.

Beginning in October 2006, NWAC heard ideas, opinions and solutions from Aboriginal women who have been directly impacted by the lack of legal recourse to the equal division of their matrimonial home on reserve.

The solutions encompass judicial and legal changes, which may be rooted in Indigenous traditional teachings and processes as well as social and economic wellbeing. Six broad themes emerged and NWAC sorted them into short, medium and long-term solutions: intergenerational impacts of colonization, violence, justice, accessibility of supports, communication and education, and legislative change.

Contrary to a media report on this issue, NWAC does not support the application of provincial law on reserve. It does, however, support that interim measures be put in place to address the continued human rights violations occurring to Aboriginal women and their children today.

Human rights violations occur on a daily basis, especially for Aboriginal children and women who are often victims of physical and sexual abuse, sexualized and racialized violence, blatant systemic discrimination, emotional stress, poverty, suicide and murder.

Additionally, remember the rising number of missing and murdered Aboriginal women on Canadian streets. While appropriate matrimonial real property solutions (whether legislative or non-legislative) are in place, NWAC is asking for a moratorium on evictions on reserve as a first protective step.

On April 20, the Minister of Indian and Northern Affairs, Jim Prentice released the INAC ministerial representative, Wendy Grant John's 500-page matrimonial real property report with no comments coming from him whether he supports her report or not.

NWAC totally supports her report and specifically, supports the fact that First Nations have a continued inherent right to their lands and territories. The Aboriginal women we consulted reiterated this.

They want the intergenerational cycle of abuse and marginalization to end. They want this to be a collective effort to bring the required change in their communities – through the creation of a responsive and comprehensive matrimonial real property process. They want to heal and come together to reclaim their way of being now more than ever.

It's time for serious action to stop this cycle of homelessness, poverty and violence.

Beverley Jacobs
President
Native Women's Association of
Canada



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