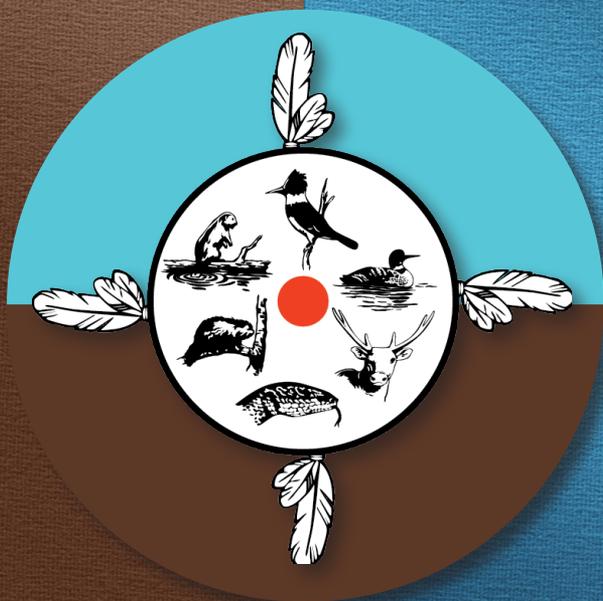


TEME-AUGAMA
ANISHNABAI

&

TEMAGAMI
FIRST NATION

NOTICE *of*
JURISDICTION



N'DAKIMENAN

PURPOSE OF THE NOTICE OF JURISDICTION

By this Notice of Jurisdiction, the Original People of N'dakimenan, the Teme-Augama Anishnabai, give formal notice to Canada and the Province of Ontario, other governments, land and resource users, corporations, developers, and the general public, that the inherent, sovereign, inalienable, and unsundered rights of the Teme-Augama Anishnabai, including the rights accrued by the Temagami First Nation, continue to be asserted over N'dakimenan, our ancestral homeland and traditional territory.

Our land, N'dakimenan, and the inherent rights of the Teme-Augama Anishnabai were bequeathed by the Creator. These rights include authority and jurisdiction to steward N'dakimenan for future generations and the right of self-determination and self-government.

The Teme-Augama Anishnabai were placed on N'dakimenan by the Creator, along with four sacred gifts to look after: Earth, Water, Air and Fire. The Creator also gave us Seven Grandfather Teachings to guide us.

Our inherent rights are recognized and affirmed, not created, by the Constitution Act, 1982, Section 35, and the United Nations Declaration on the Rights of Indigenous Peoples, Articles 25 and 26.

The Teme-Augama Anishnabai and the Temagami First Nation will continue to enforce protection and sovereignty within our traditional territory based on our inherent rights and jurisdiction.

UPON PUBLICATION OF THIS NOTICE OF JURISDICTION, ALL PARTIES SEEKING ACCESS TO N'DAKIMENAN AND ITS RESOURCES HAVE A DUTY TO SECURE THE CONSENT OF THE TEME-AUGAMA ANISHNABAI AND TEMAGAMI FIRST NATION, AND TO INQUIRE, CONSULT, AND ACCOMMODATE THE RIGHTS AND INTERESTS OF THE TEME-AUGAMA ANISHNABAI AND TEMAGAMI FIRST NATION.

**CHIEF LEANNA FARR,
TEME-AUGAMA ANISHNABAI**



**CHIEF SHELLY MOORE-FRAPPIER,
TEMAGAMI FIRST NATION**



Dated February 7, 2023

VISION

N'dakimenan is a model of Respectful Co-existence, Sustained Life, and Sustainable Development.

MISSION

To honour our sacred responsibility for stewardship and co-existence of the people of N'dakimenan.

VALUES AND PRINCIPLES

The Teme-Augama Anishnabai and Temagami First Nation Stewardship Laws and Policies are based on the following Values and Principles:

Respect for N'dakimenan and all Life, flora and fauna that it sustains, the Land and Water, Air and Fire, the Environment;

Respect and honour of the past, present, and future;

Anishinaabe Law, Traditions and Culture, including the Seven Grandfather Teachings, harvesting and gathering protocols, and the cultural landscape, sacred sites, heritage and artifacts;

Respect for all People.

Teme-Augama Anishnabai and Temagami First Nation Stewardship Laws and Policies are developed, implemented, and enforced with integrity, accountability, due diligence, and traditional knowledge.

POLICY STATEMENT BY RESOLUTION

Whereas the United Nations Declaration on the Rights of Indigenous Peoples provides that Indigenous Peoples have the right to own, use, develop and control lands that they possess by reason of traditional ownership, or other traditional occupation or use, and the right to maintain and strengthen their distinctive spiritual relationship with, and to uphold their responsibilities to future generations, in regard to these lands (Articles 25 and 26);

Whereas the Teme-Augama Anishnabai and Temagami First Nation have inherent rights and constitutionally protected rights, Canada and the Province of Ontario, other governments, land and resource users, corporations, developers, and the general public, must engage the Teme-Augama Anishnabai and Temagami First Nation when proposing any activities on N'dakimenan to determine any adverse impacts upon any Teme-Augama Anishnabai and Temagami First Nation inherent, Aboriginal or Treaty rights, and to accommodate those rights through mutually acceptable negotiations;

Whereas at a Community Meeting dated May 31, 2015, the Teme-Augama Anishnabai and Temagami First Nation have adopted the Policy Statement of Teme-Augama Anishnabai and Temagami First Nation Chiefs and Councils regarding Hunting, Fishing, and Gathering within N'dakimenan;

Whereas the Temagami First Nation citizens have agreed that this Policy Statement must be enforced:

POLICY STATEMENT BY RESOLUTION, CONTINUED

- A tag system has been developed to identify our citizens' nets and tags, and will be issued by the Temagami First Nation Lands and Resources Department.
- Our citizens have agreed to limit the linear size of nets up to 300 feet.
- Whereas our citizens are authorized to pull nets that have not been issued with a Temagami First Nation Lands and Resources Department - issued Net Tag.
- The Teme-Augama Anishnabai and Temagami First Nation are developing an enforcement and monitoring program on N'dakimenan to respond to unauthorized hunting, fishing, and gathering complaints;
- Teme-Augama Anishnabai and Temagami First Nation will erect signs indicating that you are now entering N'dakimenan, the Homeland Territory of the Teme-Augama Anishnabai and Temagami First Nation;
- Inter-tribal harvesting by Anishinaabeg must have the permission of the Teme-Augama Anishnabai and Temagami First Nation and respect the customs and laws of the Teme-Augama Anishnabai and Temagami First Nation, as before the arrival of colonial governments and people, and before the Robinson Huron Treaty 1850.

HISTORY

The oral tradition of the Teme-Augama Anishnabai says the Creator, the owner of all things, placed Anishinaabeg on N'dakimenan at Ish-pud-in-ong, "where the land goes up", 10,000 years ago.

Today the birth-place of the Temagami Original People is called Ishpatina Ridge, which holds the headwaters of the Sturgeon River, and is the highest point of land in present-day Ontario. This sacred place would have been the first land to emerge from the retreating glacier.

Our Creation Story says that our Ancestors emerged from a cave at Shosho-awgaming, Smoothwater Lake. Wayskut, we say.

Archeologists say the Teme-Augama Anishnabai, the People of the Deep Water by the Shore, have been here since the last ice age, ten thousand years ago. Science and carbon dating confirm 6,000 years of continuous occupation on N'dakimenan as shown in layers of earth at many well-used sites that are older than the pyramids. Our built infrastructure, an extensive transportation system of portages and winter routes, is dated at 3,000 years- making them older than the Roman roads.

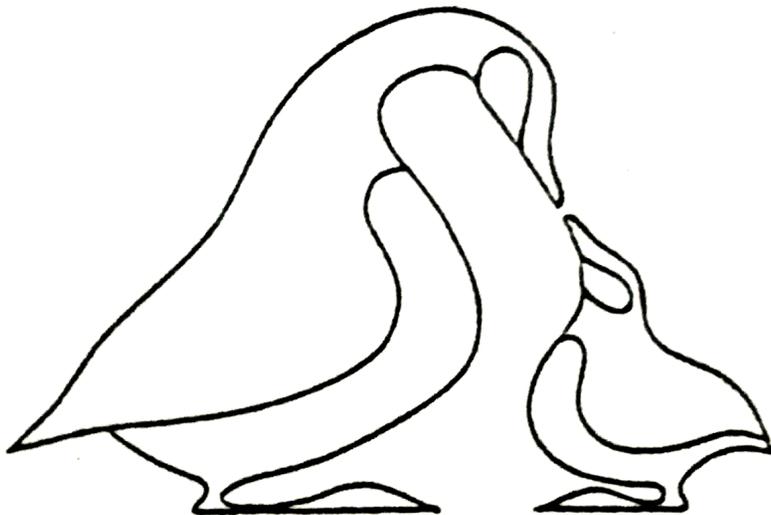
Our travel ways and our perfect technologies, the canoe and snowshoes, have made the Temagami bio-region famous and are still used and enjoyed by thousands of people.

RECENT HISTORY

In 1907 the people were separated by the Federal Government into Indian and Non-Status Indian people. This created, for the first time, a split of the people into different categories by an external government. The Government of Canada created an Indian Band by their definition and decided who would or would not be a member of that Band.

Our homeland, known as N'dakimenan, is approximately 10,000 sq. kilometers and is comprised of 14 family territories. N'dakimenan provided for all our needs and well-being: physically, mentally, emotionally and spiritually. All was given by our homeland, our Mother. Food and medicines from the animals and forest were plentiful. Medicines were readily available and used when needed.

Our spirituality is connected to all of Creation, in and on our homeland.



OUR STRUGGLE FOR JUSTICE

The struggle has been ongoing for over 145 years.

In 1877 Chiefs Tonene and Kanachintz of the Teme-Augama Anishnabai, approached representatives of the Federal Department of Indian Affairs to ask for a reserve to protect the Original Temagami People from lumber companies that were encroaching on N'dakimenan. Six years later, in 1883, the Federal Government began to pay treaty annuities to some Teme-Augama Anishnabai people without having executed a treaty. Canada also promised to survey a reserve. A reserve was surveyed (The Austin Bay Reserve) comparable to other reserves in the Robinson Huron Treaty area (100 square miles). Ontario refused to accommodate the request, saying that the area was too rich in timber for it to be reserve land and out of keeping with the number of "Indians".

The Temagami Forest Reserve was then established.

Our people were harassed to the extent that they had to get permission from the Ontario department of Lands and Forests to cut firewood. Families were flooded out from their homesteads on their family territories. As time went on, Ontario said that in its opinion, "there is less and less reason for lands to be set aside for the Temagami Indians".

It was not until 1971 that a one-square mile reserve was created on Bear Island, by Order in Council.

Bear Island is not a treaty reserve.

OUR STRUGGLE FOR JUSTICE, CONTINUED

In 1973, the Teme-Augama Anishnabai and Temagami First Nation Chief, Gary Potts, after almost 100 years of no response from both Federal or Provincial Governments, registered cautions against 4000 sq. miles (110 townships) and asserted ownership of our homeland territory. In light of the registration of the cautions, Ontario sued the Teme-Augama Anishnabai and Temagami First Nation. The court action culminated in 1991 with the Supreme Court of Canada decision that stated that the Temagami Indians were adhered to the Robinson Huron Treaty because some Teme-Augama Anishnabai received treaty annuities and Bear Island was a reserve.

The court noted that the Crown had breached its fiduciary duty and that Teme-Augama Anishnabai had had Aboriginal title before the adhesion.

As of today, 127 Sq. miles of land has been set aside for a mainland reserve. A draft settlement agreement had been completed in 2008 but did not go forward to ratification. It is hoped that respectful co-existence can be reached through a new Agreement in the near future.

THE VISION OF CO-EXISTENCE

Our rights are living and continue to inform our ongoing relationship with other governments. Our relationship benefits each party, who must also accept the obligations attached to those benefits.

In announcing the Vision of Co-Existence on February 10, 1992, TAA Chief Gary Potts said:

“We are stepping out into the future from the past. We have had all of this land for Teme-Augama Anishnabai self-sufficiency for thousands of years. We know we can co-exist on this land with our neighbours and develop structures to ensure that we are living in a framework of co-existence that provides for the pride and dignity of everyone living on our land.”



COEXISTENCE AND COOPERATION: AN EXAMPLE

The Memorandum of Understanding is with respect to a process for harmonization arrangements between the Teme-Augama Anishnabai and Temagami First Nation with the Corporation of the Municipality of Temagami.

This document was signed between the Parties on January 23, 2003.

The Parties recognize that they have shared interests and that arrangements that allow for harmonization and mutual respect may be required.

Today the Memorandum of Understanding is still being utilized and shows that the Teme-Augama Anishnabai and Temagami First Nation are more than willing to work with and co-exist with our neighbours in a respectful manner.



The Teme-Augama Anishnabai and Temagami First Nation will take the appropriate steps considered necessary to enforce our duties to N'dakimenan and respectful co-existence.

We look forward to your cooperation.



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