

*Amplification
has inclusion
in report*

NOTES FOR FINAL CONSIDERATION BY THE WORKING GROUP, SUBMITTED BY THE COALITION
OF FIRST NATIONS (CANADA)

WGIP R4/NAH.CAN/3

The fact that colonialism - the subordination of a people to foreign and alien rule - has been in the past seen as 'internal' by colonizing states does not make it more legitimate or acceptable. Self-determination has been authoritatively defined in the Helsinki Final Act as applicable to internal situations. Article VIII states

By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development.(emphasis ours).

We would urge the Working Group to consider a recommendation to the Sub-Commission that the extension of the principles of the U.N. Trusteeship System cover Indigenous enclaves. The standards and obligations enunciated in the U.N. Charter on non-self-governing and trust territories, Chapter 11, Article 73 must apply to self-determining Indigenous People, especially the provisions regarding accountability to the international community.

It is clear that contrary to its claims before this forum and in others, Canadian public policy on trusteeship internal colonization has not been altered. Unilaterally initiated constitutional renovation and/or legislation is not an acceptable substitute for the achievement of self-determination by negotiation and agreement. The continuation of colonial era legal formulations as the basis for negotiations is unacceptable. Adequate provisions for the respect of basic principles, and the self-determination of peoples in an enforceable international framework remains a prerequisite to peaceful decolonization.