

United Nations Permanent Forum on Indigenous Issues

12-23 May 2014

Item 4: Dialogue with the Special Rapporteur on the Rights of Indigenous Peoples

Statement by Ghislain Picard, spokesperson for the Assembly of First Nations and Regional Chief for Quebec and Labrador

Thank you Madame Chair, I would like to thank the Special Rapporteur for visiting Canada and meeting with Indigenous Peoples to hear our concerns. I am pleased to see those concerns reflected in the report, and I profoundly appreciate Professor Anaya's thorough analysis and recommendations.

As the report notes, it is difficult to reconcile Canada's well-developed legal and policy framework that respects and protects the rights of Indigenous peoples with the crisis state faced by so many First Nation citizens - in housing, education, criminalization and personal safety - particularly for women.

Additionally, the Indian Act remains a substantial impediment to improving the quality of life for First Nations and fully exercising self-government.

The Special Rapporteur has identified a number of key areas for action which echo those raised consistently by First Nations leadership and citizens - such as the provision of equal funding for health, social services and education and ensuring that our citizens have access to adequate housing.

I also would like to commend Mr. Anaya's for supporting the call for a comprehensive national inquiry on missing and murdered Indigenous women and girls in Canada. Just last week the RCMP confirmed that the numbers are much higher than had seem officially accepted and Indigenous women are far overrepresented among those killed and unsolved disappearances.

Fundamentally, Indigenous Peoples need to be engaged in the decisions that impact upon and affect their lives and territories. Specifically, the report highlights the need to respect the principle of free, prior and informed consent and ensuring that adequate consultations with Indigenous peoples occur at the outset of any resource extraction and/or extractive development.

In Canada we face significant challenges to protect our lands; but we know that Indigenous peoples around the world are increasingly feeling pressure to have extractive activities on their lands, some, like our brothers and sisters in Colombia, who literally put their lives on the line to protect their lands and resources. Such activities are supported by Canadian companies, enabled by the Free Trade Agreement between Canada and Colombia, and are done with little to no consultation with Indigenous Peoples.

I would like to take this opportunity to congratulate Ms. Victoria Tauli-Corpus who as of June 1st, 2014 will be the new Special Rapporteur on the Rights of Indigenous Peoples.

Once again, thank you Mr. Anaya for your assessment and recommendations. I would like to leave you with these questions:

- o What can Indigenous Peoples do to ensure that the recommendations are fully implemented?
- o As implementing these recommendations will depend on the willingness of the State to work, in good faith, with Indigenous Peoples, what international mechanisms are there to support this work?
- o In the event of non-compliance, how can the State be held accountable?

I respectfully, recommend to Ms. Tauli-Corpus that in her capacity as the new Special Rapporteur, that she examines further the human rights impact that the Free Trade Agreement of Canada and Colombia has on Indigenous Peoples.

Finally, we call upon Canada to commit to fulfilling the promise and standards of the Declaration, domestically and internationally, and work towards these goals together.