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CONFEDERACY OF TREATY SIX FIRST NATIONS

HEAD OFFICE: LOUIS BULL FIRST NATION: TREATY SIX TERRITORY
P.O. BOX 130, HOBBSMA, AB T0C 1N0
PHONE: (403) 585-3978 - FAX: (403) 585-3799
EDM. DIRECT: (403) 423-2064

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UNITED NATIONS WORKING GROUP ON INDIGENOUS PEOPLES

E L E V E N T H S E S S I O N

19-30 July 1993

WGIP: Statement of the Confederacy of Treaty Six First Nations

ITEM 5: RECENT DEVELOPMENTS

Geneva, 28 July 1993

WGIP: Item 5 - Recent Developments

Madame Chairperson:

On behalf of the Confederacy of Treaty Six First Nations in Western Canada, we thank the Working Group once again for giving us this opportunity to address this forum on matters of vital concern to our Peoples.

Much has occurred in our country since the failure of the Charlottetown accord last fall. The failed constitutional process of the government of Canada is a clear indication that people, whether they be Indigenous or not, are no longer willing to be railroaded into accepting a proposal that is deficient in every respect. It is no great surprise to us that the engineer of the derailed Charlottetown express, the former Prime Minister, is no longer at the controls. As we indicated to this forum at the tenth session last year, we were not involved in the multilateral constitutional process, because it failed to recognize and respect our unique and special relationship with the Crown in right of Canada. Our sacred treaties that were signed by our forefathers in the last century established for all time the Nation-to-Nation process, whereby we agreed to live side by side in peaceful co-existence.

However, since the failure of the accord, the government of Canada is now involved in an all out effort to diminish and further erode their sacred treaty promises using existing and new proposed legislation. Within existing legislation, they are presently in the process of devolving unilaterally their fiduciary trust obligations to the provinces, which is totally unacceptable to our First Nations.

One clear example is in the area of social development and advancement. What has happened is that they have eliminated the sector within the Department of Indian Affairs regional offices, that until recently served the First Nations people who live in major urban centres. Although they have coerced some First Nations and Treaty Areas into signing tripartite agreements with the provinces there are some First Nations leaders especially in Treaty Six who are adamant that this is an ongoing federal trust responsibility. For those that are unwilling to compromise the sacred relationship by signing these tripartite agreements punitive measures are being taken against them. Without our agreement the federal government is unilaterally transferring this responsibility to the provincial government of Alberta. What they are in fact saying to the Treaty First Nations is that once a treaty person from a First Nation leaves his first Nation for whatever reason he is no longer covered by the Treaty. Whatever happened to freedom of movement within one's own country? What we are saying is that no matter where we live in our country these rights remain with us.

Madame Chairperson, these are not allegations, if necessary we can provide documented proof of these flagrant violations of our treaty. This is only one example, the same is true in other areas covered by our treaty such as education and health care to name a couple.

One example of proposed legislation specifically designed to reduce our collective rights to our land base to an individual right, in fee simple, is the First Nations Chartered Lands Act. There are also numerous other legislations being proposed that will further affect and diminish our sacred treaty and the rights guaranteed therein. Once again, Madame Chairperson, these are not allegations, this is actually happening to our people at the community level. Our intent by reporting these unacceptable initiatives by the government of Canada is that they will back off and reconsider these proposals and realize that they can no longer get away with these treaty and human rights violations in this day and age.

Although the government of Canada is continually attempting to renege on their sacred treaty obligations and forever trying to find ways to diminish our treaty, we, the Treaty First Nations of Treaty Six still have respect for and continue to abide by the Treaty. In this respect we are hopeful that through pressure from the international community and forums such as this one that the government of Canada will once again recognize and revisit the Nation-to-Nation Treaty relationship that was established by our respective ancestors.

We would also like to bring to the attention of this Working Group on Indigenous Peoples some very serious concerns that we have regarding the environment. It is our belief from the teachings of our elders that when you do something that hurts our mother the earth then you in turn are hurting yourself. The health of our mother earth is very important to us because our way of life is so intertwined and integral to the health and well-being of all plant and animal life around us. In order for this to be a reality there must be enough clean air and clean water. It is these very elements that are being severely affected in our country at the present time.

On the northern part of our treaty territory irreparable environmental damage is being caused by the construction and the operations of one of the biggest pulp mills in the world, Alberta-Pacific which is a Canadian subsidiary of a Japanese company, Mitsubishi. The trees that are being harvested are sacred to us, in our language we call it "mistick o napeween" which means "wood spirit" which we use in many if not all of our ceremonies, including the sundance lodge. The clear-cut logging of the boreal forest to the north of us is affecting not only air quality but also doing serious damage to the water table in the entire region. The consequence of this is the lack of adequate rainfall and the drying up of streams and ponds and receding levels of water in our lakes.

Another project that is contributing to the fluctuating water table is the heavy-oil steam-injection process that is being used by Esso resources and other oil-companies in Cold Lake, Alberta.

A tremendous amount of water is required to inject the steam down these wells in order to liquify and extract the bitumen. These projects have been initiated and approved despite our registered and unconditional opposition.

In conclusion Madame Chairperson, it is our sincere hope that the Working Group will seriously consider extending the final reading of the Draft Declaration until such time that the Indigenous Peoples who are represented here have had sufficient opportunity to consult their Indigenous Nations on the contents of your new revised text. It is also with great pleasure that we welcome the extension of the International Year to the Decade of the World's Indigenous Peoples so that our work can continue. The Confederacy of Treaty Six First Nations supports wholeheartedly the concept of a permanent forum for Indigenous Peoples within the United Nations system so that important work can continue, such as the work of Special Rapporteur Miguel Alfonso Martinez in the Study of Treaties. May the Great Spirit guide him in his important task.

Thank you once again and to all of our Indigenous Nations represented here, may the Creator guide you safely home to your loved ones.