

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of Discrimination
and Protection of Minorities
Working Group on Indigenous Peoples
Fourteenth Session
29 July - 2 August, 1996
Agenda Item 6: Consideration of a Permanent Forum
Mr. Ron Crowe

TREATY FOUR FIRST NATIONS

July 31, 1996

Good Morning (Afternoon) Madame Chairperson,

Distinguished Representatives, Ladies and Gentlemen. I am honoured to have the opportunity to make a presentation on behalf of the Treaty Four First Nations.

The Treaty Four First Nations firmly believe that our treaty with the Crown in Right of Canada is international in every sense. Our rights as self-governing Nations flow from the Creator and cannot be interpreted or restricted by the Parliament of Canada or any other government. The dignity and respect which Her Majesty's representatives accorded our Chiefs in 1874 must be observed by Canada. Canada must honour the Crown's commitments in Treaty Four in the full spirit in which our forefathers understood them. The Treaty Four First Nations have also submitted a preliminary response to the UN sponsored International Treaty Study. We continue work on the development of an international Treaty Four secretariat with formal NGO-status at the UN which would provide us with a vehicle for direct participation in international matters that concern us.

In the meantime and in complementing all other efforts I am pleased that on behalf of Treaty Four First Nations, I offer the following recommendations for consideration of a Permanent Forum for Indigenous Peoples:

1. We recommend that an international body be created to hear and adjudicate international indigenous Treaty disputes. Indigenous Peoples must have direct access to this forum and nation states must be compelled to participate in the process.
2. We recommend the continuation of an ongoing focus for indigenous issues at the international level through the establishment of a permanent office within the formal UN structure. This Office would monitor activities at the international level impacting on Indigenous Peoples including and related to the treatment and protection of international indigenous Treaties.
3. We recommend the establishment of a world coalition of Indigenous Peoples as a formally recognized body at the UN level. This would serve to raise the profile on issues of importance to Indigenous Peoples. It would also ensure the necessary resources, expertise, and direct access to processes within the UN structure to appropriately address issues affecting all Indigenous Peoples.
4. We recommend regular access to the UN for indigenous Nations including permanent seats at the UN Committees, sub-committees, and the UN General Assembly. This would provide indigenous Nations with direct influence on matters that concern Indigenous Peoples.
5. We recommend the formal registration of Treaties between Indigenous Peoples and nation-states under the Vienna Convention on the Law of Treaties. This would raise international awareness and understanding of indigenous Treaties and would lend greater significance and prominence to these instruments at the national levels.
6. We recommend that indigenous Nations have direct access to the World Court for the hearing and adjudication of disputes with nation-states regarding international indigenous Treaty matters. The outcomes of these hearings would have a great bearing on the responses to Treaty interpretation by nation-states.

Madame Chairperson, these recommendations if implemented without impropriety and in the true spirit, will be a positive influence on the pride and dignity of Treaty Four First Nations peoples. We have heard in previous presentations, the efforts of Canada to address the difficulties our peoples must face by way of special programs with Grand price tags attached. The truth being Madame Chairperson, and in all due respect, to the well intentioned individuals, these special programs and announcements do very little in addressing the causes of our peoples difficulties, and barely address the symptoms of underlying causes.

Simply stated, our First Nations must lead in the development of policies and processes for any initiative to have success. First Nations must take ownership.

Efforts still continue which undermine the international status of our Treaty. Our Treaty First Nations peoples desire to regain the pride and dignity of our forefathers when entering into treaty arrangements.

The Treaty Four First Nations are determined to continue our efforts to promote and protect the true spirit and intent of our Sacred Treaty Four.

Thank you for allowing me to make this presentation.