



WGIP PP/NAH.CAN/8

ITEM # 5- STANDARD SETTING AUG.4/88

GRAYDON NICHOLAS,
UNION OF NEW BRUNSWICK INDIANS

AS A REPRESENTATIVE OF THE MICMAC AND MALISEET NATIONS, MADAME CHAIRPERSON, I WANT TO MAKE THIS ORAL INTERVENTION AND OFFER THE FOLLOWING IDEAS IN THE DEVELOPMENT OF THE UNIVERSAL DECLARATION OF INDIGENOUS RIGHTS FOR YOUR CONSIDERATION;

1. OUR EXISTENCE AS A PEOPLES AND NATION COMES FROM OUR CREATOR- THERE SHOULD BE NO FEAR TO ACKNOWLEDGE THIS IMPORTANT FACT.
IN 1980, INDIAN NATIONS IN CANADA MADE A DECLARATION IN WHICH WE PARTICIPATED AND CONTINUE TO UPHOLD.

2. ALL OF OUR RIGHTS, SUCH AS THE RIGHT TO SELF-DETERMINATION, ARE INHERENT RIGHTS OF A NATION.

3. [THE UNIVERSAL DECLARATION OF INDIGENOUS RIGHTS SHOULD ACKNOWLEDGE THAT WE ARE NOT IMMIGRANTS, WE ARE NOT ETHNIC GROUPS AND WE ARE NOT MINORITIES.
WE HAVE OUR TERRITORIES, WE HAVE OUR LAWS, WE HAVE OUR INSTITUTIONS AND WE HAVE OUR GOVERNMENTS, AS THOSE BEING ENJOYED BY THE STATES AND NATIONS WITHIN THE UNITED NATIONS.]

4. WITH RESPECT TO ARTICLE 21 OF YOUR DRAFT UNIVERSAL DECLARATION OF INDIGENOUS RIGHTS, WHICH IS AN ATTEMPT TO RECOGNIZE OUR OWN LAWS, I WANT TO ADD THAT IN CANADA, THERE ARE CURRENTLY TWO INQUIRIES ON THE PROBLEMS FACED BY INDIANS IN THE LEGAL SYSTEM.
IN THE PROVINCE OF NOVA SCOTIA, THE MARSHALL INQUIRY IS EXAMINING HOW A MICMAC INDIAN WAS CHARGED, TRIED, CONVICTED AND IMPRISONED FOR 11 YEARS FOR A CRIME HE DID NOT COMMIT. IN MANITOBA, THE HARPER INQUIRY WILL START SOON TO EXAMINE THE UNJUST TREATMENT OF INDIANS IN THE LEGAL SYSTEM- HARPER WAS SHOT AND KILLED BY A POLICE OFFICER DURING AN ARREST OF A CRIME HE DID NOT COMMIT.

5. THIS WORKING GROUP SHOULD CONTINUE TO ENCOURAGE AND PROMOTE DIALOGUE AND INTERACTION WITHOUT A TIGHT TIME FRAME, SO MANY OF OUR BROTHERS AND SISTERS STILL NEED TO BE HEARD IN THIS IMPORTANT FORUM, SO THAT WE CAN BE RECOGNIZED AS A NATION WITHIN THE FAMILY OF NATIONS.

I WOULD LIKE TO QUOTE FROM THE REPRESENTATIVE OF THE HOLY SEE, THE HOLY FATHER, POPE JOHN PAUL II, WHEN HE ADDRESSED THE ABORIGINAL PEOPLES IN FORT SIMPSON, N.W.T., CANADA, IN SEPTEMBER, 1987, WHEN HE STATED AS FOLLOWS:

" AS NATIVE PEOPLES YOU ARE FACED WITH A SUPREME TEST: THAT OF PROMOTING THE RELIGIOUS, CULTURAL AND SOCIAL VALUES THAT WILL UPHOLD YOUR HUMAN DIGNITY AND ENSURE YOUR

FUTURE WELL BEING. YOUR SENSE OF SHARING,
YOUR UNDERSTANDING OF HUMAN COMMUNITY
ROOTED IN THE FAMILY, THE HIGHLY VALUED
RELATIONSHIPS BETWEEN YOUR ELDERS
AND YOUR YOUNG PEOPLE,
YOUR SPIRITUAL VIEW OF CREATION, WHICH
CALLS FOR RESPONSIBLE CARE AND PROTECTION
OF THE ENVIRONMENT- ALL OF THESE TRADIT-
IONAL ASPECTS OF YOUR WAY OF LIFE NEED TO
BE PRESERVED AND CHERISHED."

FINALLY, I AM GRATEFUL AND APPRECIATIVE OF YOUR PATIENCE AND
TIME. WE WILL RETURN NEXT YEAR WITH MORE SUBSTANTIVE PROVISIONS
AFTER MORE CONSULTATIONS WITH THE CITIZENS OF OUR TWO NATIONS.