

COMMISSION ON HUMAN RIGHTS

Sub-Commission on the Promotion and Protection of Human Rights

Working Group in Indigenous Peoples

Twentieth Session

22 – 26 July 2002



Kuna Youth Movement

Statement of the International Indian Treaty Council and the Confederacy of Treaty Six First Nations

Item 5

Review of developments pertaining to the promotion and protection of human rights and fundamental freedoms of Indigenous Peoples (General Statements, including on land issues, education and health)

Mr. Chairman:

The Kuna Youth Movement

First of all let me congratulate you on behalf of the International Indian Treaty Council and the Confederacy of Treaty Six First Nations on your election to the chairmanship of this historic twentieth session of the Working Group on Indigenous Peoples and further thank you for the hard work that you have dedicated yourself to over many years on behalf of the Indigenous Peoples. We want to thank you and your colleagues on the Working group for your dedication and hard work on the many issues and developments that have been brought before you by the Indigenous Peoples, in particular thank you for the Treaty Study and the various other studies that have been undertaken over the past twenty years.

With regard to recent developments on Great Turtle Island in what is now known as Canada let us tell you that it is a sad state of affairs wherein our inadequate and meager land bases are being further threatened by the unilateral and coercive initiatives of the government of Canada. This is being promulgated by the unilateral and coercive imposition of a land tenure system that is foreign to the Original and Treaty Nations in Canada and is being ironically labeled with the misnomer "The First Nations Land Management Act". The ultimate objective of this flawed piece of legislation is fee simple title without due regard to the Sacred Treaties and our collective rights as Indigenous Peoples as set out in the Draft Declaration. Although there appears to have been some consultation with First Nations it was nothing more than a well orchestrated scheme by the government of Canada in their co-opting of certain hand-picked "Governance Chiefs" who were used to carry out this betrayal of the Original and Treaty Nations in Canada. It seems that if First Nations go along with the government of Canada's agenda all of a sudden there are all kinds of resources that the First Nations never knew existed. But the minute you buck the governments systematic attempts at assimilation and domestication of the Sacred International Treaties and you start talking sovereignty and self-determination those same resources magically disappear.

The next step in this USA style of the infamous Dawes Allotment Act is another misnomer in what is being called the "First Nations Governance Act". Nothing could be further from the truth, the majority of the First Nations in Canada had nothing to do with it and have outright rejected it. This is again a direct violation of the Sacred International Treaties and the government of Canada is attempting to impose its style and system of governance upon the other party to the Sacred International Treaties. This is being touted by Canada as a requirement for the purposes of accountability by the leadership of the Original and Treaty

Nations in Canada. The Original and Treaty Nations in Canada have never been against the concept of accountability but the question begs to be asked. "What about Canada? Where is their accountability?" Some of the most recent figures show that Canada is almost three quarters of a trillion dollars in debt. Although we do not have the figures of the GNP of Canada we don't think that we would be too far off in saying that they are probably over 8% which is the figure that they use to put First Nations on a Remedial Management Plan. Maybe it is high time that Canada should be the one under a Remedial Management Plan or even under a Third Party Management until they learn to share more equitably all the resources that they have stolen from the Original and Treaty Nations in Canada.

With regard to the "First Nations Governance Act" Minister Nault is attempting to write the final chapter of the infamous White Paper of 1969 that was then written by his Prime Minister Jean Chrétien who was the Minister of Indian Affairs at that time. In 1969 the late Prime Minister Pierre Elliot Trudeau said; "We cannot have one sector of society having a Treaty with another sector of society". He was right we are not a part of their society we are a Treaty partner with a guarantee within the Sacred International Treaties that there would not be any interference with our way of life and that there would be respect for our ways of governing ourselves. Clearly the "First Nations Governance Act" is interference and is a direct violation of the Sacred International Treaties. What Minister Nault is trying to do is what the United States did to our brothers and sisters of the lower forty eight when they imposed the Indian Reorganization Act on them thus turning their Chiefs and Councils to legal entities under their system, known as Tribal Chairmen and Business Committees.

In conclusion Mr. Chairman it is the opinion of the International Indian Treaty Council and the Confederacy of Treaty Six First Nations that the situation in Canada is serious enough that a Special Rapporteur should be commissioned to investigate the situation of the Original and Treaty Nations in Canada. We cannot allow this travesty of justice to occur because unlike the "First Nations Land Management Act" the "First Nations Governance Act" is not optional, it is going to be forced on us through the withholding of funds owed to us by Treaty and other punitive measures to be wrought on peoples that are already the poorest of the poor.

Ay Hy Thank for this opportunity to once again address this forum.

*The Kuna Youth
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