



Union OF British Columbia Indian Chiefs

Permanent Forum on Indigenous Issues

Third Session

New York, 10-21, 2004

Item 4 of the Provisional Agenda

Mandated Area: Human Rights

Established in 1969, the Union of British Columbia Indian Chiefs (UBCIC) represents approximately one-third of the Indigenous communities in British Columbia, and is a non-governmental organization in consultative status with the Economic and Social Council

Recommendations

We hope the United Nations will support us in our efforts to highlight that the death of Frank Paul is but one example of a documented history of systemic abuse of and discrimination against Indigenous people on behalf of Canada's law enforcement agencies. To these ends the UBCIC makes the following recommendations:

- 1) That the United Nations support the UBCIC, and other Indigenous organizations in Canada in our call for a public inquiry into the death of Frank Paul in order to assist in the provision of recommendations on future law enforcement policies and practices involving Indigenous people in Canada.
- 2) That the United Nations support the Native Women's Association of Canada in their efforts to provide research and education related to violence against Indigenous women in Canada.

Background

On December 6, 1998, the body of Frank Joseph Paul, an Indigenous man, was discovered in an alley in downtown Vancouver, Canada—he had died from hypothermia attributed to acute alcohol intoxication and his rain-soaked clothing.

Immediately prior to his death, Paul had been arrested—intoxicated and rain-soaked—and taken into police custody. Paul could not talk, walk, sit up or stand and had to be carried into the vehicle that would take him to jail.

Surveillance video shows police dragging Paul from the police wagon into the jail elevator. The Sergeant determined that Frank Paul was not intoxicated and told the wagon driver to "breach Mr. Paul out of the area". Surveillance video shows the driver and another officer dragging a still rain-soaked, motionless Frank Paul to the police wagon. Mr. Paul was dumped in an alley, where his lifeless body was found at 2:41 am.

Similarly, four deaths of Indigenous men over the last 13 years have been reported in Saskatchewan. These men were found frozen to death, often without shoes or jackets, in remote areas in or around Saskatoon after reportedly being taken into police custody. It is important to note that the police practice of removing individuals from a location within the city to remote areas outside the city is referred to in Saskatchewan as "starlight tours". A similar practice in British Columbia, as in Paul's case, is referred to as "breaching outside the area".

These incidents, along with those highlighted by the Native Women's Association of Canada, provide compelling evidence of systemic disregard for the human rights of Indigenous people on behalf of Canada's law enforcement agencies.