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ARCHIVES

UNION OF NEW BRUNSWICK INDIANS

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WGIP 87/NAH.CAN/5

PRESENTATION TO WORKING GROUP

ON

INDIGENOUS POPULATION

PALAIS DES NATIONS

GENEVA, SWITZERLAND

AUGUST 3 - 7, 1987

BY

GRAYDON NICHOLAS, PRESIDENT

210'776

1. I HAVE MADE TWO PREVIOUS INTERVENTIONS TO THIS WORKING GROUP IN 1983 AND 1984. IT IS ANOTHER OPPORTUNITY TO PRESENT THE VIEWS, CONCERNS AND IDEAS ON OUR PERSPECTIVE ON SELF-DETERMINATION. THE TWO INDIAN NATIONS THAT I REPRESENT ARE THE MICMAC NATION AND MALISEET NATION SITUATED IN THE PROVINCES OF NEW BRUNSWICK AND PRINCE EDWARD ISLAND.

2. ON A DAILY BASIS THE GOVERNMENT OF CANADA IS DENYING OUR RIGHTS TO SELF-DETERMINATION AS RECOGNIZED AND GUARANTEED IN INTERNATIONAL INSTRUMENTS OF THE UNITED NATIONS. CANADA HAS BEEN A SIGNATORY TO THESE INSTRUMENTS SUCH AS:
 - (a) INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, [PART I, ARTICLE 1, PARAS. 1, 2, 3];

 - (b) INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS [PART I, ARTICLE I, PARAS. 1, 2 & 3, AND PART II, ARTICLE 2, PARAS 1, 2, 3]; AND

 - (c) THE RIGHT OF SELF-DETERMINATION.

3. IN 1983 AND 1984, I ASSERTED THAT THERE WAS A CONSPIRACY BETWEEN THE GOVERNMENTS OF CANADA AND THE UNITED KINGDOM IN THE VIOLATION OF OUR RIGHT TO SELF-DETERMINATION. THE PARLIAMENTS OF BOTH COUNTRIES ENACTED LEGISLATION THAT ERODED OUR NATIONHOOD, OUR TREATY RELATIONSHIP WITH THE CROWN OF GREAT BRITAIN AND CHANGED OUR CITIZENSHIP FROM MICMACS AND MALISEETS TO BEING CANADIANS. THERE HAS TO BE AN INQUIRY TO EXAMINE THIS ACT OF GENOCIDE OF FORCING OUR PEOPLES INTO A PARTICULAR NATIONALITY.

4. IN 1537, POPE PAUL III IN THE PROCLAMATION OF THE PAPAL BULL SUBLIMIS DEUS, STATED IN PART AS FOLLOWS:

"THE ENEMY OF THE HUMAN RACE, WHO OPPOSES ALL GOOD DEEDS IN ORDER TO BRING MEN TO DESTRUCTION, BEHOLDING AN ENVYING THIS, INVENTED A MEANS NEVER BEFORE HEARD OF, BY WHICH HE MIGHT HINDER THE PREACHING OF GOD'S WORD OF SALVATION TO THE PEOPLE: HE INSPIRED HIS SATELITES WHO, TO PLEASE HIM, HAVE NOT HESITATED TO PUBLISH ABROAD THAT THE INDIANS OF THE WEST AND THE SOUTH, AND OTHER PEOPLE TO WHOM WE HAVE RECENT KNOWLEDGE SHOULD BE TREATED AS DUMB BRUTES CREATED FOR OUR SERVICE, PRETENDING THAT THEY ARE INCAPABLE OF RECEIVING THE CATHOLIC FAITH";

AND ALSO,

"...NOT WITHSTANDING WHATEVER MAY HAVE BEEN OR MAY BE SAID TO THE CONTRARY, THE SAID INDIANS AND ALL OTHER PEOPLE WHO MAY LATER BE DISCOVERED BY CHRISTIANS, ARE BY NO MEANS TO BE DEPRIVED

OF THEIR LIBERTY OR THE POSSESSION OF THEIR PROPERTY, EVEN THOUGH THEY BE OUTSIDE THE FAITH OF JESUS CHRIST; AND THAT THEY MAY AND SHOULD, FREELY AND LEGITIMATELY, ENJOY THEIR LIBERTY AND THE POSSESSION OF THEIR PROPERTY: NOR SHOULD THEY BE IN ANY WAY ENSLAVED; SHOULD THE CONTRARY HAPPEN, IT SHALL BE NULL AND OF NO EFFECT".

5. THESE MOST IMPORTANT PRINCIPLES WERE RECONFIRMED IN 1984 WHEN HIS HOLINESS, POPE JOHN PAUL II, MADE HIS JOURNEY TO CANADA. HIS SPEECH THAT WAS CIRCULATED IN FORT SIMPSON ON SEPTEMBER 18, 1984, STATED IN PART,

" MY PRESENCE IN YOUR MIDST TODAY IS INTENDED TO BE ANOTHER EXPRESSION OF THE DEEP INTEREST AND SOLICITUDE WHICH THE CHURCH WISHES TO SHOW FOR THE NATIVE PEOPLE OF THE NEW WORLD. IN 1537, IN A DOCUMENT ENTITLED PASTORALE OFFICIUM, MY PREDECESSOR PAUL III PROCLAIMED THE RIGHTS OF THE NATIVE PEOPLES OF THOSE TIMES. HE REAFFIRMED THEIR DIGNITY, DEFENDED THEIR FREEDOM, ASSERTED THAT THEY COULD NOT BE ENSLAVED OR DEPRIVED OF THEIR GOODS OR OWNERSHIP."

AND HE FURTHER:

"IT IS CLEAR FROM THE HISTORICAL RECORD THAT OVER THE CENTURIES YOUR PEOPLES HAVE BEEN REPEATEDLY THE VICTIMS OF INJUSTICE BY NEWCOMERS WHO, IN THEIR BLINDNESS, OFTEN SAW ALL YOUR CULTURE AS INFERIOR",

AND,

"TODAY I WANT TO PROCLAIM THAT FREEDOM WHICH IS REQUIRED FOR A JUST AND EQUITABLE MEASURE OF SELF-DETERMINATION IN YOUR OWN LIVES AS NATIVE PEOPLES".

AND,

"IT IS CLEARLY THE POSITION OF THE CHURCH THAT PEOPLE HAVE A RIGHT IN PUBLIC LIFE TO PARTICIPATE IN DECISIONS AFFECTING THEIR LIVES:...THIS IS TRUE FOR EVERYONE. IT HAS PARTICULAR APPLICATIONS FOR YOU AS NATIVE PEOPLES, IN YOUR STRIVINGS TO TAKE YOUR RIGHTFUL PLACE AMONG THE PEOPLES OF THE EARTH, WITH A JUST AND EQUITABLE DEGREE OF SELF-GOVERNING. FOR YOU, A LAND BASE WITH ADEQUATE RESOURCES IS ALSO NECESSARY FOR DEVELOPING A VIABLE ECONOMY FOR PRESENT AND FUTURE GENERATIONS. YOU NEED LIKEWISE TO BE IN A POSITION TO DEVELOP YOUR LANDS AND YOUR ECONOMIC POTENTIAL, AND TO EDUCATE YOUR CHILDREN AND PLAN YOUR FUTURE."

6. CANADA HAS NOT ACTED UPON THE DISCERNING ADVICE OF THE LEADER OF THE VATICAN STATE, THE HOLY FATHER, POPE JOHN PAUL II. CANADA HAS IGNORED THESE POWERFUL MORAL, LEGAL AND BINDING PRINCIPLES OF INTERNATIONAL LAW. CANADA CONTINUES TO DENY THAT WE ARE "PEOPLES: AND NOT ABLE TO BENEFIT FROM THE VARIOUS RIGHTS ENACTED IN INTERNATIONAL INSTRUMENTS. CANADA HAS CONTINUED TO VIOLATE OUR STATEHOOD, OUR SELF-DETERMINATION AND TO INVADE OUR TERRITORIES AND FORCE THEIR LAWS THAT DENY THE EXERCISE OF OUR CUSTOMS, CULTURES, RELIGIOUS AND ABORIGINAL RIGHTS. THIS INTERNATIONAL GATHERING MUST FORCE CANADA TO BE ACCOUNTABLE IN ITS OVERT VIOLATIONS OF INTERNATIONAL STANDARDS AND, AUTHORIZE WHATEVER SANCTIONS AND PUNITIVE MEASURES SO CANADA WILL CONFORM TO LAWS RESPECTING THE DIGNITY OF PEOPLES SUCH AS OURSELVES.