

**National Chief Ghislain Picard  
September 22-23, 2014**

**WORLD CONFERENCE ON INDIGENOUS PEOPLES (WCIP) –  
Interactive Panel II - *Implementation of the rights of indigenous  
peoples at the national and local levels*  
New York, NY**

Length of Speech = 5 minutes

**Key Message –**

Indigenous Peoples need to demonstrate initiative and work together and with states to implement rights. The best way to implement our rights is to recognize indigenous self-determination

**Key Point(s) –**

*[Greetings in language]*

My name is Ghislain Picard and I am from the Innu Nation. We are a nation, with a distinct culture, a traditional economy which has existed since time immemorial and a definable territory and which is surrounded by Canada. I am the National Chief of the Assembly of First Nations. The AFN is a national level organization, which was formed by Chiefs from across Canada to advance the interests of all 633 First Nations in Canada.

The United Nations Declaration on the Rights of Indigenous Peoples is a minimum standard of treatment for indigenous peoples. In Canada, we also have a minimum standard of treatment in the Constitution of Canada – one which recognizes and affirms our treaties and our pre-existing indigenous rights, including our right to self-determination.

Our experience with Canada has been that we cannot implement rights in isolation of each other. Only by recognizing that each standard and each right is a subset of our right to self-determination

can we fully realize the promise of the UNDRIP, or section 35 of the Constitution. Implementing our rights to self-determination means fulfilling our responsibilities to our own peoples, and also means developing and building on our relationships with Canada. For this reason, the Assembly of First Nations supports calls for the World Conference on Indigenous Peoples to create an implementing body to promote, monitor and ensure compliance with the UN Declaration.

First Nations know that the articulation of standards is only one small step in a much longer process to secure equality and self-determination for indigenous peoples as peoples. Our experience is that even standards such as free, prior and informed consent, while recognized through international or Canadian constitutional law, are meaningless when governments or indigenous peoples fail to put those standards into action. Indigenous peoples and states must act in partnership to avoid the promises of the Declaration and our Constitution from becoming empty promises.

We pursue a variety of means to accomplish our self-determination; negotiation and treaty making, court action and sometimes direct

action. First Nations have great experience implementing our rights by working with federal and provincial governments, with industries seeking to develop in our territories, and most importantly, by working in partnership with other indigenous peoples.

One example I would offer is the recent experience of the Tsilhqot'in First Nations in British Columbia. Rather than seek treaty negotiations with Canada, the Tsilhqot'in sought recognition of their indigenous title rights through the courts. What drove them to the courts were attempts by extractive industries to engage in unsustainable logging and mining of their territories. The Tsilhqot'in won their case and secured the first declaration of indigenous title in Canada's history.

Now, the Tsilhqot'in exercise control over how their territories are managed and developed. The first order of business is the development of a protected area in their lands. Like, many First Nations, the Tsilhqot'in are not opposed to mining and forestry, we all support economic development. But the Tsilhqot'in are opposed to unsustainable development. The Tsilhqot'in will ensure that their

territories are developed, but developed in a responsible and sustainable fashion.

We need development on our terms. Indigenous modalities for development, based on sustainability, equity and prosperity can only be achieved when indigenous peoples have control over their territories. With control of our territories and a paradigm of responsible and sustainable development, indigenous peoples will demonstrate the cultural shift which must occur to adapt and mitigate to climate change, to slow and reverse the rate of biodiversity loss and to ensure prosperity for future generations of all peoples.

We call on the World Conference of Indigenous Peoples to seek opportunities to move beyond the articulation of standards and explore how to mobilize resources and create the legal space so that indigenous peoples can exercise their jurisdictions and control to ensure themselves that the standards of the UNDRIP are achieved.