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Wilton Littlechild

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International Organization of Indigenous Resource Development

An NGO in consultative status to the United Nations
Economic and Social Council

CANADIAN OFFICE
Four Nations of Hobbema
Box 370
Hobbema, Alberta, Canada
T0C 1N0
Phone: (780) 585-3038
Fax: (780) 585-2025

UNITED STATES
Council of Energy Resource Tribes
695 South Colorado Blvd., Suite 10
Denver, Colorado, USA
80246
Phone: (303) 282-7576
Fax: (303) 282-7584

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A joint statement presented by Dr. Wilton Littlechild IPC, Regional Chief of Treaties 6, 7 and 8 (Alberta) on behalf of the Assembly of First Nations of Canada, representing 633 First Nations, International Organization of Indigenous Resource Development, the International Indian Treaty Council, the Assembly of First Nations Quebec and Labrador, Quebec Native Women's Association, Native Women's Association of Canada, Amnesty International, Métis Native Council

National

Item 4(a): Implementation of the United Nations Declaration on the Indigenous Peoples

Your Excellencies it is good to have Indigenous Experts at highest level of UN, greetings from the Maskwacis Cree. We welcome all three reports presented yesterday and in the interest of time, with your permission we will address all three.

On the first item 4(a): We would like to thank Chairperson Vicki Tauli-Corpus and Rapporteur Les Malizer for the expert group meeting report on the Implementation of Article 42 of the UN Declaration. It is essential to consult with Indigenous Peoples on how implementation can best be carried out. In our view, for example, Implementation of Treaties is paramount as an overarching mechanism of all mandated areas of the UN Permanent Forum Annual Sessions.

We recommend that the UN Permanent Forum call on Treaty parties to jointly work on an implementation mechanism(s) for Treaties given the preambular paragraphs 8, 14, 15 and article 37 of the UN Declaration. We recall our submission in this regard presented to the UN Expert Seminar on Treaties held in the Maskwacis Territory (November 16, 2006) as recommendation 3.

It is our view that focus must begin with the articles of the UN Declaration receiving support by consensus as priorities and build on the strength of those agreements for effective implementation. In that regard our delegations add our voice to the intervention by Her Excellency Dr. Erica Dâes especially the recommendation regarding a legal officer to assist us in the legal interpretation and implementation of Treaties from the perspective of Indigenous law.

On item 4(b): Our delegations congratulate His Excellency James Anaya on his first year as Special Rapporteur and welcome this dialogue.

We believe that a dialogue relating to the implementation gaps and challenges we face regarding the *UN Declaration*, our Treaties and our constitutionally protected rights and freedoms is important for the full enjoyment of our human rights and freedoms in Canada. We believe that a dialogue relating to these implementation gaps and challenges should be ongoing. We ask the Government of Canada through you, to welcome these discussions as a means to ensure that Canadian law and policy is consistent with current international standards relating to Indigenous and State relations and human rights.

In light of Canada's behaviour in this regard, we support the following:

- a. That the Special Rapporteur continue to consider the *UN Declaration* and fully integrate it in carrying out his diverse mandate;
- b. That Canada respect the will of Parliament and endorse and implement the standards of the *UN Declaration* as adopted by Parliament on April 8, 2008;
- c. That Canada immediately consult with Indigenous peoples in Canada, in a manner that fully respects its Treaty and constitutional obligations;
- d. That Canada ensures that the rights of all First Nations, Indigenous women and Métis citizens are respected by appropriately addressing fundamental fiscal inequities.

All Indigenous Peoples must have as a minimum, access to spiritual, economic, social, cultural, civil and political human rights standards and protections equivalent to those enjoyed by all Canadians. We have repeatedly called on the Government of Canada to intensify its measures to close these pressing gaps. There have been many missed opportunities by the current Government of Canada to alleviate the crushing poverty that prolongs some of the most pressing human rights issues in our communities.

We are at a critical juncture in the relationship between Indigenous Peoples and Canada. June 11, 2009 marks the one year anniversary of the Government apology for the 150 year long Indian Residential School Policy. Little has been done since the apology to resolve the condition of Indigenous-state relations and the quality of life issues for our citizens. The promise of rights does not mean much when Indigenous Peoples and Indigenous women and children live in dire poverty. With the apology comes the solemn responsibility and the duty to act and engage.

The Government of Canada has a responsibility, with the involvement, consultation and engagement of Indigenous Peoples, to bridge the past to a future in which the gap in the quality of life and well-being between non-Indigenous and Indigenous people vanishes, where Indigenous poverty is eradicated, where our women and children have the same opportunities and life-chances as others, and the promises of our legally binding Nation-to-Nation Treaties and the Treaty partnership is fulfilled.

The Apology was a beginning, but reconciliation is about more than saying "sorry". Reconciliation has to mean real change for all of our peoples in all of the places we choose to live, by honoring our Treaties, honoring the nation-to-nation relationship, Question: Will you come to Canada for a thematic visit on Treaties, honoring the principles of fairness, distributive justice, mutual understanding, mutual respect, equality, trust, goodwill and dialogue.

To Expert Member on EMRIP, Mr. Jose Carlos Morales, the Global Caucus stated "we request that the Permanent Forum 8th session recommend the United Nations Human Rights Council authorize and request the Expert Mechanism on the Rights of Indigenous Peoples to conduct a study on the right to health of Indigenous Peoples, to be initiated at its 2nd session in August 2009". Through you Madame Chair, we call on States present to support this recommendation. Will Expert Member Morales also present this call to colleagues in Geneva?

Finally we want to extend sincere thanks to the UNPF members, WIN Sports Inc. and Sports Manitoba for supporting the first World Sports Congress for Indigenous Peoples that was held in Winnipeg, Canada. This was a historic meeting that began to plan the first World Indigenous Nations (WIN) Games that includes contemporary sports and traditional games of Indigenous Peoples.

Full text will be submitted to the Secretariat. Thank you.