

# 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 219  
Hobbema, Alberta, Canada  
T0C 1N0  
Phone (403) 585-3741  
FAX (403) 585-3550

COMMISSION ON HUMAN RIGHTS  
Sub-Commission on Prevention of Discrimination  
and Protection of Minorities  
Working Group on Indigenous Peoples  
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UNITED STATES OFFICE  
Council of Energy Resource Tribes  
1999 Broadway Suite 2600  
Denver, Colorado, U.S.A.  
80202-5726  
Phone (303) 297-2378  
FAX (303) 296-6690

## AGENDA ITEM 8 - FINAL REPORT OF UN TREATY STUDY

Thank you Madame Chairperson:

This is a joint statement by I.O.I.R.D., the Ermineskin Cree Nation, the Samson Cree Nation, the Montana Cree Nation, the Louis Bull Cree Nation and the student delegation from the Maskwachees Cultural College and the University of Alberta.

I am truly honored to present this intervention, as one of those who was here in 1977 as an articling student. You will recall at that time there was not one word about Indigenous Treaties, nor any international instruments for Indigenous Peoples at all except for ILO Convention 107 which also had no Treaty clauses at all. Over the past 21 years many of our elders and leaders from the Four Cree Nations in Hobbema, (of which I am proud to be an honorary Chief), have been here to make interventions on behalf of our members. The fundamental principles on which those positions were based always included our agreement with the British Crown in Treaty No. 6. Given the mandate of protecting and enhancing Treaty Rights, our delegations worked very hard to secure International recognition of our sacred agreements, including working to ensure the United Nations undertook a serious study of Treaties with Indigenous Nations. Many of our great Cree leaders have since passed on to the spirit world and in their memory and on behalf of our members back home in particular, the elders and youth, allow us Madame Chairperson to thank Professor Miguel Alfonso Martinez for his long awaited Final Report.

Over the years of his work we have tried always in many ways to be of assistance in a positive way. We worked him very hard; we had him in our sacred ceremonies; he came to our Council meetings; he traveled to our Treaty 6 territory to hear from our elders in assembly; we were critical of his work and at very great personal expense he has now submitted his final conclusions and recommendations. I want to mention Madame Chairperson that he paid with his health, sometimes landing up in the hospital and yet he continued to work very hard so that he could finish his report compiling from the best evidence of our elders, our traditional medicine peoples and our members of Treaty No. 6. As you know Madame Chairperson our Treaty, Treaty No. 6., was one of those Treaties specifically selected for his study.

*Member Organizations*  
Four Nations of Hobbema      Council of Energy Resource Tribes      Canadian Indian Energy Corporation

WGIP 98/NAM-CAN/18

We are of the view and have argued over all those years that Treaty No. 6, is an international agreement. It was signed by our ancestors and the Crown's representatives on a Nation to Nation basis. We argued that it cannot be unilaterally changed, that any matters that affect it must have our consent. We argued that the oral evidence of our elders must be respected, that

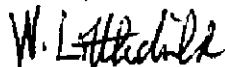
the Indian understanding of Treaties with regard to the original spirit and intent must be honored. That any Treaty violations must be dealt with in an independent tribunal with authority to sanction. Finally we agreed that the agreement was for *so long as the sun shines, the grass grows and the waters flow.*

Our preliminary review of the Final Report has given us cause to be very optimistic that finally, our Treaty No. 6, will be given the respect and honor with which our forefathers intended under International law and that the Final Report affirms and supports our position. It is our humble opinion that Professor Miguel Alfonso Martinez has captured as, no one else before him has, the life and spirit of our Treaty.

In conclusion, Madame Chairperson, we will of course take this story back to our peoples, analyze and discuss with them the very substantial conclusions and recommendations. I can tell you personally this is one trip from the UN I am very much looking forward to because I have good news. At the Commission on Human Rights we presented an intervention calling for a very meaningful follow up to this UN Treaty Study. We called for a committee of experts meeting and a Global Conference on the Treaty Study. We note in his recommendations the proposed workshops. We would urge this WGIP 16th session to consider recommending that one of those workshops be in our Treaty 6 Territory.

Since 1977 we have climbed a big mountain. We now have clauses on Treaties in the ILO Convention 169, the UN Declaration on the Rights of Indigenous Peoples, the OAS Declaration on the Rights of Indigenous Peoples and the Final Report of the UN Treaty Study. All very very important international law instruments for us as Treaty Nations. We know full well Madame Chairperson the beauty of reaching a mountain top, and that is, that you see you have a whole lot of other mountains to climb. We look forward to that challenge with this Final Report in hand and through you, want to sincerely thank Professor Martinez for all his help in this, another important positive step, to strengthen and enhance our Treaty Rights.

Thank you.



J. Wilton Littlechild, Q.C.  
July 30, 1998