

Permanent Forum on Indigenous Issues

Thirteenth session

New York, 12-23 May 2014

Agenda Item 4(b) – Dialogue with the Special Rapporteur

20 May 2014

Intervention by the International Indian Treaty Council with Ermineskin Cree Nation and the Confederacy of Treaty 6 First Nations, Presented by Grand Chief Craig Makinaw of the Confederacy of Treaty Six and Chief of Ermineskin Cree Nation

Thank you Madame Chair for allowing me to take the floor on this item related to the visit by Professor James Anaya to our Territory in October 2013. I am Councillor Brian Lee from Ermineskin Cree Nation speaking on behalf Craig Makinaw, Grand Chief of the Confederacy of Treaty Six representing seventeen (17) Nations. He is also Chief of Ermineskin Cree Nation within the Treaty Six Territory in the western part of the present state of Canada.

Ermineskin has a long history of interaction with Special Rapporteur James Anaya. Ermineskin Cree Nation on behalf of the Treaty Six were very happy to host him during his country visit. Special Rapporteur Anaya, we were very happy to see the report on your visit which was released last week. It was a very important report with a lot of positive recommendations addressing the concerns expressed by our Peoples across the country. It also can provide a framework for important changes that the Canadian government needs to make to correct many injustices in its treatment and interactions with Indigenous Nations.

Since the visit and the report, there are a number of significant developments in Canada in relation to several items it addressed.

The Contribution Agreements that we brought to your attention many years ago and during your visit are still an ongoing issue in Canada. Thunderchild First Nation that is part of Treaty Six Territory has ended up in Court over this issue. The Federal Government did not want to change the terms of the Contribution Agreement so Thunderchild refused to sign. As a result, the Federal Government imposed a Manager. Thunderchild is one of a number of First Nations who have refused to sign their Contribution Agreements. Ermineskin Cree Nation was able to negotiate some key terms in our CA and extended our Agreement for an additional year with a change in the reporting process which, as you correctly pointed out in your report, imposed onerous obligations on Ermineskin and other Nations.

In your report, there was a reference to the First Nations Education Bill. The government of Canada withdrew that bill, and introduced a new bill titled “First Nations Control of First Nations Education”. This is still not acceptable to our Peoples as it violates our Treaties. In response to criticism across the country, Shawn Atleo the National Chief of the Assembly of First Nations, resigned at the beginning of May. As a result of the resignation, the government of Canada put the legislation on hold. We appreciate your recommendation at the time of your

visit that the Canadian government should put a hold on this legislation. With all that has occurred since then, that is a good example of how the Canadian government should have taken your advise to heart.

We continue to monitor the situation. There will be an emergency Chiefs meeting at the end of this month to discuss these issues. It is an ongoing concern to Treaty Peoples. We will keep the new Special Rapporteur and the United Nations informed with regular information.

Further to your timely and insightful report, on May 16, 2014, the Royal Canadian Mounted Police (RCMP) released a report that there have been 1,181 police-recorded incidents of aboriginal homicides and unresolved missing women investigations over the past three decades — a much higher number than previously thought. The RCMP report found that aboriginal women account for **4.3 per cent** of the overall Canadian female population yet account for **16 per cent** of female homicides and **11.3 per cent** of the cases of missing women. We strongly support your recommendations regarding the need for significant government action on the National scandal of the missing and murdered Aboriginal Women in Canada including the call for a national inquiry.

We are also very encouraged by your analysis, conclusions and recommendations on Free Prior and Informed Consent. It is our position that Consent is a very important Treaty Principle that is contained in the text of Treaty No. 6. We encourage Canada to study and implement fully these and other recommendations.

In closing, Professor Anaya, we thank you sincerely for your work on behalf of our Nation and All Indigenous Peoples. We congratulate the new Special Rapporteur Victoria Tauli Corpus, and are very gratified for the re-election of Chief Wilton Littlechild from Ermineskin Cree Nation to the EMRIP and Francisco Cali for his election as the first Indigenous President of the CERD. We wish you all the best in your important roles and will look forward to working with you in the future. Hai Hai.