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IITC Files Urgent Action to the UN CERD in Conjunction with Chief Theresa Spence and the Mushkegowuk People of Attawapiskat First Nation

For Immediate Release

February 18, 2013: The 2nd week of the 82nd Session of the United Nations Committee on the Elimination of Racial Discrimination (CERD) began today in Geneva Switzerland. Indigenous Peoples, the Canadian government and the world will be paying close attention to the CERD's consideration of a submission from the International Indian Treaty Council (IITC) and the Mushkegowuk People of Attawapiskat First Nation in Canada filed last week under the CERD's Early Warning and Urgent Action Procedures.

The Urgent Action filing focuses on the urgent violations of Treaties and Aboriginal rights by the Canadian Government through the adoption of two omnibus budget bills, Bill C-38 and C-45. These bills were passed in June and December 2012 without the Free Prior and Informed Consent or any consultation with Indigenous Nations in Canada. The filing also addresses two other unresolved urgent issues raised during the periodic review of Canada at the 80th Session of the CERD in February of 2012 – the ongoing lack of safe drinking water for First Nations and the critical housing crisis faced by Attawapiskat First Nation. The CERD, in its Concluding Observations addressing Canada issued on March 9th, 2012 [CERD/C/CAN/CO/19-20] requested that the Canadian government provide them with a report within one year as to their “progress and results” in addressing these urgent situations. To date they have failed to do so.

In response to these urgent and continuing legislative, Treaty and human rights violations against the Indigenous Nations in Canada, Chief Theresa Spence of Attawapiskat First Nation began a 45-day hunger strike (lasting from December 11, 2012 until January 23, 2013) and the “Idle No More” movement, still sweeping the country and the world, was sparked.

In explaining why she asked IITC to assist the Mushkegowuk People of Attawapiskat First Nation to make an urgent submission to an international human rights body, Chief Spence asked: “How could the Crown and the Governor General close their eyes to the blatant violations of Treaty? We are giving them the opportunity to correct those actions and move forward in the true spirit and intent of Treaty, and they [the Canadian Government] cannot even meet us halfway. In fact, they respond to us as though we are committing a criminal act for demanding the fulfillment and implementation of our rights – this is discrimination.”

The 18-member CERD is the Treaty Monitoring Body for the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), one of 9 legally-binding International Human Rights Treaties within the United Nations system. The CERD is responsible for periodically reviewing the compliance of the 175 countries (“State parties”) which have ratified it, which includes Canada.

The Urgent Action and Early Warning Procedures allow the CERD to analyze and assess critical situations that may require urgent action outside the regular country reviews. The guidelines for the application of these Procedures include: (a) Presence of a significant and persistent pattern of racial discrimination, as evidenced in social and economic indicators; (c) Adoption of new discriminatory legislation; (h) Encroachment on the traditional lands of indigenous peoples or forced removal of these peoples from their lands, in particular for the purpose of exploitation of natural resources; and (i) Polluting or hazardous activities that reflect a pattern of racial discrimination with substantial harm to specific groups.

The submission filed jointly by IITC and the Mushkegowuk People of Attawapiskat First Nation addresses all of these areas of concerns.

Ron Lameman of Beaver Lake Cree Nation, represents Treaty No. 6 on IITC's Board of Directors. He expressed the importance of this submission and the issues it addresses for the all Indigenous Peoples in Canada:

"The submission to the Urgent Action procedure of the CERD initiated by Chief Spence and the Mushkegowuk People of Attawapiskat First Nation through the IITC is indeed crucial and timely due to genocidal legislative agenda of the Stephan Harper conservative government. The nonstop rightwing and racist policies of this government have awakened a 'Sleeping Giant' as demonstrated by the 'Idle no More' movement, which was inspired in part by the courageous actions of Chief Spence and the other spiritual fasters. The world needs to know of the total disregard shown by this government towards the Indigenous Peoples of this part of great Turtle Island. When you disregard the sacred Treaties and continue to disrespect our Mother Earth and all of creation including the sacred water which sustains all life on the planet, there is no way that the Indigenous Peoples can stand back and do nothing. What has happened until now is only the beginning. As stated by the elders and leaders of today 'unless the governments and industry slow down, step back and listen to the young people and the Peoples of the land, things could get a lot worse before they get better.'"

The entire submission by IITC and the Mushkegowuk People of Attawapiskat First Nation is posted on the website of IITC: <http://treatycouncil.org/PDF/IITC-Mushkegowuk-UA2013-FINAL.pdf>

The CERD's recommendations to Canada and/or requests for additional information are expected to be posted on the CERD web page: <http://www2.ohchr.org/english/bodies/cerd/early-warning.htm>

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