

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Yellowhead Highway
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
5th Floor, 342 Water Street
Vancouver, B.C. V6B 1B6
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

NEWS RELEASE

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UBCIC Calls on New Zealand and Canada to Stop Denying International Legal Reality

(Coast Salish Territory/Vancouver, Canada – May 12, 2010) Like the Canadian government, the New Zealand government recently announced that it will adopt the United Nations *Declaration on the Rights of Indigenous Peoples* within the bounds of its own legal and constitutional frameworks. The *Declaration on the Rights of Indigenous Peoples* was adopted by 144 States at the United Nations General Assembly in September 2007.

Grand Chief Stewart Phillip, President of the Union of BC Indian Chiefs stated “By deliberately interpreting the UN *Declaration* in accordance with the constitution and laws of each state, the Canadian and New Zealand governments are attempting to legitimize the ‘status quo’ by further entrenching the existing injustices and discrimination of their domestic policies within what is considered by the vast majority of Indigenous groups as one of the most important international human rights instruments of the United Nations.”

Grand Chief Phillip continued “The UBCIC supports all Indigenous Peoples in their fight for recognition. As an example, the UN Human Rights Committee supported the Te Kāhui Ngahuru call for New Zealand to negotiate on their stalled Treaty of Waitangi issues. What was New Zealand’s response? Proposed legislation that will extinguish Te Kāhui Ngahuru’s legal right to ask the courts to determine its claim. Sadly, Canada has already enacted similar legislation, the *Specific Claims Tribunal Act*.”

In October 2008, the *Specific Claims Tribunal Act* (SCTA) came into force to eliminate the backlog of specific claims through a fair, timely, joint and independent process. A key element of the SCTA was to implement an independent Alternate Dispute Resolution (ADR) centre for First Nations and the Government of Canada. Indigenous organizations suggested a range of options such as an independent centre to provide mediation services through legislation or linking to or creating a non-governmental organization to service ADR. In February 2010, the Federal Minister of Indian Affairs, Chuck Strahl unilaterally and arrogantly dismissed the options as too costly or outside the scope of the legislation. Canada responded by stating the new ADR centre will be housed in government offices, administrated by government staff and will only provide mediation services in the area of negotiations and no other part of the process.

“The UBCIC does not recognize, embrace or endorse the fairness, independence, impartiality, openness and transparency of a mediation process that is housed and administrated by the Government of Canada and is limited to only one stage in the process for resolving the many specific claims of First Nations,” stated Grand Chief Phillip. “As Indigenous Peoples, our fight is the same the world over. Our Title and Rights are ignored, trivialized and dismissed. Ongoing injustices such as woefully inadequate land reserves or Crown mismanagement of the Te Kāhui Ngahuru or the many outstanding specific claims in Canada, add to the severe economic, cultural and social suffering of our Indigenous communities.”

Grand Chief Phillip concluded “New Zealand and Canada continue to deny the international legal reality of our Indigenous rights. The Declaration on the Rights of Indigenous Peoples is truly a historically significant instrument, a milestone and clarion call of the ongoing fight that unifies the 370 million Indigenous Peoples globally.”

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Media inquiries:

Grand Chief Stewart Phillip, Union of BC Indian Chiefs

Phone: (250) 490-5314

The UBCIC is a NGO in Special Consultative Status with the Economic and Social Council of the United Nations.