



Indigenous **N**etwork on **E**conomies and **T**rade

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December 31, 2004

Dear Friends:

I would like to take this opportunity to wish everyone a prosperous and happy new year. I have attached a copy of my travel and activity report for 2004. I feel that a lot has been done this year and that we have a very strong foundation for this coming year.

I have been working on expanding knowledge that indigenous peoples through our Aboriginal and Treaty Rights do have proprietary rights that need to be taken into consideration at the international economic and trade level. I feel that Canada and British Columbia have been living off our land long enough and that our legal and constitutional proprietary rights need to be recognized.

In fact indigenous peoples have been subsidizing the wealth of Canada and its provinces with our poverty. Canada and the provinces have been using our land and resources as the basis for borrowing money and attracting investment yet we are left at margins of the economy in our own land. This must stop.

We need to seriously question our strategy of participating in negotiations that go nowhere or accepting small economic development agreements, that create short term benefits as being counter-productive to our real and long term needs. We need to realize that the Canadian and provincial governments use our negotiations and these agreements to support their financial position that they are managing us and we are included in their macro economic strategies.

In fact the British Columbia has stated in their annual financial statements that they even lend us the money for us to negotiate with them. They use these kinds of financial arguments to support their economic strategies and basically have us kind of co-sign their loans. We get nothing out of these kinds of deals except a big debt and no agreements.

We also need to question our funding arrangement with the federal and provincial governments. It is clear that a lot of our energy is produced under the federal and provincial government funding policy. It gets people to work in our Band Offices,

Tribal, provincial and national organizations. But this energy is directly linked to the federal and provincial government funding policy.

This kind of funding policy or energy is distinct or separate from the energy produced by indigenous activists. I know from my experience with the Skwelkwew'welt Protection Center, the group trying to stop the expansion of Sun Peaks Resort, that the energy produced by these activists is an indigenous sourced energy base. The indigenous peoples, who go to Sun Peaks, create their own energy. It is a new source of energy, which gets people through out the local reserves, valley, BC, Canada and world talking about Aboriginal Rights.

I see it in the media. I see it on the Internet. I see it in my meetings with the Royal Canadian Mounted Police. I see it in the BC Supreme Court. I see it in my meetings with the Shuswap Nation Tribal Council. Settlers and indigenous peoples start talking and that is what is needed. Being silent about Aboriginal Rights is to sleep on your rights. What the activist does is make our First Nations come alive.

Indigenous activists in this sense give life resuscitation to our First Nations and we should respect and thank them for this, because they put their personal liberty at risk when they do this for us. I do not agree with those people who say political activism does not produce anything and that we need to always negotiate.

Negotiation is important but we need to be mature enough to realize that we must only negotiate when the other side recognizes our Aboriginal and Treaty Rights. We cannot negotiate with a government that is committed to extinguish our Aboriginal and Treaty Rights. The first line of battle is to get the Canadian government policy to be consistent with the decisions of the Supreme Court of Canada and recognize our Aboriginal and Treaty Rights before we sit at the negotiation table.

The whole issue about Canada and British Columbia's credit rating started from getting out on the land. The Harper Lake Logging case was initiated when I was Chief of the Neskonlith Indian Band (8 years) and Chairman of the Shuswap Nation Tribal Council (6 years). This case was because we went logging off our Indian Reserve to get resources to meet our housing backlog. Now it has an international economic and trade significance because of the successful submissions we made to the WTO, NAFTA and to Standard and Poor's.

We need to realize that micro economic strategies cannot succeed if you do not have your macro economic strategies accepted. In our particular situation the macro economic issues that needs to be accepted is that we have "ownership and control" over our land and resources. The courts have recognized this to a certain extent but it is the governments that do not. We need to stand up for our Aboriginal and Treaty Rights because no one else will. Our economic security depends on this because we know exactly where we will be if we continue to let Canada and her provinces exercise exclusive or 100% ownership and control over our Aboriginal and Treaty lands and resources.

We need to build our economic security and future under Aboriginal and Treaty Rights and not under the mutually exclusive or 100% power of the federal and provincial governments. Aboriginal and Treaty Rights is a macro economic issue and we need to define it because the federal government is going to try and keep us under their power. Their present strategy is geared to circumvent the recognition of Aboriginal and Treaty Rights with new federal legislation and policies that will keep us exclusively under federal power and jurisdiction.

We are at a crossroads and we must not get sucked into going down the federal government's path. We need to not let our poverty and lack of education in this kind of constitutional dilemma to choose short-term gain for long term pain. We need to think about our grandchildren and about our responsibility to protect the ecological biodiversity of our traditional territories. We have a very real and important role to play in protecting our lands, not only for us, but also for all Canadians.

It was the Haida Nation, who stood before the Supreme Court of Canada to defend the old growth Red Cedar because they considered them to be their 400 to 600 year old sisters. This is what I mean. It is our people who always look at the land differently than the big industrial companies. Traditional knowledge, values and activities of our people is directly linked to the land and it needs to be taken into consideration because it is the essence of what is becoming known as sustainability.

I should point out that the two settler communities located in the Haida Nation also supported the Haida Nation at the SCC. This kind of support needs to be encouraged in other struggles. In fact the recognition of Aboriginal and Treaty Rights is part of the Canadian answer to responding to the need to modify our commercial and industrial activities so we have something to give to our grandchildren. The economics of abundance in North America must be reconsidered in view of the scarcities our poor management has produced.

Indigenous peoples continue down that path we have always been on and we must review and reconsider what the federal and provincial governments are putting before us. We all need to make this decision in the coming year. May the Creator give us guidance in this solemn matter?

In closing I would like to thank all those elders, leaders, people, networks, organizations and family and community members that have supported INET over the past year. In particular I would like to give really big thank you to Nicole Schabus the INET International Advisor for countless hours of voluntary work she has done for us. Once again please have a Happy New Year.

Arthur Manuel
Spokesman

Arthur Manuel
Indigenous Network on Economies and Trade (INET)
Travel and Activities Report
January to December 2004

January

- International workshop of Catholic and Protestant churches from Mexico, United States and Canada at Stony Point, New York. I spoke on the destructive environmental impact corporately led globalization has on sustainability that indigenous rights depends on.
- I met with the Director, Sovereign Ratings Group and Research Assistant, Latin American Sovereign Ratings of Standard & Poor's, New York City. Standard and Poor's is an independent financial and economic monitoring body and the primary person I met sets the Canadian credit rating. The reason I met with this person is to raise the fact that Canada is hiding its financial liability for not recognizing Aboriginal and Treaty Rights. I used the five successful amicus curiae briefs made by INET to the World Trade Organization (WTO) and the North American Free Trade Agreement (NAFTA). The primary argument in all INET submissions is that the Canadian government policy of not to recognize Aboriginal and Treaty Rights is a subsidy to all Canadian resource industries.

February

- Conventional on Biological Diversity, Conferences of the Parties 7, with the Indigenous Peoples Caucus taking place in Kota Kinabalu (Saba) and COP7 taking place in Kuala Lumpur, Malaysia. I was chairman of the indigenous tourism committee and we rejected the CBD Tourism Guidelines because the Guidelines were merely a door to let mass tourism into our traditional territories. We supported the idea to have an international conference of leaders here in Canada in 2005 and bring our findings to the Conference of the Parties 8 in Brazil in 2006.

March

- I attended a closed session of the Council of Canadians on Canada and USA Deep Integration in Vancouver. It is always important to keep on top of things that other organizations like the Council of Canadians are involved in because these organizations do raise important points and they do have the potential of supporting us in our efforts.
- I spoke at the Pulp, Paper and Woodworkers of Canada's 42 Annual Convention in Vancouver and the speech is on the internet. I found that there was a great interest on the part of the labor unions to understand more about the settlement of Indian land issues. We agreed to follow up on this matter but I have not been able to follow up on this work.
- I spoke to Bing Wong an elderly member of the Vancouver Chinese Community about the Chinese support banquet and about him helping us out by giving us advice about establishing small businesses in our Indian reserve communities.
- I spoke at June McCue's class at UBC Law School about the WTO and NAFTA submissions.

- I spoke to Kenichi Matsui's class at Simon Fraser University in Vancouver about our historical political and constitutional relationship with Canada.
- I attending the hearing of the Haida/Weyerhaeuser Hearing Supreme Court of Canada, Ottawa, Ontario and was deeply impressed with Terri Lynn Williams-Davidson's arguments and the strength of the Haida Nation to protect their traditional territories.
- I met Jack Layton, Leader of the New Democratic Party (NDP) at his home in Toronto, Ontario to talk about the need to give support to change the existing federal government comprehensive land claims policy. I pointed out that it is the policy is inconsistent with the direction set by the Supreme Court of Canada in their judicial decisions. I said this is why no agreements, with exception of the Nisga'a Agreement have been agreed to. He said he would follow up with his Member of Parliament responsible of Aboriginal Issues after the federal election.
- I had lunch with Chris Hiller, Indigenous Justice Coordinator of the Anglican Church of Canada in Toronto, Ontario to brief on the things I have been doing regarding indigenous water issues..
- I met with Mary Corkery, Executive Director of KAIROS in Toronto, Ontario to talk about helping INET with fund raising. We agreed to follow up but we have not really followed up on this matter.
- I met with the Public Finance Ratings and Associate Director Public Finance Ratings of Standard and Poor's, Toronto, Ontario. The New York office of Standard and Poor's is responsible of Canada's credit rating and Toronto office is responsible for British Columbia's credit rating. I basically briefed the Toronto's office on how British Columbia does not recognize Aboriginal Rights. Mickey Posluns attended this meeting with me.

April

- I spoke at a Solidarity Meeting in Montreal, Quebec on stopping the expansion of Sun Peaks Resort. It was well attended and the questions were very well informed and interesting. They have pledged to continue their support.
- I spoke at the Canadian Bar Association in Montreal, Quebec on the international trade work that INET is doing.
- INET organized a workshop on negotiations with Guujaaw and Don Ryan at the Neskonlith, British Columbia. The purpose of the meeting was to introduce these indigenous leaders who already brought legal cases to the Supreme Court of Canada to the people of the Neskonlith, Adams Lake, Spillumcheen and Okanagan Bands and share their experience, because our Bands are now taking the logging cases forward.
- I traveled to Lethbridge, Alberta to meet with Marie Marule about World Council of Indigenous Peoples (WCIP). Marie use to work with my father on the WCIP and she agreed with me to work on this matter in the future.
- I gave a presentation to the World Is Not For Sale in Bangkok, Thailand. This network is an international forum of non-government organizations (NGO's) that organize against corporate globalization. My presentation was to introduce them to the reality indigenous peoples and our rights do play a major role in combating corporate globalization.

May

- I attended and spoke at the United Nations Forum on Forests (UNFF) in Geneva, Switzerland. The UNFF is the ministry of forests response from nation states to the CBD and takes the commercial instead of the environmental approach. The primary issue was to initiate their guidelines but this did not succeed.
- I met with AKIN which is the Working Circle for North American Indians in Vienna, Austria and briefed them on the work that INET is doing promoting Aboriginal and Treaty Rights at the international level.
- I also spoke gave a forestry lecture at Dr. Peter Schwartbauer forestry class in Vienna, Austria about the issue of Aboriginal Rights and international forest subsidies.
- I then attended the Indigenous Water Rights Workshop near Winnipeg, Manitoba. This Workshop was organized by the Anglican Church of Canada and was attended by indigenous peoples from across Canada. A set of videos will be produced from this workshop this year.
- I attended the United Nations Permanent Forum on Indigenous Issues in New York, New York. I spoke about indigenous international trade and economic matters in the context of the issues being raised.
- I met with Anton Korinek, Senior Research Assistant, Professor Joseph Stiglitz, New York, New York. We reviewed Aboriginal Rights in context of the analysis done Professor Ronald Trosper in the Menominee Implementation of the Chichilnisky Criterion for Sustainability Forest Management. We reviewed the issue of the polynomial establishing the maximum sustainable yield and the data needed to determine this in our particular situation.
- I met with Noeli Pocatererra, Vice-President of Venezuelan Parliament and last Acting President of the World Council of Indigenous Peoples at her request. Apparently she wanted to meet with me for sometime about the WCIP. She told me of her involvement in the WCIP, including when she first met my father, and she asked me to get involved in getting the WCIP back on its feet. I agreed I would work with her.
- I accompanied Ezequiel Vitonas, ACIN (Association of Indigenous Councils of Cauca – member of the national indigenous organization, ONIC) to the German Permanent Mission, New York, New York for a ceremony recognizing the great work this organization is doing in protecting the ecological biodiversity of their territory in a very dangerous situation.
- I drove Professor Rodolfo Stavenhagen the United Nations Special Rapporteur on Fundamental Freedom of Indigenous People to Barrier Lake, Quebec where he heard presentations from the local Algonquin peoples.

June

- I spoke to the Annual General Meeting of the Communications, Energy and Paperwork Union (CEP) in Vancouver about Aboriginal Rights. We agreed to follow up on this matter with some publications but I have had no time to follow up on this matter.
- I met with Leonard George at the Chief Dan George Center in Vancouver to brief him up on some of the work I have been doing. He is interested in tourism and protecting the environment.

- I met with Highland Irrigation at Neskonlith Indian Band Office and out in the field about the irrigation system. I support a good irrigation system because it will give our people independence in food.
- I met with a group of Secwepemc peoples from local bands involved in the Harper Lake Logging Case at Neskonlith, BC, to talk about what to do next. This was a follow up to the meeting held with Guujaaw and Don Ryan. Non of the elected council from any of the Bands attended.
- I gave two presentations to the Indigenous Environment Network (IEN), Black Hills, South Dakota about Aboriginal Rights and Water.

July

- I met with Mr. Pat Martin, Member of Parliament from Winnipeg Center, NDP in Vancouver, BC. This was a follow up to the meeting I had with Jack Layton. We briefed Mr. Martin about our situation and provided him with material prepared from the Assembly of First Nations, Delgamuukw Implementation Strategic Committee (DISC).
- I attended a training workshop by the 7th Generation Fund from Arcadia, California. INET is a Canadian affiliate to the 7th Generation Fund.
- I met with Jolie Lonner from Go Wild Consulting at Berkeley, California. This was a follow up to my presentations at the Black Hills, South Dakota.
- I met with Mr. Victor Menotti from International Forum on Globalization (IFG), San Francisco, California. We spoke about the meeting in Bangkok and follow up in terms of preparing an article. An article has been prepared and it will be published soon by IFG.
- I met with Miguel Gavaldon of the Data Center in Oakland, California. I briefed Mr. Gavaldon about Aboriginal Rights. He wanted to be brought up to date on this subject so he can consider if they should start working with us.
- I met with Mr. Ed Willie north of San Francisco, California to establish contact with him.
- I drove my daughter Anita Rose to the Peace Dignity Journey and met up with them at the Grand Canyon, Arizona. I traveled with them to Flag Staff. My daughter re-joined the run and ran all the way Panama City. Congratulations.
- I met with Sharon Smith from the Rainforest Action Network in San Francisco, California. The purpose was to brief her up on the work we are doing and also catch up on the work that RAN is doing in Canada.
- I met with Carol James the Leader of the BC NDP Party, Vancouver, BC. I briefed her up on the issue of revising the federal government's comprehensive land claims policy so it is consistent with the direction given by the Supreme Court of Canada.

August

- I took a tour with Naomi Klein the author of "No Logo" and "Fences and Windows". She stayed at the Neskonlith Indian Reserve and we visited Sun Peaks and Sutikah. She was deeply moved by how the government and industry treat indigenous peoples, like we do not even exist as peoples. We also spoke at the Vancouver Public Library to a sell out crowd. Needless to say the audience was there to hear Naomi but they also got to hear Elder Irene Billy and myself. Naomi's support is greatly appreciated.

- I spoke at the Life After Capitalism in New York City. This was a preliminary meeting to the Republican National Convention. Naomi Klein also spoke at this event and I did get to meet her during this part of tour of the United States/
- I met with the Director Sovereign Ratings Group and Latin American Sovereign Ratings in New York City. This was the second meeting. Guujaaw, the president of the Haida Nation attended this meeting and Naomi Klein was a witness. We made two presentations backing our Right to Aboriginal Title.
- I met with Tonya Frinchner, President, American Indian Law Alliance in New York City. We talked about mutual support.
- I negotiated with the Royal Canadian Mounted Police (RCMP) regarding the establishment of a camp being put up at Sun Peaks Resort and the immediate reaction of the police.

September

- Irene Billy, Sarah Denault, Janice Billy, Arnie Jack and I defended ourselves before the Supreme Court of British Columbia regarding an injunction sought by Sun Peaks Resort in Vancouver, BC. The injunction was to remove a camp put at the Sun Peaks Resort. Sun Peaks and the province of BC used a press release issued by the Shuswap Nation Tribal Council (SNTC) to back them up that they were justified in infringing on our Aboriginal Title. Sun Peaks was granted the injunction.
- The Skwelkwek'welt Protection Center remains at Sun Peaks after the injunction and meetings take place to decide what to do.
- I meet with Chief Mike Retasket to provide him with material to present to the Minister of Indian Affairs regarding the Stop Sun Peaks Expansion Campaign, Vernon, BC.
- I participate in "The Current" a CBC Early Morning Radio Program on the "Stop Sun Peaks Resort Expansion Campaign" in Kelowna, BC. Richard Vedan is in the same program. I basically raise the economic dimension of the development.
- I speak at a Convergence Solidarity Meeting to update them regarding the Skwelkwek'welt Protection Center in Vancouver, BC. They decide to have some support demonstrations in Vancouver.
- Chief Nathan Matthew, Chairman of the SNTC and Chief Arthur Anthony of the Neskonalith Indian Band meet with the people at the Sun Peaks Camp and the Skwelkwek'welt Protection Center at the Sun Peaks Camp. It is agreed that the SNTC and Skwelkwek'welt Protection Center would issue a joint press release repudiating Sun Peaks and the BC government for using their press release at the injunction.
- I monitored the arrest of Henry Sauls, George Manuel, Jr. and Arnie Jack of the Skwelkwek'welt Protection Center at Sun Peaks Resort. It was very clear that those arrested did not understand why they were being arrested and that they communicated very directly to the Royal Canadian Mounted Police the basis they new they had a right to stay in their camp at Sun Peaks.
- I attended the Appeal of the Skwelkwek'welt Protection Center before the Supreme Court of British Columbia on earlier convictions based on the color of right in Kamloops, BC. It was very interesting to hear how belief in your rights can become a very complicated issue.

- I met with Chief Nathan Matthew, Chairman of the SNTC in Kamloops, BC to discuss how the SNTC and the Skwelkwel'welt Protection Center could work together. Nothing came out of this meeting except some general idea that we should continue to talk about this matter.

October

- I spoke at the Indigenous Bar Association General Meeting in Calgary, Alberta about international trade agreements and I also ran a workshop on the second day regarding this matter.
- I spoke at the BC Bioneers Conference workshop called Capitalism – Rapid Evolution or Rapid Extinction in Vancouver, BC. The primary purpose of this event was to make people more aware that Aboriginal Title needs to be taken into context in broader scoped problems of resource management and the environment. My sisters Vera and Doreen attended this talk.
- I attended an Historic Chinese Banquet between First Nations and Chinese Canadians to remember a common past in Vancouver, BC. The seating arrangement was approximately six hundred people and it was sold out with many hundreds of people turned away. It was good to hear how the Chinese people and our people worked together to fight racism against Chinese people. It was a mutual exchange of support and it has been for the common good of us both. Bill Chu and Bing Wong were very instrumental in making this evening a success.
- I also participated in a number of conference calls on Northwest Social Forum and the Canadian Indigenous Water Rights Conference

November

- I spoke at the Nicola Valley Institute of Technology at Dave Cole class in Merritt, BC. It was primarily an indigenous class and they were very interested in the extensive history I have of the Aboriginal Rights issue. They liked it so much they said they wanted me back again soon.
- 1st Session of the Union of BC Indian Chiefs General Assembly which was postponed for one month because of the tragic murder of three people on the Penticton Indian Reserve.
- Haida Press Conference on the Supreme Court of Canada decision on Haida Nation v. British Columbia et al and Weyerhaeuser Company Ltd., Vancouver Indian Friendship Center, Vancouver, BC. The press conference was well attended.
- I deliver food and other camping material to the Sutikah Camp near Mount Currie. The money that bought this stuff was raised by fund raising dinner held at the same time as the Chinese Banquet in Vancouver, BC
- I spoke at the UBC Indigenous Student Association in Vancouver, BC. This was a public meeting and was co-sponsored by some other student organizations. It was held to get the broader group of students to understand Aboriginal issues.
- I attended a fund raising dinner by the Environmental-Aboriginal Guardianship through Law and Education (EAGLE) in Vancouver, BC at the same place the Chinese Banquet was held. There were no large group of Chinese at this Banquet but possibly a future banquet could be held.
- Nicole Schabus and I met with Kevin Ward who works on resource related issues to brief him on the work INET has been doing.

- The Skwelkwew'welt Protection Center, including Nicole Schabus met with Louise Mandell to canvass legal options for the Stop Expansion of Sun Peaks Resort.
- I met with the Department of Justice and Public Safety and Emergency Preparedness Canada on the impact of the Anti-terrorism Act in Ottawa, Ontario. There were no other indigenous peoples attending. The real problem here is that the present Anti-Terrorism legislation is balanced against the Charter of Rights but not with regard to Aboriginal Rights under section 35(1). Anti-terrorism legislation in this sense balances individual rights but not collective rights against political activism. This is disturbing because Canada did amend the Indian Act once to prohibit Indian people from meeting, hiring a lawyer and raising money to protect our land rights. No apology was ever given. Therefore to envision that a witch-hunt could happen is not that far removed, in view of the stand offs that happened at Oka, Ipperwash and Gustapheson Lake.

December

- I spoke at the 2nd Session of the Union of BC Indian Chiefs, General Assembly, Vancouver, BC about the international trade and economic work I am doing and asking for their support. My presentation was well received and the UBCIC is prepared to work with me in this coming year.
- I gave a presentation to the Council of Canadians Hearing on Cross Border Canada USA Aboriginal Issues in Kelowna, BC. I spoke about Aboriginal Rights vis-à-vis international trade agreements and how Aboriginal peoples have not given up our sovereignty to the transnational corporation. I said ordinary Canadians need to very careful about their predicament because their governments are doing this left, right and center. I said the Haida case before the SCC raises this issue very clearly in terms of NAFTA.
- I attended a community meeting regarding Secwepemc burial site on the Canadian Pacific Railway (CPR) twin tracking near Pritchard, BC, at Neskonlith Indian Band Hall, Neskonlith, BC. It was agreed that the bones could be removed by a Elders resolution. It was a good discussion because a lot of information was exchanged especially about the question of allowing DNA testing.
- I met with Inspector Randy Wilson, Inspector Steve Lee, Sgt. Grimm and Sgt. Bahaus of the Royal Canadian Mounted Police (RCMP) regarding the dropping of charges against Henry Sauls, George Manuel Jr. and Arnie Jack, Neskonlith Indian Reserve No. 2, BC. This meeting was at the request of the RCMP and was to state their legal position. They felt that we were misreading the situation the province changed its position and was going to negotiate under the Haida decision. They just wanted to say they screwed up in the paper work and that charges were going to be dropped but any further activity up at Sun Peaks will result in arrests, and that they would not screw up again. Looks like it will be another exciting New Year.
- I also set up an Indigenous Free Radio Project at Neskonlith Indian Band, BC and it could be heard to Chase, BC but due to technical difficulty the radio project will be put on hold for a few weeks. The radio project is sponsored by INET. It is in response to the need that the local commercial radio programs do not

invigorate our languages and does not keep the general public informed about our changing legal and constitutional place in Canadian society. Two to three minutes ever so many days is totally unacceptable. Therefore indigenous peoples need to depend upon our sovereign right over our air space to engage in public education about our language, legal and constitutional situation in Canada.

I wish you a prosperous and happy new year.
December 31, 2004

Arthur Manuel, Spokesman
Volunteer