



LUBICON LEGAL DEFENCE FUND

October 2005

Dear Friend,

The Lubicon are a patient people. They trusted Prime Minister Martin when he said that their land settlement – the settlement they need for their survival – was a priority.

That trust is now gone.

The Lubicon are asking for our help.

They're asking us to help them force Prime Minister Paul Martin's government to come to the negotiating table, and conclude the land agreement the federal government promised them almost 15 years ago: a promise our government made not only to the Lubicon, but also to the Canadian people and the United Nations.

It is a promise that Liberal Prime Ministers Jean Chrétien and Paul Martin both repeatedly and personally reaffirmed, but never honoured.

Therefore, on behalf of the Lubicon people, let me call on you again, and on your steadfast determination and your generous financial support.

To answer the Lubicon's plea for help, we have three initiatives whose success will be decided, like everything we do for the Lubicon, by your support:

- ◆ shaming the Prime Minister into negotiating, in good faith, with the Lubicon (something he refuses to do)
- ◆ supporting grassroots protests on Parliament Hill
- ◆ helping the Lubicon with their appeal to the United Nations Human Rights Committee.

As you know, the Lubicon continue to suffer as one of the poorest First Nations peoples in Canada. Only the land agreement they've been promised will end their poverty and destitution, secure a future for their young people, and stop the rape of their unceded lands by petroleum companies. Their lands are their future. What the Liberal government is doing to them is a crime.

You'll recall that two years ago Prime Minister Martin wrote to many Lubicon Legal Defence Fund supporters saying,

2...

“I wish to assure you I am committed to a just settlement of this land claim ... recognizing Aboriginal peoples’ inherent right to self government and negotiating land claim treaties is (sic) incredibly important to ensuring they take control of their own destiny.”

The word I now use to describe what the Prime Minister is saying is “lie.” He is neither “committed” to a “just settlement” for the Lubicon nor does he believe that “negotiating land claim treaties” is “incredibly important.”

The truth is that the Prime Minister and his Minister of Indian Affairs and Northern Development, the Hon. Andy Scott, have never negotiated with the Lubicon people. Never! And, unless people like you and me force them to, they never will.

As for “self government,” the Hon. Irwin Cotler, Minister of Justice and Attorney General, is just as complicit in Canada’s “Crimes Against the Lubicon” as Martin and Scott.

According to the official biography on the Government of Canada’s web site, Cotler is a “leading public advocate in and out of Parliament for the Human Rights Agenda.”

Really? It was Cotler’s ministry that developed the notorious *Guidelines for Federal Self-Government Negotiations*. The guidelines give government negotiators the legal chicanery necessary to deny aboriginal peoples their constitutional and human rights.

They’ve been followed to the letter by the government’s negotiators to deny the Lubicon their rights.

The Hon. Irwin Cotler – self-professed public advocate for human rights – has never rescinded, let alone publicly condemned these “guidelines.” According to sources in the government, they are still government policy.

Clearly, when it is in his own best political interests or when true honour and courage are required, Cotler is just as willing to crush a people’s human rights – the Lubicon’s human rights – as those he condemns in other countries.

What is the Prime Minister’s true attitude toward the Lubicon? It’s what he actually *does* to the Lubicon – not what he *says* to placate you and me. What he’s doing *to* the Lubicon and *for* their land settlement is nothing.

In fact, it’s worse than nothing because he is knowingly – and I now think deliberately – letting them die off, while encouraging rapacious petroleum companies, owned by businessmen

with close ties to Alberta Premier Ralph Klein whom the Prime Minister politically fears, destroy their lands.

Despite the pleas of the Lubicon people, Martin and Scott have cut off all discussions with the Lubicon.

They've simply decided to doom the Lubicon as a people to a slow death. All the while, assuring the Canadian people – in fact, lying to the Canadian people – that they're committed to the Lubicon's land settlement.

To answer the Lubicon's call for help, I need your support to begin a campaign that will continue into the next federal election – expected early next year. With your help, I want to publicly demand,

“Prime Minister, prove what you're saying about Aboriginal Peoples is not a lie. Negotiate with the Lubicon.”

If you can find it in your heart to provide the necessary funding, the “Prime Minister Martin, Negotiate with the Lubicon” campaign will launch with a series of radio advertisements in Ottawa at the beginning of November and continue in important electoral areas across Canada until the end of the next federal election.

The ads, which will be as provocative as possible, will expose the Prime Minister saying one thing about his commitment to the Lubicon and doing the exact opposite.

The ads will ask, “Can we trust a man who betrays his word to some of the poorest people in Canada, and to the people who – like you and me – are trying to help them?”

I've included three Action Cards in this letter: one for the Minister of Indian Affairs and Northern Development, another for the Prime Minister, and a third for the Minister of Justice. All of them can be mailed postage free.

Use the Action Card addressed to the Hon. Andy Scott, Minister of Indian Affairs and Northern Development, to tell him that you want the Prime Minister to honour his and Canada's 15 year old commitment to the UN, and to conclude a land agreement with the Lubicon people.

In your strongest words, tell Mr. Scott that you're supporting our campaign, and demand that he and the Prime Minister “negotiate with the Lubicon.”

Please, send the Hon. Andy Scott his Action Card today, if at all possible.

Now, let me tell you about the grassroots protest planned for Parliament Hill.

Two teachers, Peter Petrasek and Audrey Ferrer, helped students organize the “Pipeline of Hope” demonstration for Parliament Hill. This is from the e-mail sent to me:

“The Amnesty International student group at Cardinal Newman Catholic High School in Toronto is planning to lay a ‘Pipeline of Hope’ in Ottawa on Parliament Hill on Monday, October 17th, 2005.

“This ‘pipeline’ will be a long bolt of fabric laid over columns, holding signature petitions demanding the federal government resolve the Lubicon issue.

“This event coincides with the presentation of the Lubicon case to the United Nations Human Rights Committee (UNHRC) in [Geneva] Switzerland ...

“Let us show our support for the Lubicon and give them hope! ... The Lubicon are tired of oil or gas pipelines and wells polluting their territory. Let us give them a ‘Pipeline of Hope’! ...

“Add to the pipeline with your own fabric petition signed by your group members, or simply add your name to the existing pipeline! We're trying to get as many people to come to the event, including other schools, faith groups, politicians, and the media.

“Together, we can make our voices count!”

Trusting that this demonstration is something that you would approve of, I let Peter and Audrey, and their school’s Amnesty International student group, know that we would contribute \$2,000 to help them pay for the bus and for other logistical costs. We want to make sure that as many students as possible can help the Lubicon.

The help the students of Cardinal Newman Catholic High School are giving the Lubicon reminded me of another promise that Prime Minister Martin made to aboriginal people.

You’ve probably heard the Prime Minister say how important it is for him to increase the opportunities for and the standard of living of aboriginal youth.

In fact, promises to aboriginal youth are part of the Liberals’ “five core policy areas,” according to the Prime Minister when he spoke at Toronto’s very exclusive Empire and Canadian Clubs on April 16, 2004.

However, the Prime Minister and his Indian Affairs Minister refuse to negotiate a land settlement with the Lubicon's leaders and elders. Yet only the very land settlement they are denying the Lubicon can offer the Lubicon youth any hope of the Prime Minister's promised future of increased opportunities and standard of living.

Please, use the Action Card addressed to the Prime Minister to ask him if the Lubicon's children are included in his definition of "aboriginal youth," or does he plan to inflict the same lies on the Lubicon young as he is inflicting on the Lubicon elders.

Ask the Prime Minister, if he intends to continue to doom Lubicon youth to the risks of suicide, substance abuse, destitution and despair that plague so many aboriginal youth – and that have touched so many Lubicon families.

If the Prime Minister's commitment to aboriginal youth is real, unlike his "commitment" to the Lubicon nation, perhaps by directly confronting him with the harm he is doing to the Lubicon's most vulnerable people and the Lubicon's future, his heart would soften and he would begin negotiating with the Lubicon.

Lastly, please help us support the Lubicon's appeal to the United Nations Human Rights Committee.

In March 1990, following six years of study and deliberation, an eighteen country United Nations Human Rights Committee ruled,

"Historical inequities and certain more recent developments threaten the way of life and culture of the Lubicon Lake Band, and constitute a violation of article 27 (of the International Covenant on Civil and Political Rights) so long as they continue. "

In response, Canada promised "to rectify the situation by a remedy that the Committee deems appropriate within the meaning of article 2 of the Covenant," i.e. a negotiated settlement.

A decade later, at a human rights conference in Toronto, Martin Scheinin, a member of the United Nations Human Rights Committee said the committee was still waiting for the promised settlement. Today – further five years on – not only has the Government of Canada still not kept its promise to the UN, but also it has increased its complicity in the "theft" of billions of dollars worth of oil and gas resources from Lubicon territory, while forcing the Lubicon people to live in debilitating poverty.

Paul Martin's government is stealing from people who don't even have running water in their homes.

This month, the United Nations Human Rights Committee will once again consider the Lubicon issue and the failure of Canada to keep its promise to them.

A Lubicon delegation headed by Alphonse Ominayak, a Member of the Governing Council, will make the Lubicon's case in Geneva.

We can help.

Use your third Action Card addressed to the Hon. Irwin Cotler, Minister of Justice, to demand that Canada – and he personally – cease their “Crimes Against the Lubicon” and honour their commitments to the UN and the Lubicon.

Tell Mr. Cotler that it's easy to criticize human rights abuses in other countries, but that it takes courage to fight for a people's human rights in your own. Ask him to find that courage, and fight for the Lubicon's human rights here in Canada where it matters.

Let me conclude by thanking you for the support you've always given the Lubicon.

The fact is the Lubicon will only prevail if people like you and me help them. They can't do it on their own. They simply do not have the resources to confront the federal and Alberta governments alone.

Thank you for considering the Lubicon's pleas for help, once again. For the Lubicon, we must persevere.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. Kaplansky', with a large, stylized flourish at the end.

Ron Kaplansky,
Trustee

P.S. At this time of year, our thoughts begin to turn to those whom we love most and those who need our help. As the Holiday Season approaches, please find a place in your thoughts and in your giving for the Lubicon. Thank you.