
To the Honourable
Stephen Harper
Prime Minister of Canada
House of Commons
Ottawa, ONT K1A 0A6
Canada

_____, 2008

Dear Sir,

Taking into account that your minority government has been confirmed in office by the election on 14th October, it is now time to fulfill your obligations of the past legislature towards the rights of the Aboriginal Peoples in Canada.

Therefore, we appeal to you, that you finally adopt the United Nations Declaration of the Rights of Indigenous Peoples.

Although Canada has always expressed its strong commitment to human rights and has been part of the process of the United Nations to establish the rights of Indigenous Peoples, your government has opposed the minimal standards for the protection of those rights.

This year we celebrate the first anniversary of the *United Nations Declaration of the Rights of Indigenous Peoples*, which was adopted by the General Assembly with a majority vote of 143 states on 13th September 2007. By your opposition to the Declaration your government has isolated itself within the international community. Along with the United States of America, New Zealand and Australia your government wasted the chance to set a strong sign for justice, but disappointed the hopes for a better future.

On 11th June, 2008, you apologized to the Aboriginal Peoples for the grievances and injustices, that they had suffered by the inhumane system of residential schools. But neither the international community nor the Aboriginal Peoples can take this apology seriously, if you are not willing to recognize their inherent rights that have been affirmed by the Declaration as well as many court decisions within Canada. Your apology is a mere lip service, if you deny Aboriginal Peoples their fundamental human rights as confirmed by the Declaration.

In April 2008 even the Canadian House of Commons passed a resolution in strong support of the Declaration by a majority vote. Furthermore, this May more than a hundred Canadian legal scholars, lawyers and human rights experts sent you an open letter and appealed to your government to follow the example of the General Assembly and to adopt the Declaration. As experts in international law they pointed out, that the Declaration constitutes a basic

framework for the advancement of justice and reconciliation, a term you claimed yourself as a policy towards Aboriginal Peoples. In their letter the experts and scholars clearly argued that the restriction by your government lacks any legal justification as the Declaration is in clear compliance with the Canadian Constitution.

Your position that the Declaration doesn't apply to Canada, because your government has voted against it, is simply wrong. It is the very core of international law that it applies internationally, as the term clarifies, whether you agree or not. This also refers to the decision of the OAS (Organization of American States) to develop a legal framework based on the UN-Declaration, which your government also opposed in a statement in April.

Even former Canadian Justice Louise Arbour, at that time High Commissioner on Human Rights, expressed her deep disappointment of Canada's decision to reject the adoption of the Declaration, especially in consideration that Canada is a member of the Human Rights Council, that had strongly supported the Declaration in its very first session.

The Human Rights Council will discuss the human rights record of Canada in February 2009, when Canada will be on the agenda of the *Universal Periodic Review*. The ongoing violation of Aboriginal Rights in Canada will not be ignored by the international community.

Canada has a lot of unresolved conflicts that are directly linked to the violation of fundamental Aboriginal rights, such as the right to land and resources. You must be very well aware that these ongoing conflicts whether in Ontario or British Columbia, in Alberta or Quebec will not be resolved as long as Aboriginal Peoples will be deprived of their rights.

Canada has made a lot of promises to Aboriginal Peoples, but we are still waiting for results. Apologies, promises and lip services are not enough. Referring to the **United Nation International Day Against Violence Against Women on 25th November** we ask you, what you have done to improve the situation of Aboriginal Women in Canada? In October 2004 Amnesty International published its report "Stolen Sisters", which presented evidence that in the last 20 years about 500 Aboriginal women have disappeared or even been murdered. This is not only a human tragedy, but clearly linked to systematic discrimination of indigenous women, which also your governmental policy can be hold accountable for. How can one expect people to respect indigenous rights, if the government itself is not respecting these rights. After the publication of the report your government promised inquiries, prosecution and improvement. But nothing has changed since that. The situation of indigenous women whether on or off reserve is still deplorable. You have to fulfill your obligations to the Aboriginal Peoples in Canada, and their foremost right is the right to live.

We expect a clear answer, how your government will finally respect, recognize and protect the Rights of Indigenous Peoples in Canada. We will not accept, that you simply hand down this letter to the Minister of Aboriginal Affairs, but we want to see results, that can only be of a truly reconciling character, if developed with a strong and equal participation of the Aboriginal Peoples themselves.

Yours