

File No. Dossier 45-13-1-3-LUBICON LAKE BAND
Volume 7 From-De 87-07-01 To-À 87-10-15
VOLS ACCESSION NO. 54046

CLASSIFIED

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54046

45-CDA-13-1-3-LUBICON LAKE
Vol 7

TITLE—TITRE:

SOCIAL AFFAIRS

HUMAN RIGHTS

POLICY AND PLANS

CANADA

COMPLAINTS TO UNITED NATIONS ABOUT VIOLATIONS
IN CANADA

LUBICON LAKE BAND

AFFAIRES SOCIALES

DROITS DE L'HOMME

PRINCIPES ET PROJETS

CANADA

PLAINTES AUX NATIONS UNIES AU SUJET DES
VIOLATIONS AU CANADA

LUBICON LAKE BAND

Retention period-Période de retention:

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DEPARTMENT
OF
EXTERNAL AFFAIRS

MINISTÈRE
DES
AFFAIRES EXTÉRIEURES

N.A.R.C.

FRC: 2007

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Gouvernement
du Canada

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TO
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87-10-15

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FILE NO. - DOSSIER N°

45-13-LUBICON LAKE BAND

VOLUME

8

TO/A See list attached

FROM/DE • Under-Secretary of State for External Affairs (IMH), OTTAWA

REFERENCE •
RÉFÉRENCE

SUBJECT • Lubicon Lake Band Information Kits
SUJET

Security/Sécurité UNCLASSIFIED
Accession/Référence
File/Dossier 45-CDN-13-1-3- Lubicon
Date October 15, 1987
Number/Numéro IMH-1331

ENCLOSURES
ANNEXES

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Attached, for the use of selected posts, is the kit which we promised in our telegram 1174 of 04 September. The kits contain a new information sheet on the Lubicon Lake Band's grievances, which cover the grievances in what we consider to be as comprehensive a fashion as is possible at the present time.

2. Two things should be noted about this kit. First, our materials are much broader than the information sheet provided last year. The campaign conducted by the Lubicon Lake Band and their non-native advisers has escalated in the past months, and we obviously require now a much lengthier and more comprehensive information sheet than we did in 1986. Second, the tone of our materials is firmer and less apologetic than in the past, in part because of a change in overall Governmental strategy (see the Rawson speech, to which we refer below), in part because of the nature of the accusations made by the Band and various support groups. We have based many of our rebuttal statements on information materials produced by the Band itself, which contain highly misleading and inaccurate information, especially on the current living conditions of the Band.

3. We consider it especially important to continue to convey to European audiences key facts about the Band. First, we are in no way denying that they have legitimate grievances. Far from it. The basic issue is how to settle their outstanding claims. Second, the Band itself consists of only some four hundred individuals, and this case is hardly typical in any way of other native issues in Canada. Third, the exploration activities of oil and gas companies in the area of Lubicon Lake have been suspended pending the conclusion of negotiations over the land claim. The Band is therefore in no immediate danger of "cultural genocide".

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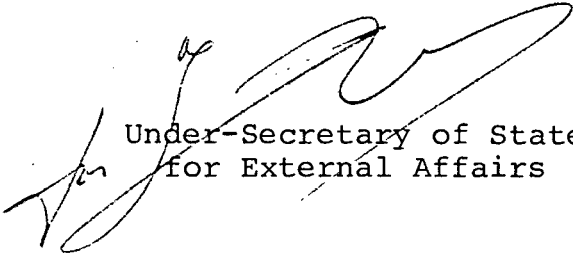
- 2 -

4. The information kits contain the following:

1. an expanded information sheet on the Lubicon Lake Band's land claim, with a first-page summary.
2. a copy of the Ombudsman's report on the Lubicon Lake Band's complaints (to which reference is made in the information sheet).
3. a summary of press articles prepared by the Glenbow Museum, containing materials favourable to the Glenbow.
4. a summary of points made in response to a letter circulated by a European support group backing the Lubicon Lake Band boycott campaign.
5. a speech by Mr. Bruce Rawson, formerly Deputy Minister, Department of Indian Affairs and Northern Development, in which he outlines a number of general concerns regarding Canadian aboriginal issues for an audience which is largely uninitiated into the complexities of native issues.
6. a map of the three prairie provinces, indicating reserve lands for Canadian aboriginal groups. Lubicon Lake is on the map, as is little Buffalo Lake, also a part of the land claim area.

5. Posts are advised to distribute the information sheet on the Lubicon Lake Band, the summary of press articles and the speech by Mr. Rawson as a more or less coherent package. The other three items, particularly the summary of points made in response to a letter by a European support group, should be used only on a responsive basis. The map is best reserved for experts or for those who require a clear indication that Lubicon Lake is nowhere close to the Olympic Games site.

6. We would be grateful for reactions on the usefulness and content of this material. Under separate cover, BFE will eventually be distributing to posts some general information material on Canada's aboriginal peoples, prepared in conjunction with DIAND.


Under-Secretary of State
for External Affairs

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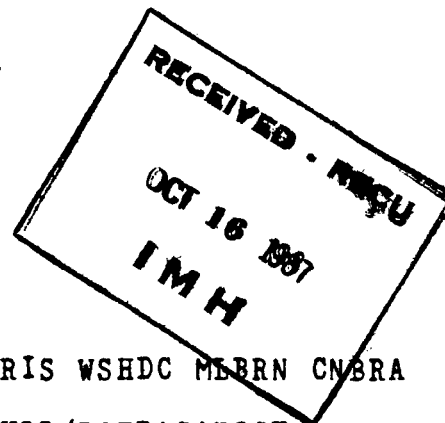
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P R O T E G E E

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---LUBICON LAKE BAND DEMONSTRATION

BERNE N A ETE LE THEATRE D AUCUNE/D AUCUNE MANIFESTATION EN
RAPPORT ABVEC LE SUJET EN TITRE.NOS LIGNE TELEPHONIQUES N ONT
MEME PAS ETE OCCUPEES.VOUS VOUS SOUVIENDREZ PEUT-ETRE,EN EFFET,QUE
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TELEPHONIQUES LA JOURNEE DU 12OCT QUI,DE TOUTE FACON,ETAIT CONGE
POUR L AMB DU CDA A BERNE...

CCC/205 141525Z ZNGR0719

C-7 45-00A-13-1-3- Lubicon
CK Baw



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Accession/Référence

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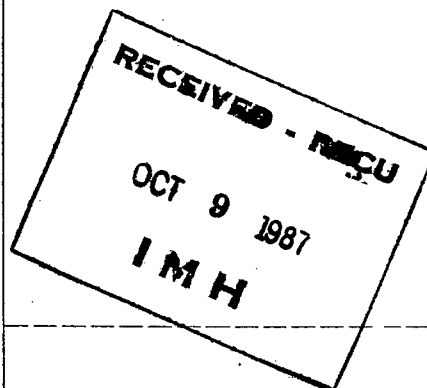
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---120CT DEMONSTRATIONS

SUBJ/SUJ

MINA HAS BEEN APPROACHED BY OFFICIALS OF SHELL CDA WITH REQUEST THAT EMBASSY ENSURE CLOSEST POSSIBLE COLLABORATION WITH SHELL AUSTRIA IN LIGHT OF COMMON INTEREST IN 120CT DEMONSTRATIONS, ESPECIALLY LUBICON LAKE BAND AND OLYMPIC BOYCOTT. GRATEFUL YOU CONTACT PUBLIC AFFAIRS MANAGER OF SHELL AUSTRIA, MR. KARL WALTER, TO COORDINATE ANY COMMON ACTIVITIES THAT MAY BE NECESSARY. SHELL CDA IS THE MAJOR AND SOLE CORPORATE SPONSOR OF GLENBOW EXHIBITION.



DRAFTER/RÉDACTEUR

DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

D. LIVERMORE/jrc

IMH

995 6960

SIG

DAN LIVERMORE

001458

External Affairs Canada
Affaires extérieures Canada

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---LUBICON LAKE:CDN SUBMISSION APPENDICES

SUBJ/SUJ

HAVE MADE SLIGHT CHANGE IN NUMBERING OF APPENDICES TO CDN
SUBMISSION ON LUBICON CASE.GRATEFUL YOU CHANGE APPENDIX D TO E AND
E TO ~~D~~ ^{REPEAT} TO E AND E TO D.ALSO,ON FIFTH PAGE OF NEW APPENDIX E
(FORMER APP.D),GRATEFUL YOU QUOTE WHITE OUT UNQUOTE ALL WRITING
BELOW WORDS QUOTE CC MR.JOHN PARRY UNQUOTE
2.CDN SUBMISSION ITSELF TO FOLLOW SHORTLY BY FAX.

ACC	DATE
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45-CDA-13-1-3-LUBICON LAKE BAND	

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DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

SIG J. HOLMES/7tk

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H. STRAUSS

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ACC	DATE
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45-CON-13-1-3-	
Lubicon Lk Band	

---LUBICON LAKE INDIAN BAND:13OCT DEMONSTRATION AND PETITION

SMALL GROUP OF PROTESTERS ASSEMBLED AT EMBASSY TODAY EQUIPPED WITH BANNER, INDIAN DRUMS AND RATTLES. THREE REPRESENTATIVES OF GROUP WERE RECEIVED BY COUNSELLOR (PUBLIC AFFAIRS): FRANK KRESSING OF QUOTE GESELLSCHAFT FUER BEDROHTE VOELKER UNQUOTE (SOCIETY FOR ENDANGERED PEOPLES), JOCHEN BRAUER (GREEN PARTY M.P.) AND HIS ASSISTANT, RUDI SPITZAUER.

2. KRESSING GAVE OVERVIEW OF LUBICON HISTORY FROM HIS ASSOCIATION VIEWPOINT AND TURNED OVER LETTER ADDRESSED TO AMBASSADOR AND PETITION WITH THE REQUEST THAT THE PETITION BE FORWARDED TO P.M. MULRONEY, MIN MCKNIGHT AND MIN HORSEMAN.

3. LETTER TO AMB DESCRIBES PLIGHT OF LUBICON FOLLOWING OIL DEVELOPMENT, DISCRIMINATION OF GROUP BY GOVT DIVISION INTO STATUS AND NON-STATUS INDIANS, DEGENERATING HEALTH OF GROUP (TUBERCULOSIS), AND

...2

PAGE TWO ZQFC2845 UNCLAS

SOLIDARITY OF GREEN PARTY WITH LUBICON AND THEIR SUPPORTERS IN WORLD COUNCIL OF CHURCHES, INDIAN ASSOCIATION OF ALTA, AND CDN TRADE UNION 3. GREEN M.P. STATES INTENTION TO ADDRESS INFORMATION ON LUBICONS TO ALL ACTIVE OLYMPIC PARTICIPANTS, THEIR ASSOCIATIONS AND SPORTS MEDIA TO PROMOTE A BOYCOTT OF THE OLYMPICS.

4. TRANSLATION OF LETTER IN PROGRESS. WLD ASK YOU TO FORWARD MATERIAL TO P.M. AND MINS UPON ARRIVAL BY BAG.

5. IN VIEW OF MAYOR KLEIN S VISIT TO HAMBURG 08-09 NOV, WE HOPE TO HAVE YOUR LATEST INFO PACKAGE ON HAND, JUST FOR CONTINGENCY ALTHOUGH WE HOPE MAYOR WILL NOT/NOT HAVE TO ADDRESS THIS ISSUE.

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---HUMAN RIGHTS COMMITTEE:CDN SUBMISSION ON LUBICON LAKE AND MIKMAQ TRIBAL SOCIETY

ATTACHED YOU WILL FIND COPIES OF SEPARATE CDN SUBMISSIONS ON LUBICON LAKE (CHIEF OMINAYAK) AND MIKMAQ TRIBAL SOCIETY. AS YOU KNOW, LUBICON SUBMISSION RELATES TO CDN REQUEST FOR RECONSIDERATION OF HUMAN RIGHTS COMMITTEE'S EARLIER DECISION ON ADMISSIBILITY OF COMMUNICATION, WHILE MIKMAQ SUBMISSION REPRESENTS FURTHER CDN VIEWS ON QUESTION OF ADMISSIBILITY. GRATEFUL YOU RETYPE AND FORWARD TO HUMAN RIGHTS CENTRE ASAP.

2.COMCENTRE PLEASE FAX FOLLOWING 47 PAGES.

ACC	REF	DATE
540797		
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45-CDA-13-73-LUBICON LAKE		
45-CDA-13-1-3-DENNY, A		

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DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

Paul F. Guter
S. HOLMES/tk

JLO

996-5407

P. Kirsch
SIG P. KIRSCH

001462

**RESPONSE OF THE GOVERNMENT OF CANADA TO THE
COMMUNICATIONS DATED MARCH 10, 1987 AND MAY
18, 1987 OF THE MIKMAQ TRIBAL SOCIETY**

October 7, 1987

- 2 -

I INTRODUCTION

The Secretary-General of the United Nations in his note no. G/SO 215/51 CANA (42) 205/1986, dated May 29, 1987, transmitted to the Government of Canada the further submissions of the complainant dated March 10, 1987 and May 18, 1987. The Government of Canada then received the further decision under rule 91 of the Human Rights Committee, dated July 20, 1987, requesting a copy of the text of the judgment of the Supreme Court of Ontario in Prairie Treaty Nations Alliance v. The Queen. Subsequently, the Secretary-General, by a note dated August 12, 1987, transmitted to the Government of Canada a third submission from the communicant dated August 10, 1987. In reply, the Government of Canada submits the following observations.

II RIGHT OF SELF-DETERMINATION IN INTERNATIONAL LAW

The communicant asserts at page 1 of the communication dated March 10, 1987, that in alleging a violation of Article 1 of the Covenant, it is not seeking to disrupt the national unity of Canada, but rather seeks indigenous self-government within Canada. The Government of Canada submits that if the communicant is not, in fact, seeking to disrupt the national unity of Canada, it has improperly relied on the concept of self-determination, as that concept is understood in international law. Self-determination cannot mean that

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smaller groups within a democratic and independent state have the right to unilaterally establish a separate political system. This view is evidenced by the practice of the United Nations which has invariably applied the principle of self-determination to dependent or colonial territories. It has never been applied, nor should it be applied, in the context suggested by the communicant. In this regard, the Government of Canada refers the Committee to pages 3-4 of its earlier submission, dated February 9, 1987.

III MEANING OF THE WORD "PEOPLES" IN ARTICLE 1 OF THE COVENANT

The communicant claims at page 2 of its submission, that the Mikmaq are a "people", and as evidence of this, refers to Canada's statement at the Sessional Working Group on Economic, Social and Cultural Rights of ECOSOC. It is the position of the Government of Canada that the word "peoples" is used in a variety of contexts and a distinction must be drawn between the legal definition and common usage of the word.

In the present circumstances, the word "peoples" as it is

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used in Article 1, must be specifically examined in the context of that Article. Reference to the use of the word in a different context, unrelated to Article 1 of the Covenant, is not helpful. For example, as the Government of Canada noted at pages 6-7 of its earlier submission, the term "peoples" is used domestically in the Constitution Act, 1982, to refer to the three principal divisions of aboriginal persons in Canada.

IV INDIVIDUAL'S STANDING TO INVOKE ARTICLE 1

The communicant states at page 3 of its communication that the Committee has already implicitly decided that individuals can claim a violation of Article 1. The communicant bases its claim on the fact that, in case no. 19/78, the Committee found that Alexander Denny had failed to demonstrate that he represented the Mikmaq Grand Council or the Mikmaq community as a whole. The Government of Canada submits that the issue of whether an individual who alleges to represent a group, does in fact represent that group, is different from the issue of whether an individual can allege a violation of a collective right. The Committee, in case no. 19/78, decided that Alexander Denny

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had not proved his representative character; therefore, it did not need to address the issue of whether Article 1 could be invoked by an individual. There is no basis for assuming, by implication, that the second question was resolved.

Moreover, this matter was addressed by the Human Rights Committee in communication no. 167/1984. The Committee stated that the author (whose communication was also based on self-determination), "...as an individual, [could not] claim under the Optional Protocol to be a victim of a violation of the right of self-determination enshrined in Article 1 of the Covenant, which deals with rights conferred upon peoples, as such". The Government of Canada therefore submits that the Committee's jurisdiction, as defined by the Optional Protocol, cannot be invoked by an individual when the alleged violation concerns a collective right.

V THE CONSTITUTIONAL CONFERENCE

As is indicated in the communicant's submission dated May 18, 1987, no agreement was reached at the constitutional conference of March 26-27, 1987. The proposal made by the federal government at that conference was for a

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constitutional amendment for recognition of a right to self-government, subject to the negotiation of specific agreements. This would have established a constitutional framework as characterized in the communicant's submission, but would not have been effective until negotiations were completed between governments and aboriginal communities. Direct negotiations between governments and aboriginal communities to reach agreement on the nature of the community self-government proposals would have occurred outside the forum of a constitutional conference.

It should be noted that the conference of March 1987 was the final conference mandated by section 37.1 of the Constitution Act, 1982. Therefore, the relief sought by the communicant for a seat at the constitutional conference is now moot. Moreover, the Government of Canada wishes to reassert its position, stated at pages 13 to 16 of its earlier submission, that the constitutional conferences did not relate to the right of self-determination. Rather, they represented an internal political process dealing with a right of self-government within the Canadian federation. Participation in such discussions had no direct connection with the right of self-determination alleged by the Mikmaq tribal society.

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The communicant also alleges at page 6 of the submission dated March 10, 1987, that the constitutional accord process, as presently constituted, violates Article 25 of the Covenant. The communicant has not however put forward any evidence to explain or support this allegation. Accordingly, the Government of Canada submits that the communication in this regard should be declared inadmissible as being an abuse of the right of submission, pursuant to Article 3 of the Optional Protocol.

VI THE COMMUNICANT IS NOT A VICTIM

The Government of Canada submits that even if, contrary to the views of Canada, an individual can claim a violation of Article 1 and the constitutional conference can be said to relate to the right of self-determination, the communicant is not a victim of an alleged violation of any of the rights set forth in the Covenant.

In Article 1 of the Optional Protocol, State Parties recognize "the competence of the committee to receive and consider communications from individuals...who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant". (emphasis added)

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Similarly, Rule 90(1)(b) of the Rules of Procedure of the Human Rights Committee states that, "[w]ith a view to reaching a decision on the admissibility of a communication, the Committee shall ascertain that the individual claims to be a victim of a violation by that State Party of any of the rights set forth in the Covenant". (emphasis added).

In its submission of March 10, 1987, the communicant asked "[t]hat no accord or constitutional amendment reached as a result of the constitutional conference apply to the Mikmaq tribal society until the Human Rights Committee rules on the right of the communicant to participate in the conference". Subsequently, in its submission of May 18, 1987, the communicant notes that no agreement was reached at the constitutional conference and appears to request that the Committee make a declaration that any legislation passed by the Government of Canada affecting the political status of the Mikmaq tribal society be preceded by direct negotiations between the communicant and Canada.

The Government of Canada submits that the communicant is, in effect, asking the Committee to make a declaration on the possible implications and administration of future, but presently non-existent, legal provisions. It is submitted

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that the notion of victim under the Optional Protocol requires that the individual complainant be personally affected. The system set up under the Protocol does not grant an actio popularis, nor does it permit the Committee to rule on abstract possibilities.¹

The comments of the Human Rights Committee in communication no. 163/1984, C. v. Italy are relevant in this regard. In that case, a law concerning the right to work of disabled and handicapped persons was challenged, in part, by persons who were themselves handicapped or disabled, but who had not personally been affected by the law. In declaring the communication inadmissible, the Committee stated:

The author of a communication must himself claim, in a substantiated manner, to be the victim of a violation by the State party concerned. It is not the task of the Human Rights Committee, acting under the Optional Protocol, to review in abstracto national legislation as to its compliance with obligations imposed by the Covenant. It is true that, in some circumstances, a domestic law may by its mere existence directly violate the rights of individuals under the Covenant. In the present case, however, the authors of the communication have not demonstrated that they are themselves actually and personally affected by article 9 of law No. 638 of 11 November 1983. Consequently, the Committee is unable, in accordance with the terms of the Optional Protocol, to consider their complaints.

1. deZayas, A., Moller, J. and Opsahl, T., Application by the Human Rights Committee of the International Covenant on Civil & Political Rights Under the Optional Protocol (1987) Canadian Human Rights Yearbook 101.

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In the communication of Aumeeruddy-Cziffra v. Mauritius, case no. 35/1978, at issue was whether an immigration law which treated alien men married to Mauritian women differently from alien women married to Mauritian men, violated the Covenant. Of the twenty women who co-authored the communication, only three were married. In dealing with the standing of the seventeen unmarried co-authors, the Committee stated that:

A person can only claim to be a victim in the sense of article 1 of the Optional Protocol if he or she is actually affected. It is a matter of degree how concretely this requirement should be taken. However, no individual can in the abstract, by way of an actio popularis, challenge a law or practice claimed to be contrary to the Covenant. If the law or practice has not already been concretely applied to the detriment of that individual, it must in any event be applicable in such a way that the alleged victim's risk of being affected is more than a theoretical possibility. (emphasis added)

Similarly, in communication no. 61/1979, Herzberg v. Finland, the Committee stressed:

that it has only been entrusted with the mandate of examining whether an individual has suffered an actual violation of his rights. It cannot review in the abstract whether national legislation contravenes the Covenant, although such legislation may, in particular circumstances, produce adverse effects which directly affect the individual, making him thus a victim in the sense contemplated by articles 1 and 2 of the Optional Protocol.

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In the present circumstances, not only has the Mikmaq tribal society failed to show that it has suffered an actual violation of any rights set forth in the Covenant, it is unable to even point to an existing law or provision of which it could claim to be a victim.

The issue of whether the Mikmaq tribal society had a right to participate in the constitutional conferences is now moot. The Government of Canada submits that the Committee should not make a declaration concerning the participation of the Mikmaq tribal society in future processes, because at this point in time, any implications for the communicant would be no more than a theoretical possibility.

Accordingly, the Government of Canada submits that the communication is incompatible ratione personae with Article 1 of the Covenant and should be deemed inadmissible pursuant to Article 3 of the Optional Protocol.

VII EXHAUSTION OF DOMESTIC REMEDIES

The issue in dispute, according to the communicant's own submission dated August 10, 1987 is "whether a Canadian could have directed the Prime Minister of Canada to invite representatives of the Mikmaq people to participate in the

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discussions of 'aboriginal rights' provided in section 37 of the Constitution Act, 1982." In its earlier submission, the Government of Canada indicated that the Band had not pursued to completion domestic remedies available to it. Specifically, the Government of Canada stated at page 19 that: "It is open to the Mikmaq tribal society to bring an application to a Canadian court for an order requiring the Prime Minister to invite the Mikmaq tribal society to participate in the constitutional discussions, or alternatively, for a declaration of their right to participate". The domestic remedy which was at issue in the communicant's initial submission did not in any way relate to trying to "block a constitutional amendment", as is suggested at page 7 of the communicant's submission dated March 10, 1987. Rather, it related to obtaining a seat at the constitutional conference, an issue which is now moot. It is this latter remedy which was the sole focus of Canada's comments in regard to exhaustion of domestic remedies; "blocking a constitutional amendment" was never in issue.

The communicant also states at page 6 of its submission, that a Canadian court has already ruled under virtually

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identical circumstances that no remedy exists, and the communicant therefore claims that the Mikmaq tribal society does not need to exhaust all available domestic remedies, pursuant to Article 5(2)(b) of the Optional Protocol.

Reference is made to a case involving the Prairie Treaty Nations Alliance, a case which never went beyond the first level of court. As the Government of Canada indicated at page 19 of its earlier submission, the Prairie Treaty Nations Alliance sought a mandatory order in the Supreme Court of Ontario that they be invited by the Prime Minister to the constitutional conference. The judge dismissed the application.

In Canada, each province has a superior court of first instance (e.g., the Supreme Court of Ontario), from which decisions may be appealed to the appellate court of the province. Provincial appeal court decisions may be appealed, with leave, to the Supreme Court of Canada; the latter is the highest court in the land. The plaintiffs in the Prairie Treaty Nations Alliance case had the right to appeal to the Ontario Court of Appeal and from there, upon obtaining leave, to the Supreme Court of Canada. The plaintiffs chose, however, not to appeal the judgment. Pursuant to the

- 14 -

Committee's request, a copy of the provincial court decision in the Prairie Treaty Nations Alliance case is attached.

In its submission of August 10, 1987, the communicant claims that "a decision entrusted to a Minister by Parliament can be reviewed by the courts only to the extent that, in exercising his discretion, the Minister disregards explicit Parliamentary instructions. The reasonableness or fairness of his decision, or his policy in making it, is not reviewable." The Government of Canada submits that, based on recent jurisprudence, this issue is far from settled. In Operation Dismantle v. The Queen the Supreme Court of Canada considered whether a decision made by the federal government to allow the United States to test cruise missiles in Canada violated the right to life, liberty and security of the person in section 7 of the Charter. The action was dismissed, but in the course of its decision, the Court held that decisions of Cabinet are reviewable by the courts under the Charter and subject to judicial scrutiny for compatibility with the Constitution.

The Government of Canada submits that, for the purposes of

- 15 -

exhausting domestic remedies, the communicant had the responsibility to institute and pursue proceedings seeking a seat at the constitutional conference in the courts and, if necessary, appeal the proceedings to the highest court of the land. The timing of the first aboriginal conference (i.e. March 15 and 16, 1983) has been known since the adoption of the Constitution Act, 1982 on April 17, 1982. The timing of the constitutional conferences in 1984 and in 1987 (i.e. March 8 and 9, 1984, and March 26 and 27, 1987 respectively) has been known since the adoption of the Constitutional Amendment Proclamation, 1983, in March 1983. The Government of Canada submits that the obligation to take appropriate legal proceedings in the domestic courts implies a responsibility to seek domestic remedies in a timely fashion.

It cannot, in light of these circumstances, be said that a decision of a provincial superior court of first instance (i.e. the Supreme Court of Ontario), is a definitive determination of a legal question. It is only the Supreme Court of Canada which can finally determine a matter, and it has never addressed the issue of whether any particular Indian band has a right to a seat at a constitutional conference.

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VIII NON-CONSTITUTIONAL PROCESSES

As noted in Canada's response of February 9, 1987 (pages 16-18, page 20, appendices), the Canadian government has in place a number of non-constitutional processes to assist aboriginal groups to attain self-government, in addition to their rights as citizens of Canada to participate in public affairs. There are 14,072 Mikmaqs registered under the Indian Act and approximately 38,475 acres of land have been set aside by the Crown for their use and benefit throughout the Atlantic region and Quebec. The Act provides a measure of local government to the Mikmaq residents of these reserves, and the government of Canada is committed to increasing the role of Indians under the Act in the governing of their own affairs and the reserves. It should also be noted that the government is making serious and concerted efforts to assist Indian groups who wish self-government outside of the Indian Act. More details on these measures can be found in the appendices to Canada's earlier response. In this context, an agreement was recently signed on behalf of the Minister of Indian Affairs and Northern Development and the Union of Nova Scotia Indians relating to the development of Mikmaq government.

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IX MISCELLANEOUS

The communicant alleges that the federal government's assertion that domestic remedies had not been exhausted, was made with the sole intent of delaying any action by the Committee until after the last constitutional conference. The Government of Canada rejects this allegation. Moreover, it should be re-emphasized that the communicant was aware of the timing of the constitutional conferences since March 1983. Nevertheless, the communicant chose to bypass domestic courts and to initiate procedures under the Optional Protocol in August 1986, only eight months before the date of the final constitutional conference.

The communicant also states in the submission dated August 10, 1987, that a letter sent by the communicant to the Minister of Indian Affairs and Northern Development had not been answered. Attached to this submission is a copy of a letter dated August 10, 1987, sent from the Minister to the communicant's counsel. In that letter, the Minister indicates his willingness to meet with Mikmaq representatives and attempt to resolve outstanding matters.

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X CONCLUSION

For the reasons given above, the Government of Canada submits that the present communication should be deemed inadmissible by the Committee. However, if the Committee should reach a contrary conclusion on any of the above submissions, the Government of Canada reserves the right to make further comments at a later date.

October 7, 1987

**RESPONSE OF THE GOVERNMENT OF CANADA TO THE DECISION
OF THE UN HUMAN RIGHTS COMMITTEE ON ADMISSIBILITY
OF THE COMMUNICATION OF CHIEF BERNARD OMINAYAK AND
THE LUBICON LAKE BAND**

I. INTRODUCTION

The Secretary-General of the United Nations, in his note no. G/SO 215/57 CANA (38) 167/1984, dated August 6, 1987, transmitted to Canada the decision of the Human Rights Committee on the admissibility of communication no. 167/1984, submitted by Chief Ominayak and the Lubicon Lake Band. In its decision, the Human Rights Committee declared the communication admissible, insofar as it may raise issues under article 27 or other articles of the Covenant. By note no. 130 dated August 24, 1987, the Government of Canada advised the Center for Human Rights that, pursuant to Rule 93(4) of the Provisional Rules of Procedure for the Consideration of Communications Received Under the Optional Protocol, Canada would be requesting the Committee to review its decision on admissibility of communication no. 167/1984, in light of further explanations and statements.

Three main issues will be addressed in this document.

Firstly, it is submitted that the basis on which the Human Rights Committee reached its decision on admissibility is not sufficiently indicated to permit Canada to prepare a

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response. Secondly, it is the Government of Canada's view that an interim injunction is not the only "effective" remedy available to the Band; thus, the Band is obliged, pursuant to article 5(2)(b) of the Optional Protocol to pursue to completion its court proceedings and the negotiations process. Finally, the Government of Canada will address the socio-economic conditions of the Band.

II. GROUND OF ADMISSIBILITY

The decision of the Human Rights Committee states, at paragraph 14.5, that "the communication is admissible, in so far as it may raise issues under article 27 or other articles of the Covenant". The Government of Canada respectfully submits that this conclusion does not adequately provide Canada with an opportunity to prepare a proper submission in response to such issues.

In the present circumstances, the communicant alleged a violation of article 1 of the Covenant, and the evidence it presented was in the context of that article. The Committee did not find the communications admissible, in the context of Article 1. It did, however, admit the communication under article 27 or other articles. The Committee did not indicate the basis for such a conclusion, nor did it identify the facts or evidence submitted by the Band that might substantiate a violation of articles of the Covenant

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other than article 1. The Government of Canada does not know, for example, if all, a particular part, or none of the evidence presented by the communicant in the context of article 1 is being relied upon by the Committee for its conclusion. In effect, the Government of Canada is being forced to anticipate the communicant's case and to respond thereto.

Moreover, by declaring the communication admissible under article 27 or other articles of the Covenant (emphasis added), Canada might be required to address the communicant's case under almost every article of the Covenant. It is submitted that this cannot realistically or reasonably be expected of a party to a communication.

The Government of Canada maintains its position that the communication is inadmissible for the reasons outlined below and in previous submissions. If, however, the Committee concludes that the communication is still admissible, the Government of Canada requests the Committee to clarify its decision by indicating the specific article or articles of the Covenant that are in issue, the nature of the possible breach, and the information or evidence relied upon by the communicant in relation to the alleged breach.

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III. EXHAUSTION OF DOMESTIC REMEDIES

1. "Effective" domestic remedies have not been exhausted

The Government of Canada submits that effective domestic remedies have not been exhausted by the Band, as required by Article 5(2)(b) of the Optional Protocol (emphasis added). As noted by the Committee in its decision on admissibility, it is well recognized that exhaustion of domestic remedies can be required only to the extent that these remedies are effective and available. In the present circumstances, the Committee concluded that "there are no effective remedies still available to the Lubicon Band and ... that the communication is not inadmissible under Article 5(2)(b) of the Optional Protocol".

The Committee concluded that without some intervention by the Human Rights Committee, the Band's rights under the International Covenant on Civil and Political Rights could not be preserved by pursuing Canadian legal proceedings to their conclusion. In substance, this conclusion means that, based on the factual circumstances as perceived by the Committee, an interim injunction is the only effective remedy available to address the alleged breach of the Band's rights. The Government of Canada submits that the factual

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circumstances of this case were carefully examined and repeatedly by the Canadian courts. They concluded that the evidence presented to them over many weeks did not support the communicant's contention that its way of life, livelihood and means of subsistence had been destroyed or was seriously threatened.

The Government of Canada, in its earlier observations dated May 31, 1985 (at pages 5 and 6), discussed the Canadian law governing the granting of interim injunctions. A court must, prior to granting an interim injunction, consider the following criteria: 1) whether there exists a serious issue to be tried; 2) whether irreparable harm (i.e., harm not susceptible or difficult to be compensated in damages) will be suffered prior to trial if no injunction is granted; and 3) whether the balance of convenience between the parties favours relief to the applicant. These criteria clearly necessitate a detailed examination of the factual circumstances surrounding an interim injunction application.

The communicant, as part of its litigation proceedings, instituted an action for interim relief on February 21, 1982, against the Province of Alberta and certain corporate defendants in the Court of Queen's Bench of Alberta (trial court). In November 1983, following 24 days of court proceedings, examination of numerous lengthy affidavits filed by all parties, and consideration of a mass of

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historical articles, maps and charts, and genealogical tables concerning the ancestry of the applicants, the Court dismissed the application for an interim injunction. A copy of this decision is attached as Appendix "A".

The court reached his conclusion primarily on the basis that no irreparable damage would be suffered by the Band prior to trial if an interim injunction were not granted. As regards the Band's alleged interim losses, it could be adequately compensated in damages if it was ultimately successful at a trial on the merits. The following extract from the court's decision are relevant in this regard:

The applicants purport to represent a substantial portion but not all of the persons residing in the area in question. However, the evidence of lifestyle being affected is limited to a few individuals who hunt and trap in the area. It is to be noted that many others not involved in these proceedings also hunt and trap in the area. In addition the suggestion of the respondents' activities having a negative effect on the hunting and trapping is to a considerable extent countered by the evidence adduced by the respondents as to the effect, if any, their activity may have on the wildlife.

One thing is clear, however. This is not a case of an isolated community in the remote north where access is only available by air on rare occasions and whose way of life is dependent to a great extent on living off the land itself. The twentieth century, for better or for worse, has been part of the applicants' lives for a considerable period of time. The influence of the outside world comes from various sources, in many cases not connected with any of the activities of any of the respondents. On that basis alone I am satisfied an interim injunction in the various

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forms sought and for the various reasons advanced by the applicants is not appropriate under the circumstances and the court's discretion should not be exercised in favor of the applicants.
(pp.157-158)

The judge concluded, based on the above considerations, that an interim injunction should not be granted. Nevertheless, he went on to consider the balance of convenience between the parties and concluded that the defendant oil companies would suffer large and significant damages if injunctive relief was granted prior to trial, and that the Band, if it lost at trial, would be unable to pay those damages.

The Band appealed the dismissal of the interim injunction application to the Alberta Court of Appeal. On January 11, 1985, that Court, in turn, dismissed the application based upon the following considerations:

(a) The Band had not shown that the activities of the oil companies threatened to destroy the Band's way of life by 1986, the date by which the Band had claimed they would be ready for trial. In this regard, the Court of Appeal referred to the trial court's conclusion that changes to the Band's traditional way of life had commenced prior to 1979, and hence prior to the arrival of the defendant oil companies. The Court of Appeal stated that:

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... on the appellants' own evidence there had been some agriculture in the area [outside of the 25.4 sq. mi. claimed reserve] before 1980. There had been oil exploration throughout the hunting and trapping territory before 1960, and that by 1970 there existed in the area extensive roads (as far north as Bison Lake), five producing oil fields, pipelines, airstrips and truck trails.
(p.141, emphasis added)

(b) As regards interference with the Band's livelihood in a 25.4 square mile reserve area claimed by the Band, the appeal court held that new exploratory activity should not be precluded because, based on the Band's own evidence, animal wildlife in that area was already lost. The court therefore concluded that an injunction on new activity would not improve the hunting or trapping in the area, but would simply operate as mere harassment of the oil companies for no good purpose. Outside of the claimed reserve area, the court held that a significant decrease in wildlife had not been proven, nor that a reduction, if it did exist, was caused by the defendant oil companies. The court stated that:

"The real thrust of the claim of the appellant is that, in time, trapping will cease to be commercially viable and there will be a meat shortage Seismic activity and exploratory drilling is, in the nature of things, temporary. It is conceded that after it ends the wildlife will return in number. We simply do not know whether new fields have or will be found, so we do not know if there will be new permanent development beyond the existing fields. ... In any event, the time-span here is sufficiently short that the plaintiffs could, if successful at trial, gain through damages sufficient moneys to restore the wilderness and compensate themselves for any interim losses." (p.146, emphasis added in final three lines)

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A copy of the Court of Appeal's decision is attached as Appendix "B".

The trial and appeal courts of Alberta clearly gave lengthy and careful consideration to the evidence presented by all parties in determining whether irreparable damage was being done to the Band's way of life. They concluded that a threat of irreparable harm to the Band's life and livelihood by the oil companies had not been proven. Nor was this a case of an inaccessible territory, unfamiliar with the twentieth century prior to the arrival of the oil companies. Importantly, based on the evidence before them, the courts found that to the extent that a risk of damage did exist, the wilderness could be restored and compensation made for interim losses, if the Band was successful at trial.

The Government of Canada submits, in light of the above, that interim relief does not offer the Band its sole effective domestic remedy. Effective relief remains available at a trial on the merits. Accordingly, it is submitted that the Band is obligated, pursuant to Article 5(2)(b) of the Optional Protocol, to take measures to pursue its case to completion in the courts of Canada.

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2. Trial on the Merits

The Committee has considered that the question of admissibility should be interpreted and applied in accordance with the generally accepted principles concerning this matter in the field of human rights. This implies that the practices of similar bodies, including those of the European Commission of Human Rights under Article 26 of the European Convention, are of considerable significance.¹

The European Commission has consistently held that remedies that do not in reality offer any chance of redress need not be exhausted. On the other hand, the mere existence of doubts as to prospects of success does not absolve an applicant from exhausting a given remedy since it is for the domestic courts to determine the matter in the first instance: Retimag v. Federal Republic of Germany 712/60, 4 Yearbook 384; X and Y v. Belgium 1661/62, 6 Yearbook 360; 9843/82 5 E.H.R.R. 302. Therefore, in X v. U.K. 6406/73, 3 E.H.R.R. 302, where a question concerning statutory interpretation had not been the subject of any decision by the higher courts, it was incumbent upon the applicant to

1. Möse, E. and Opsahl, T., "The Optional Protocol to the International Covenant on Civil and Political Rights" (1981), 21 Santa Clara Law Review 271 at 303.

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appeal the matter to the court of criminal appeal and then,
if necessary, to the highest court in the land.

By the Band's own admission (communication dated March 27, 1985, at page 7), the Supreme Court of Canada has not yet interpreted the scope of aboriginal or treaty rights as they are set out in the Constitution Act, 1982. The Band's legal action is currently before Canada's courts. As recently as June 22, 1987, the Band applied to the Chief Justice of the Alberta Court of Queen's Bench to amend its Statement of Claim to add the Government of Canada as a defendant and to expand the list of claimants represented by the Band.

It is the position of the Government of Canada that, based on the evidence considered by the Alberta Court of Queen's Bench and the Court of Appeal, as well as the socio-economic conditions discussed below, the Band's way of life, livelihood and means of subsistence have not been irreparably damaged, nor are they imminently threatened. Accordingly, a trial on the merits offers an effective domestic remedy to the Band. It is therefore submitted that until there has been a final judicial determination on the Band's rights under the law of Canada, there is no basis in fact or under relevant principles of international law for concluding that domestic redress is ineffective, nor that the communication is admissible under the Optional Protocol.

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3. Non-judicial remedies

It is further submitted by the Government of Canada that the term "domestic remedies", in accordance with the relevant principles of international law, should be understood as applying to all established local procedures of redress. In this regard, the Government of Canada refers the Committee to its submission of May 31, 1985 at page 9.

(i) The Land Claims Process

It is the policy of the Government of Canada to seek the resolution of valid, outstanding land claims by Indian Bands through negotiation. To this end, in 1973, the Canadian government established a negotiation process for the resolution of aboriginal claims which permits aboriginal people not only to express their opinions and state their grievances, but also allows them to participate in the formulation of the terms of their own settlement.

The initial statement on negotiations for aboriginal claims in general stated that:

"The Government has been fully aware that the claims are not only for money and land, but involve the loss of a way of life. Any settlement, therefore must contribute positively to a lasting solution of cultural, social and economic problems that for too long have kept the Indian

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and Inuit people in a disadvantaged position within the larger Canadian society.

It is basic to the position of the Government that these claims must be settled and that the most promising avenue to settlement is through negotiations."

Following from this statement, two processes were established:

- ° Comprehensive Claims, applicable where the rights of traditional use and occupancy had been neither extinguished by treaty nor superseded by law; and
- ° Specific Claims, applicable where there exists outstanding lawful obligations of the federal government. These obligations may arise from the Government's failure to live up to the terms of treaties, to fulfill its obligations under the Indian Act, or to discharge properly its responsibility for reserve lands.

Policies, procedures and guidelines have been established for the claims negotiations. (Copies of materials in this regard are attached as Appendix "C"). For example, in the case of Specific Claims based on treaty land entitlements, the general principle is that each treaty Indian band is entitled to a certain amount of land based on its number of members or conversely, each treaty Indian is entitled to be

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included in an entitlement calculation as a member of an Indian band. Land entitlement, in the context of the Specific Claims process, would not apply to people who received land as part of another band, to people who were non-treaty Indians or to people whose Métis ancestors received land or scrip. (Métis scrip is a certificate which entitled certain Métis individuals to a specified portion of land. These certificates were either sold or exchanged for land by the recipients.)

Other procedures and guidelines require consideration of third party interests or competing claims, as well as provincial government involvement. This latter consideration reflects the fact that under the Canadian Constitution, the provinces are responsible for the management and sale of lands and resources within their own territory.

In the past year, the negotiation of five agreements has been successfully completed through the Specific Claims process. One such agreement involved a treaty land entitlement under Treaty 8 between the Government of Canada, the 1,000 members of the Cree Band of Fort Chipewyan in northern Alberta and the province of Alberta. The members of the Cree Band received, among other things, 12,280 acres of land for a reserve, \$26.6 million in compensation

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(largely in lieu of land) and hunting and fishing rights over a 3 million acre area.

(ii) The Lubicon Lake Band and the Specific
Claims Process

In 1980, the Lubicon Lake Band sought to negotiate under the Specific Claims process. In 1981, the government accepted the Band's claim for negotiation. Although the Band was not a signatory to Treaty 8, the Specific Claims process based on treaty land entitlement, seemed an appropriate mechanism for the following reasons: (1) the land claimed by the Band was encompassed by Treaty 8; (2) individual Band members received treaty annuities under Treaty 8 from shortly after its signing in 1899; and (3) representations for benefits under Treaty 8 were made by the Band in 1933, and again in 1939.

The progress of the Specific Claims negotiations was affected by other actions of the Lubicon Lake Band, including its legal action in 1980 against the governments of Canada and Alberta and certain corporate entities, for an interest in 7,000 square miles of land and for \$1 billion in compensation. The varied and conflicting claims and positions of all the parties to the action, as well as the interests of other Native people in the area, posed an

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extremely complex problem. As well, agreement could not be reached on the number of persons to be considered as members of the Lubicon Band for the purposes of calculating land entitlement. In an effort to clarify the situation, the Honourable E.D. Fulton was asked by the Minister of Indian Affairs and Northern Development to meet with representatives from the Band, other native communities and the Province, review the entire situation and formulate recommendations. His "Revised Discussion Paper" and "Special Report to the Minister" were presented in February 1986.

In May 1986, the Lubicon Lake Band and the Government of Canada agreed to undertake bilateral negotiations. In addition, it was agreed that Canada would undertake parallel negotiations with the Province of Alberta. It should be noted that the Band specifically refused to enter into any negotiations to which the Province of Alberta was a party, in spite of the fact that administration and control of the lands in question rests with the province of Alberta and therefore, Alberta is a necessary participant in any final settlement of the Band's claim. In addition, the province is responsible for the management of wildlife stocks within its own territory, including the 7,000 square mile area over which the Band claims an interest in future hunting and trapping rights. Under the Constitution Act, 1930

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(attached as Appendix "D"), the Government of Canada transferred all public lands which had previously been administered by the federal government to the province of Alberta, with the proviso that upon the request of the federal government, Alberta would set aside out of unoccupied Crown lands, areas necessary for the federal government to fulfill its obligations under treaties with the Indians of Alberta (Schedule 2, para.10).

It should also be noted that the Province of Alberta, in 1985, offered a reserve of 25.4 square miles with mineral rights to the Band. This offer was declined by the Band, but still remains open for its consideration. Additionally, in the context of discussions with the Band's counsel during the course of litigation, counsel for the federal government suggested that the Band and the federal government approach the province of Alberta to set aside a 25.4 square mile reserve area without prejudice to any other legal claims the Band might wish to pursue in court. To date, the Band has shown no willingness to address this issue.

On July 9, 1986, representatives for the Band and the Government of Canada met at Little Buffalo, Alberta. At that meeting, which was intended to be an information

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meeting, the Band demanded that Canada's final offer be put forward. As a result, an initial proposal for settlement which Canada was prepared to submit to Alberta, was tabled with the Band by the federal negotiator. In Canada's view, this offer far exceeded its legal obligations to the Band. Nevertheless, the Band immediately rejected this offer and withdrew from the negotiations.

The federal proposal tabled with the Band on July 9, 1986 included the following elements:

- (a) approximately 40 square miles of land for a reserve with full mineral rights. Additionally, a commitment was offered to increase that quantum of land for persons claimed by the Lubicon Lake Band as members and who were then registered as members of other Bands, provided that these persons had not already been counted for land purposes with another Band or had not previously received Métis scrip;
- (b) the payment of \$300,000 for reserve planning purposes. This was intended to allow the Band to maximize the benefits flowing from a settlement;

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- (c) a commitment to develop jointly with the Band and Alberta a program allowing the Band a significant voice in the management of wildlife, within a specific area beyond that set aside for a reserve. This element of the offer was considered critical by Canada to conserve and enhance future wildlife stocks in Northern Alberta, for the purpose of maintaining the Band's traditional land-based economy.
- (d) a commitment to negotiate a package of economic and training programs to assist the Band in achieving its future goals;
- (e) a commitment by Canada to seek payment, with interest, by the Province of Alberta to the Band of all oil and gas revenues gained by Alberta from the 25.4 square mile area identified for the Band in 1940. This revenue was gained by Alberta largely from the sale of exploration rights. It should be noted that no oil and gas has actually been extracted from the particular area sought by the Band for a reserve;
- (f) the payment by Canada to the Band of compensation for the loss of any Treaty 8 benefits the Band might have incurred;

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- (g) a commitment by Canada to negotiate with the Band and the Province of Alberta the modification of the existing Alberta Trappers' Compensation Program, or the establishment of a new program, for the benefit of the Band;
- (h) a commitment by Canada to negotiate with the Band the payment of compensation for expenses incurred by it in presenting its claim. To date Canada has made available to the Band \$1,742,000.00 to assist it in its legal costs;
- (i) a commitment by Canada to provide the Band with a "catch up" capital program for construction of a new community on the proposed reserve. This would include funding for housing, water and sewer systems, electricity, roads, and educational facilities; and
- (j) a commitment by Canada to negotiate with the Band on its proposal for self-government.

The rejection of the above proposals for settlement was attributable, as far as the Government of Canada is aware, to the Band's view that its membership comprises a substantially larger number of individuals than those

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identified in the list of status Indians maintained since 1940 by the Department of Indian and Northern Affairs.

Subsequent to the Band's withdrawal from the negotiations, the federal negotiator and the Minister of Indian Affairs and Northern Development wrote to the Band on numerous occasions, urging the Band to resume negotiations and indicating Canada's flexibility in respect of its initial proposal for settlement. Copies of these letters are attached as Appendix "E". Finally, in July 1987, the Band agreed to the Minister's initiative, and measures have been taken to resume negotiations at an early date.

The Government of Canada wishes to bring to the Committee's attention the following factors which have complicated the resolution of the Band's claim:

- (a) The lands currently sought by the Lubicon Lake Band for a reserve are now occupied in part by other Native people. Owing to their long residence on the lands in question, these Native people have a conflicting interest, which will need to be resolved in a fair and just manner between the Governments of Canada and Alberta and the Native people concerned.

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(b) The method of calculating membership proposed by the Band would result in persons being counted twice for the purposes of determining land entitlement. It would allow the Lubicon Lake Band to claim as its members, persons who are now members of other Bands, persons whose ancestors were counted in determining land entitlement for other bands, and persons whose ancestors took Métis scrip. Canada has advised the Band that it is willing to address these problems in negotiations. (See Appendix "E", letter of May 1, 1987 from the Honourable B. McKnight.)

These and other issues must be resolved before the Government of Canada can request lands sought by the Band from the Province of Alberta. As indicated above under the Canadian Constitution, the province of Alberta is obliged to set aside such lands as are necessary to enable the federal government to fulfill its obligations under treaties with Indians (see Appendix "D"). In order for Canada to make a legitimate request for land that would have to be honoured by the province under the Constitution Act, 1930, it is necessary for Canada to be able to demonstrate to Alberta that the request is within Canada's legal obligations to the Band. Canada anticipates that there will be some measure of flexibility on the part of the Province of Alberta, but to meet the constraints of the Constitution Act, 1930, an

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agreement with the Band must approximate Canada's obligations to it under Treaty 8. The governments of Canada and Alberta remain willing to seek ways and means to resolve this matter with the Band.

IV. CONDITIONS OF THE BAND

1. Findings of the Ombudsman

The Government of Canada wishes to address several serious allegations which the communicant has made in its previous submissions. It is the federal government's position, as has been previously indicated, that these allegations are totally unsubstantiated.

The communicant, in its submission of April 9, 1986 (Supplement no. 2, at page 3), alleged that "[s]everal major forest fires occurred in the area and were allowed to burn out of control, decimating the remaining populations of game animals". The communicant did not note, however, that the Ombudsman for Alberta, an expert investigator totally independent of the government, had conducted a special investigation in regard to this allegation, as well as several other issues. The investigation was initiated by the Leader of the Official Opposition in the Alberta Legislature whose request was based on a letter (already

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referred to by the communicant) from the World Council of Churches. A copy of the "Special Report of the Ombudsman" is attached as Appendix "F".

As regards the allegation of forest fires being allowed to burn out of control, the Ombudsman noted at page 11 of his report, that at the time in question "more than 150 fires were burning in the province and of these, more than 100 were considered to be out of control." He further noted that given this situation, guidelines had to be established to determine the priority to be given to each fire and that fires which were threatening human lives and property clearly had to be given the highest priority. He concluded that:

There is no evidence to support a statement that there was no fire fighting activity at these two sites. Although it might be technically correct to say that these two fires "raged unchecked" for a short period of time, such a blanket statement fails totally to take into account the forest fire situation in the province at that time and the resources which were available to those fighting the fires. (at page 13)

At page 2 of the same submission, the communicant also stated that "the community's traps and traplines were deliberately destroyed, and trapline routes were expropriated and fenced off for use as private oil company roads". After concluding that there was absolutely no evidence of such action being taken by the province, the Ombudsman made the following comments:

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Much of the "evidence" which alleged such provincial government involvement is nothing more than speculation. No witness that was interviewed during the course of the investigation was able to provide direct or even indirect evidence of such involvement, nor was I able to find independently any such evidence. One witness to whom I was referred, who was said to have information on this point, denied, both orally and in a written statement, the quotes which had been attributed to him which, it was alleged, would prove such involvement. I have no reason to doubt the credibility of this witness, especially after he was specifically questioned on the point by my investigators. (at pages 15 and 16)

Finally, the communicant has referred in previous submissions, to the following statement in the letter from the World Council of Churches: "In the last couple of years, the Alberta Provincial Government and dozens of multi-national oil companies have taken actions which could have genocidal consequences."

In regard to that portion of the letter, the Ombudsman made the following comments:

This language was designed to make a strong point, and so it does. But during my investigation, I was able to find no factual basis for it. I have not been provided with any evidence, either from the members of the Band or from other sources, that could substantiate such a serious accusation. (at p. 54)

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2. Socio-Economic Conditions

A variety of measures have been undertaken by agencies in Alberta to alleviate the Band's concerns regarding possible disturbance of sites considered by the Band to be of significance, such as burial grounds and historic sites, and to assist Band members in receiving notice of projects that might provide employment opportunities. Specifically,

- (a) The Energy Resources Conservation Board, an agency independent of the Alberta government, is requiring companies operating within a 900 square mile area to advise the Lubicon Band of their plans prior to seeking approval from the E.R.C.B. for well-sites, transmission lines and pipelines; and
- (b) the Alberta Department of Forestry, Lands and Wildlife, as a condition of approval of seismic activity within a similar area, is requiring companies to give notice of proposed activities to trappers possibly affected. Where designated by the trapper, notice is given through the Band.

In addition the Alberta government in 1981 established a province-wide Trapper's Compensation Board which, at the request of the trappers affected by industry activity

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(including trappers in the Lubicon area), will arbitrate disputes where the trapper and an exploration company have been unable to successfully negotiate compensation. As well, a fund has been established from which the Trappers Compensation Board will make awards to trappers directly where the responsibility for the disturbance to traplines is unclear.

The Band is also the recipient of a wide variety of social services. The Government of Canada now provides to, or pays on behalf of the Band, about \$1,130,000 annually for the delivery of social services to Band members. These include social assistance, education, housing, band government and administration, and adult training. The level of social services delivered to Band members is of the same standard as those provided to other Indians in Canada, as well as to all Canadians. Furthermore, the 48 school age members of the Band are offered the same standard of education as non-Indian Albertans. Medical and hospital services are also available to the Band. As Indians, members of the Lubicon Lake Band also have access to other federal social programs not generally available to other Canadians. These include free non-insured health benefits, free dental care and free post-secondary education.

By the end of 1987, the governments of Canada and Alberta will have spent over \$1.5 million on housing to construct

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approximately 55 houses in the 300 member community of Little Buffalo. In addition, \$1.75 million has been approved for the construction in 1987 of a water treatment plant in the neighbouring community of Cadotte Lake and the construction of a water supply line from Cadotte Lake to Little Buffalo is planned for 1988 at an additional cost of \$1.75 million.

VI. CONCLUSION

In conclusion, it is submitted that the evidence presented to the Alberta Court of Queen's Bench and the Court of Appeal, as well as the factual circumstances described herein, do not support the communicant's contention that the Band's way of life is imminently threatened. Accordingly, interim relief is not the only effective domestic remedy available to the Band; a trial on the merits and the negotiation process both pose effective and viable alternatives. It is the position of the Government of Canada that, pursuant to article 5(2)(b) of the Optional Protocol, it has a right to have domestic remedies followed to completion prior to the Committee examining the matter.

For the reasons given above, the Government of Canada submits that Chief Ominayak's communication under the Optional Protocol, should be declared inadmissible by the Committee.

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Finally, if the Committee maintains its decision that the communication is admissible, the Government of Canada respectfully requests that the Committee identify the specific article(s), allegations and evidence on which its decision is based.

Lubicon Lake Band
Little Buffalo Lake, AB

Mailing address:
3536 - 106 Street
Edmonton, AB T6J 1A4

AR-A-07792-87
IMD .

October 07, 1987

ACC	528801	DATE
FILE	45-CDR-13-1-3- Lubicon Lk Band	DOSSIER

The Hon. Joe Clark
Minister, External Affairs
Government of Canada
Ottawa/Hull, CANADA

Dear Mr. Clark:

I read with interest the quote attributed to you in the August 28, 1987, edition of the Calgary Herald (copy attached). In it you admit that the Government of Canada was taken to task by the United Nations for a provision in the Indian Act which violated the International Charter of Human Rights. You say that the Government of Canada changed the Indian Act to bring it into accord with the International Charter. And you suggest that this change demonstrates that the Government of Canada is deliberately, sincerely and energetically trying to solve the problems of aboriginal people in Canada.

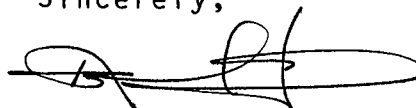
Perhaps you don't know that the Government of Canada is currently trying to impose the admitted injustices of the old Indian Act retroactively upon the Lubicon Lake people. Such behaviour by the Government of Canada subverts your credibility as well as our rights, leaves the Government of Canada open to renewed charges of violating the International Charter of Human Rights, and also leaves the Government of Canada open to the additional charge of trying to deceive the international community about the sincerity of Canadian Government efforts to solve the problems of aboriginal people in Canada.

In this context I would suggest that our fates are linked, and that the Government of Canada will never be what you claim until our aboriginal rights are recognized and respected. I would also suggest that the Government of Canada can no longer win by defeating us, that every terrible tragedy which we suffer as a result of this struggle can only blacken Canada's reputation

Clark, 10/07/87, page 2

further, and that the only real solution is a settlement of our
aboriginal land rights which allows us to survive with dignity,
and which the Government of Canada can point to with pride.

Sincerely,

A handwritten signature in black ink, appearing to be 'Bernard Ominayak', written over a horizontal line.

Bernard Ominayak
Chief, Lubicon Lake Band

cc: Jessica Lefevre
James O'Reilly

Indians' visit not an embarrassment: Clark

Southam News: Do you regard the visit to South Africa of the group of Canadian Indians on a visit sponsored by the South African Tourism Board as a deliberate embarrassment to your visit by the South African government?

Joe Clark: I don't regard it as an embarrassment. Since the question has been raised about the Canadian Indians let me make a couple of points. One is that Canadian Indians, until the late 1950s, did not have the right to vote. They now have the right to vote. I commend the example. The government of Canada was taken to task by the United Nations for having a provision in our Indian Act which violated the International Charter of Human Rights. We have changed the Indian Act to bring it into accord with the International Charter.... There are undoubted problems that remain to be overcome, problems of poverty, problem of inequality of opportunity, problems relating to treaty rights and to the status of the people who occupied Canada before the rest of us came. We are deliberately, sincerely, energetically trying to resolve those problems in Canada.

File Number

No. d'index

Reference

Référence

Charged to:

A la charge de:

660-1

Susan E.

OFFICE OF THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS
CABINET DU SECRETAIRE D'ETAT AUX AFFAIRES EXTERIEURES

ACTION REQUEST/FICHE DE SERVICE

From/De : BERNARD OMINAYAK
LUBICON LAKE BAND

No. : A-07792-87

Subject/ LUBICON LAKE INDIANS-OLD CDN INDIAN ACT
Objet: INTL ORGANIZATIONS * ORGANISATIONS INTLES

Action div./Dir. resp.: ~~IMD~~ IMH
Info div(s)/Dir(s) informee(s):

Let./Tel. dated Let./Tel. en date du =====	Date sent to division Date d'envoi a la direction =====	Deadline date Echeance =====
07 OCT 87	29 OCT 87	**13 NOV 87**

Comments/Commentaires

ACTION REQUIRED/SUITE A DONNER

FOR DIVISIONAL USE
RESERVE A LA DIRECTION

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Reply for signature of SSEA
Reponse pour la signature du SEAE | Date received/Date recue |
| <input type="checkbox"/> Reply for the signature of
Reponse pour la signature de | Action officer/Agent resp. |
| <input type="checkbox"/> Reply by division
Reponse de la direction | Disposition and/et date |
| <input type="checkbox"/> For information and any necessary action
Pour examen et suite a donner, s'il y a lieu | Send IFB
03.11.87 |
| <input type="checkbox"/> CAMPAIGN: Reply for signature of SSEA
CAMPAGNE: Reponse pour la signature du SEAE | |
| <input type="checkbox"/> CAMPAIGN: Reply by division
CAMPAGNE: Reponse de la direction | For MINA use/
Reserve a MINA
Original signed by
Original signé par
JOE CLARK |
| <input type="checkbox"/> CAMPAIGN: For information and any necessary action
CAMPAGNE: Pour examen et suite a donner, s'il y a lieu | |

NOV 17 1987

ALL TRANSFERS TO BE REPORTED TO MINA RECORDS	995-1047 OR/OU
LES ARCHIVES DE MINA DOIVENT ETRE AVISEES DE TOUT CHANGEMENT	992-6428

White - Return to MINA registry when action completed	
Blanche Retourner aux archives de MINA lorsque suite a ete donnee	
Yellow - Divisional secretary	Green - File with original incoming letter
Jaune Secetaire de direction	Verte Au dossier avec la lettre recue



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Accession/Référence

File/Dossier

45-00-131-3-
Lubicon

Align first character of Security Classification under this arrow
Alignez le premier caractère de la Sécurité sous cette flèche

SECURITY SÉCURITÉ	U N C L A S S I F I E D	7 OCT 87 14 35z 12 10
FM/DE	FM EXTOTT IMH1311 06OCT87	
TO/À	TO HAGUE	
INFO	INFO VIENN BONN BRU BERN COPEN OSLO STKHM GENEV LDN PARIS	
DISTR	HSNKI ROME PCOOTT/SERSON/CARON JUSTOTT/FREMAN INAHULL/BONASAVICH/	
REF	COULTER/DERR/WHITAKER	
SUBJ/SUJ	DISTR MINA MINP IMD BKC BKA RGB RWD RWR BEFE JLO ISD ISS ISE BCM TADF REF YOURTEL YWGR0687 05OCT ---LUBICON LAKE INDIAN BAND: 03OCT DEMONSTRATION AND PETITION WE ARE MOST GRATEFUL FOR YOUR REPORT ON 03OCT DEMONSTRATION. WHEN OTHER REPORTS ARE RECEIVED ON DEMONSTRATIONS TAKING PLACE ON 12OCT, WE WILL INDEED HAVE COMPREHENSIVE PICTURE OF INDIGENOUS SUPPORT ORGANIZATIONS. CONTACT WITH LEADERS WILL, IN TURN, HELP US TO COMBAT MOST EXTREME AND IRRESPONSIBLE OF CHARGES. 2. WE HAD HOPED TO HAVE READY FOR SHIPMENT AND DISTRIBUTION TO ALL WESTERN EUROPEAN POSTS NEW INFO PACKAGE ON LUBICON LAKE BAND. BUT WE ARE ONLY NOW COMPLETING TEXT, AS THERE IS NEW MATERIAL ON RECENT (05OCT) APPOINTMENT OF FEDERAL NEGOTIATOR, AND AS THERE ARE NUMBER OF SENSITIVE ISSUES REQUIRING REVIEW BY KEY PROGRAM DEPARTMENTS. HOWEVER, WE WOULD ADVISE POSTS WHO MAY REQUIRE INFO TO KEEP DISTRIBUTION LIST, SO THAT THIS INFO CAN BE MADE AVAILABLE TO INTERESTED GROUPS ONCE IT ARRIVES. WITH ANY LUCK, BULK OF PACKAGE CAN BE READY THIS WEEK FOR SHIPMENT BY BAG NEXT WEEK.	

DRAFTER/RÉDACTEUR	DIVISION/DIRECTION	TELEPHONE	APPROVED/APPROUVÉ
D. LIVERMORE/jrc	IMH	995 6960	SIG D. LIVERMORE

EXTERNAL AFFAIRS



AFFAIRES EXTÉRIEURES

OCT 14 1987

IMH

TO
À

Under-Secretary of State for
External Affairs, OTTAWA (IMH)

FROM
De

Canadian Embassy,
The Hague

REFERENCE
Référence

Our telegram YWGR0688 dated October 5, 1987

SUBJECT
Sujet

Lubicon Lake Indian Band:
October 3 Demonstration and Petition

SECURITY UNCLASSIFIED
Sécurité

DATE October 5, 1987

NUMBER 0688
Numéro

FILE	DOSSIER
OTTAWA	
MISSION	

ENCLOSURES
Annexes

DISTRIBUTION

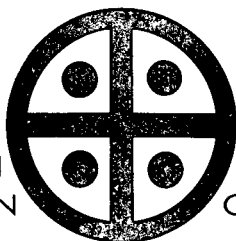
EXTOTT/
RWD
RWR

--
Enclosed is the petition referred to in our telegram
under reference. We would appreciate your taking action as per
the telegram.

45-COA-13-13-LUBICON LAKE BAND

The Embassy

STICHTING
FOUNDATION
FUNDACIÓN



WERKGROEP INHEEMSE VOLKEN
WORKING GROUP INDIGENOUS PEOPLES
GRUPO DE TRABAJO PARA LOS PUEBLOS INDÍGENAS

POSTBUS 4098, 1009 AB AMSTERDAM BEZOEKADRES MINAHASSASTRAAT 1, AMSTERDAM TEL. 020-938625
POSTBANK 4057800 BANKREKENING 93.68.37.888 VERENIGDE SPAARBANK STICHTINGSNR. KVK S 203575

The Canadian Ambassador
Sophialaan 7
P.O. Box 30820
2500 GV Den Haag

Den Haag, October 3, 1987

Dear Mr. Ambassador,

We hereby offer you a petition on behalf of the Lubicon Lake Cree Band in Northern Alberta, signed by approximately 2500 Dutch citizens.

We ask you to bring this petition to the attention of Prime Minister Brian Mulroney, the Federal Minister of Indian Affairs William McKnight, Premier Don Getty of the Province of Alberta, and the Minister Responsible for Intergovernmental Affairs of Alberta, James Horsman.

Thank you very much.

PETITION ON THE LUBICON LAKE INDIAN BAND

Whereas the Lubicon Lake Indian Band in Northern Alberta has never ceded its traditional lands and therefor retains unextinguished aboriginal title to these lands;

And whereas the Canadian Government has not recognized and protected the aboriginal land rights of the Lubicon Lake Band by failing to establish the Reserve promised to the Band in 1939, and by transferring the traditional lands of the Band to the Province of Alberta without first rightfully obtaining them;

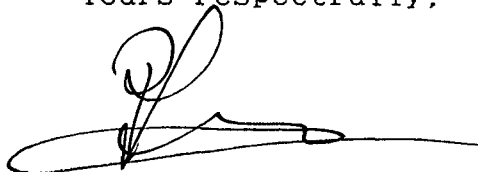
And whereas the province of Alberta has failed to recognize and protect the aboriginal land rights of the Lubicon Lake Band by allowing dozens of oil companies unrestricted access to the oil resources in the traditional lands of the Band;

And whereas the mineral developments by dozens of oil companies on the traditional lands of the Lubicon Lake Band have disrupted the traditional economy of the Band to the point where now its very existence as a society of aboriginal people is in serious jeopardy;

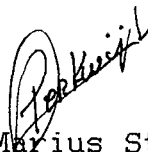
Therefore we demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights are protected from further abuse and are properly recognized and respected;

And further we demand that the Canadian Government honour its agreement to use Mr. Fulton's Revised Discussion Paper as a starting point for serious negotiations with the Lubicon Lake Band, and that such negotiations between the Band and the Canadian Government be resumed in the presence of Mr. Fulton as a third party mediator responsible to the Parliamentary Standing Committee on Aboriginal Affairs.

Yours respectfully,



Dr. Rick Looijen
board member of the
Foundation Workgroup
Indigenous Peoples



Mr. Marius Stjura
spokesman of the
Karinja Indians
of Suriname



Mr. Milo Yellowhair
spokesman for the
Lakota Treaty Council



Mrs. Els Wolf
Coordinator of
Foundation 12 + the
October manifest

PETITION ON THE LUBICON LAKE INDIAN BAND

WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;



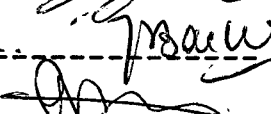
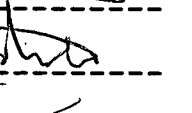
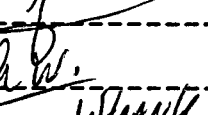

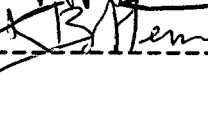



AND WHEREAS the Canadian Government has not recognized and protected the aboriginal land rights of the Lubicon Lake Band by failing to establish the Reserve which was promised to the Band in 1939 and by transferring the traditional lands of the Band, without first rightfully obtaining them, to the Province of Alberta;

AND WHEREAS the Province of Alberta has failed to recognize and protect the aboriginal land rights of the Lubicon Lake Band by allowing dozens of oil companies unrestricted access to the oil resources in the traditional lands of the Band;

AND WHEREAS the mineral developments by dozens of oil companies on the traditional lands of the Lubicon Lake Band have disrupted the traditional economy of the band to the point where now its very existence as a society of aboriginal people is in serious jeopardy;

THEREFORE we, the undersigned citizens of the Netherlands. demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name	Address	Signature
------	---------	-----------

Lex Guichard	2 ^e Willemstraat 8A 9725 JY Groningen	
Hans Berens	Oudeweg 63 WESTERBROEK	
Joost Bol	Ribesstraat 6 9741 NT Groningen	
Jeroen Bartelds	Albartsb. 22 9724 JZ Groningen	
Annet Roskam	G. Douststraat 21 8932 JG Sneekwarden	
Th. de Jager	Hyndel 10 8445 GA Laren	
W. de Jager	Spaansstraat 102 9912 LZ Gr.	
H. Wolking	Lageweg 95 9511 TD Tuitelen	
WPA HAANS	Tuinbouwste 30A 9717 JJ Groningen	
H. P. Bekkema	Kajuita 143 9733 BJ " "	
K. B. van Hemert	Polderhoekstr. 6769 Den Haag	

Name

Address

Signature

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

PETITION ON THE LUBICON LAKE INDIAN BAND

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Name	Address	Signature
Franzi Smit	Wilhelminakade 404 Groningen	[Signature]
Leus Smit	" " "	[Signature]
Groenel Veltman	Wardendijk 48	[Signature]
Geonic Jorna	Van der Maat 1	[Signature]
Nick Landman	Narvanplein 14	[Signature]
Ron Smit	Justus v. Effendy 615 Utrecht	[Signature]
Paul Scheffer	Wilhelminakade 404 Groningen	[Signature]
Jan Brouwer	" " "	[Signature]
J. Brouwer	nwe Kijk in de Kat 43 Groningen	[Signature]
Jon Barus	Hofstede de Grootkade 1026 Groningen	[Signature]
Ida Jong	Pasgebuis 7052 Groningen	[Signature]
K. van Vliet	a/b Plickeflinter Groningen	[Signature]
M. JONSEN	TURFSTRAAT 68 GRONINGEN	[Signature]

Name	Address	Sig. ure
Geert Lamers	Jacobs 24 Gron	
Lucie Besselink	Concordiastr 30A Gron.	
Geenda Hubeboer	Nw. Kerkhof 33	
John de Jong	Stadhouderslaan 17 Groningen	
Yanny Nieboer	Marowijnestr. 63 Gron	
MAAS-JAN WIND	H. DE GROOT MADE T.O. 21 GRONINGEN	
Cor Wiersma	Noorderhaven t.o. 62 Groningen	
Geertje Goldenbeld	Wilhelminakade 1/08 Groningen	
KRIJN	Wilhelminakade 1/04 Groningen	
Laop Hofer	WILHELMINAKADE 1/05 GRONINGEN	
Marieke Versteeg	Nassauplein 14 Groningen	
hans	WILHELMINAKADE 1/05 GRONINGEN	
Roel Eisses	Reidiepstrade 4/04 Groningen	
Sonia d. Borg	Reidiepstrade 4/04 Groningen	
Jan Luidert van	Tuinbouwerstr 84 Groningen	
John de Jong	Door het Doornenrijtje Groningen	
John de Jong	off n.p. Margaretha 21 Groningen	
H. G. H. H. H. H.	Wetstulke 10. Lelde	
H. G. H. H. H.	Paradisaan 337	
Sieps Adema	L. v. a. m. a. n. Coen 140	
Pans vass de Veer	v. Starckenborghstr. 29 Groningen	
Cor Drost	Speetmih 65 Hoogenmans-Sagheun	
Just Vink	MS Verwondering Groningh	
Rein Uvenga	V.O. DOOSSTRAAT 1A Gron.	
Hans Trine	Cal Abdelfs 23A Groningen	
Jemine Wiering	Concordiastr 30A GR.	

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9701 EG Groningen
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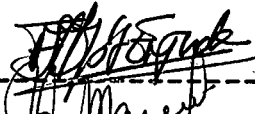
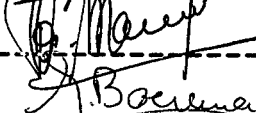
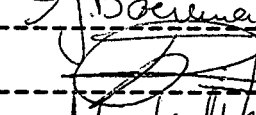
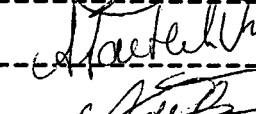

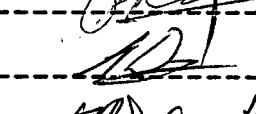
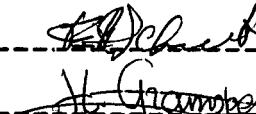


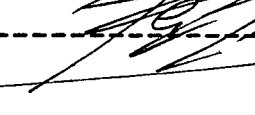



AND WHEREAS the Canadian Government has not recognized and protected the aboriginal land rights of the Lubicon Lake Band by failing to establish the Reserve which was promised to the Band in 1939 and by transferring the traditional lands of the Band, without first rightfully obtaining them, to the Province of Alberta;

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AND WHEREAS the mineral developments by dozens of oil companies on the traditional lands of the Lubicon Lake Band have disrupted the traditional economy of the band to the point where now its very existence as a society of aboriginal people is in serious jeopardy;

THEREFORE we, the undersigned citizens of the Netherlands, demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name Address Signature

Eric Op't Eynde	Magna Petstr 18 ^a Groningen	
Jenny Vos	Malvestraat 12 Groningen	
J. de Boerema	Berkenlaan 1 Groningen	
Leo van der Ploeg	Meint Veningestraat 72 Slooyezand	
Jenneke de Hele	Patijnspoort 58 Groningen	
Annika de Groot	Oude dijk 26 Den Helder	
Best Koop	Verl. Glerweg 92 Groningen	
Anita Deen	Planetenlaan 98 9742 JD Groningen	
E. R. Schut	Fruitstr 24 Groningen	
A. Grambergen	Jennemaheerd 192 Gr.	
J. Grambergen	Planetenlaan 591 Gr.	
Willem Tel	Kanaleijstraat 30 Gr.	
Julia Voort	Padangstr. 13A Groningen	

Name

Address

Signature

Jannike Lee	Lee Litter 11, 36, Gron 7	<i>[Signature]</i>
Kees Molenaars	Schouwburgstr 17 Groningen	<i>[Signature]</i>
Nico Visscher	Chapelstraat 7 Groningen	<i>[Signature]</i>
Marga Lammes	P. Adolfs 20 9714 EG Groningen	<i>[Signature]</i>
Hja Belharin	Hazelstraat 29 9741 KP Gron	<i>[Signature]</i>
Sybrand Adema	Radebrouwerij 15 9711 EL Gron	<i>[Signature]</i>
Manne Wouter	Belijplein 9 9715 NK Gron	<i>[Signature]</i>
Karla de Vries	Norderhoonstr. 49 9712 NK Gron	<i>[Signature]</i>
Gerard Potjer	A. P. de Kerkstr. 33-A Gron	<i>[Signature]</i>
Tryn Vonk	Sorabajastr 36 Groningen	<i>[Signature]</i>
Vicent Dier	P. de Kerkstr 33A Gron	<i>[Signature]</i>
Renée Aulema	Beunelplein 11 Groningen	<i>[Signature]</i>
Ibez v. Wijngeerden	Wijngeerhoek 11 Gron	<i>[Signature]</i>
Jannie Schaafsma	Boslaan 139 Emmen	<i>[Signature]</i>
Kathleen Laykin	Onnemaherd 38 Groningen	<i>[Signature]</i>
Bernard van Regent	29 Gron	<i>[Signature]</i>
Willem Willemse	Wijkensdijk 171 Gron	<i>[Signature]</i>
Willeke Christiaans	Van Broekelpl. 40 Jan	<i>[Signature]</i>
Matthie Sijnders	6 Gron	<i>[Signature]</i>
P. Mousker	Vogelkerlaan 12 Assen	<i>[Signature]</i>
Flimur v. Mees	S. Goffstr 8 Groningen	<i>[Signature]</i>
Josse Darr	Postersingel 66 Gron	<i>[Signature]</i>
T. Knappe	Sarniesweg 15 Schouwenburg	<i>[Signature]</i>
Manne Vonkens	Groningerweg 59 Peize	<i>[Signature]</i>
Spius Kinneman	Deenbeil 6 Peize	<i>[Signature]</i>

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

PETITION ON THE LUBICON LAKE INDIAN BAND

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Name	Address	Signature
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M.G. Ude	2de Oostwijkstr 11 Steenwijk	M. Ude
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W. v. Stein		
-------------	--	--

R. MENSES	BROUWERSTR. 40 STEENWIJK	
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H. Boonstra	Frans Halsstraat 5A Steenwijk	
-------------	-------------------------------	--

T. J. J. J. J.	Vredenburg 61 Steenwijk	
----------------	-------------------------	--

J. van Driel	de Weidenweg 70 Ruinerwold	
--------------	----------------------------	--

T. Veenstra	Verloutseweg 174 Steenwijk	
-------------	----------------------------	--

M. Boom	B. v. d. Lindestraat 17 Steenwijk	
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J. Oudeveen	nw. Onnastraat 78 Steenwijk	
-------------	-----------------------------	--

J. Petter	Prinsgracht 9 Gietloot	
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T. v. Marum	Kasteel 14 Diever	
-------------	-------------------	--

N. Kleinsmit	Oostwijkdwarsstraat 7	N. Kleinsmit
--------------	-----------------------	--------------

opsturen naar: postbus 4266
9701 EG Groningen

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Name	Address	Signature
------	---------	-----------

A. v. d. Veen	Waalbandijk 139 Wamel	<i>A. v. d. Veen</i>
T. Kok	Dee Roeweg 8 Steenwijk	<i>T. Kok</i>
M. J. M. Veenstra	2 ^e Oostwijkstraat 11 Steenwijk	<i>M. J. M. Veenstra</i>
G. Balcher	Gardenwegstr 85 A Zwolle	<i>G. Balcher</i>
H. Hendriksen	vd Oerthlaan 58 Hasselt	<i>H. Hendriksen</i>
J. Hooghiemstra	Reigenstraat 30 Emmen	<i>J. Hooghiemstra</i>
J. v. Duyn	Voordeke 34 Steenwijk	<i>J. v. Duyn</i>
Anne v. Dyk	Kampstr 4 Steenwijk	<i>Anne v. Dyk</i>
I. v. Duinen	2 ^e Oostwijkstr 5 Steenwijk	<i>I. v. Duinen</i>

opsturen naar: postbus 4266
9701 EG Groningen

PETITION ON THE LUBICON LAKE INDIAN BAND

WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;

AND WHEREAS the Canadian Government has not recognized and protected the aboriginal land rights of the Lubicon Lake Band by failing to establish the Reserve which was promised to the Band in 1939 and by transferring the traditional lands of the Band, without first rightfully obtaining them, to the Province of Alberta;

AND WHEREAS the Province of Alberta has failed to recognize and protect the aboriginal land rights of the Lubicon Lake Band by allowing dozens of oil companies unrestricted access to the oil resources in the traditional lands of the Band;

AND WHEREAS the mineral developments by dozens of oil companies on the traditional lands of the Lubicon Lake Band have disrupted the traditional economy of the band to the point where now its very existence as a society of aboriginal people is in serious jeopardy;

THEREFORE we, the undersigned citizens of the Netherlands. demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name	Address	Signature
W. A. Oosterhoff - Lissanen	Zuidlaren Elingshof 6	W. A. Oosterhoff
G. E. Lambert	Batinghe 19 9476 KE Zuidlaren	G. E. Lambert
M. Spronk	Struik Oldingarden 23 9476 pm Zuidlaren	M. Spronk
R. Klinkhamer	Zuue wold 18 au 76 kl Zuidlaren	R. Klinkhamer
B. J. J. J. J.	Scherpe Rijk 3 Zuidlaren	B. J. J. J. J.
J. J. Keizer	houw. west. diep Veendam	J. J. Keizer
J. Kroon	De J. Hekhuisstr. Muntendam	J. Kroon
W. Koning	Ben. Oostediep 109 Veendam	W. Koning
D. J. de Renge	Ammerweg 27 Zuidlaren	D. J. de Renge
Lenny Huisdijk	Mullatutijlans 60 Haren	Lenny Huisdijk
H. Madman - Rubben	Keurplas weg 57 Westlaren	H. Madman
A. E. J. J. J.	Eppijr Steedover 131	A. E. J. J. J.
R. J. J. J.	Eppijr 1 Zuidlaren	R. J. J. J.

PETITION ON THE LUBICON LAKE INDIAN BAND

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NAME	ADDRESS	SIGNATURE
Tiny Tax	Graafseweg 239 Nijmegen	Tax
Sandra Tax	Wernhoutseweg 171 Wernhout	Tax
Genevieve Achter	Achtersseweg 142 Zundert	Achter
Marie Zagers	Wernhoutseweg 171	M. Tax Zagers
Sandra van der Aart	Achtersseweg 142 Zundert	Sandra
Ien Backus	Graafseweg 239 Nijmegen	I. Backus
Jacqueline Hermens	Marielaan 41 Nijmegen	J. Hermens
Imezid Heijmans	Graafseweg 239 Nijmegen	Imezid
Grete de Boer	Balladestraat 127 Nijmegen	Grete
Charlotte Pierik	Waterstraat 46/48 Beek/Elbe	Charlotte
Jenneke Bok	Graafseweg 35 Nijmegen	Jenneke
Jolanda Vlak	Molenlaan 16 Nijmegen	Jolanda
Harriet Buijsse	Molenlaan 16 Nijmegen	Harriet
Hilda Derksen	Dislelstraat 80 Nijmegen	Hilda

dag zo sjagerijig blijft, dan kun je maar beter weer terug naar bed gaan. Nee, gezellig joh, hartstikke leuk, uitgaan. Kom ik Jantje weer tegen, en Marietje, Keesje, Truusje, hartstikke leuk. Gezellig. Shit.

Eigenlijk allemaal van die mensen waarmee ik verplicht ben een praatje te maken, gewoon omdat ik niet het botte lef heb om te zeggen dat ik daar helemaal geen zin in heb. Dat ik eigenlijk het botte lef niet heb om te zeggen dat ik mijn eigen vrienden wel uitkies. Toch eigenlijk veel eerlijker. Voor mezelf. En voor anderen. Weten die tenminste ook waar ze aan toe zijn. Toch niet doen hè. Nee, gezellig hoi zeggen, en maar hopen dat die persoon dan niet op me afstapt om 'gezellig' een praatje met me te beginnen. Want het lul-lige is dat ikzelf ook wel weet dat die persoon het ook maar doet om niet uit de sociale boot te vallen. 'Sociale boot' dus eigenlijk. Want ik ben helemaal niet sociaal bezig als ik iemand aan het vervelen ben met mijn spreekvaardigheden. Het is alleen maar om geaccepteerd te worden. Ik doe het enkel voor mezelf. Of het nu Marietje, Keesje, Truusje of Jantje is, dat maakt in feite geen donder meer uit. De acceptatie is belangrijk, de individu erachter interesseert me geen zier. En dan kan ik om 04.00 uur fijn gaan slapen, en met het idiote idee rondlopen dat het weer een geslaagde dag was. En flink mijn kop in het zand steken als ik daar nou effe over na ga denken.

Maar gevoelsmatig kan iedereen wel uitzoeken wie zijn/haar goede vrienden, vrienden, kennissen en vreemden zijn. Mensen hebben toch snel genoeg in de gaten of ze elkaar mogen of niet? Wat zit me dan in Godsnaam dwars? Het maakt niet uit als je iedereen zit te belazeren, als je jezelf maar niet belazert. Wie zei dat nou ook alweer? Dit wordt chaotisch. Even alles op een rijtje: Ik ga uit. Ik wil geaccepteerd worden door veel mensen die me geen fuck interesseren. Maakt niet uit, ik wil me niet alleen voelen. Maar heeft die acceptatie dan waarde? Ze interesseren me niet, weet je nog? Niet echt dus. De volgende ochtend zal ik me weer even alleen voelen. Ergo: ik zit mezelf te belazeren op een apocalyptisch formaat. En NIEMAND heeft er wat aan, ik nog wel het allerminst. Vroeg of laat zal ik hiermee ophouden, en dan knapt er een grote dikke ballon vol met binnenvet. Ben jij daar ook zo bang voor? Ik wel.

- 1 (2) De Lijf - Thorn EMI
- 2 (1) First Blood - CNR Video
- 3 (3) Evil Dead - Videoscreen
- 4 (5) Streetlighters - Videoscreen
- 5 (6) The Cannonball Run - EVC
- 6 (4) Ben Hur - Esselte CIC
- 7 (8) De Vierde Man - Videoscreen
- 8 (9) Mad Max 2 - Warner Home Video
- 9 (-) Jaws 1 - Esselte CIC
- 10 (10) XTRO - Polygram

Weinig nieuws deze week. De klassieker *Jaws* De Lijf is weer terug waar 1 weet zelfs weer in de Top-tien door te dringen. The Terminator ruimt het veld schijnt nauwelijks met vorige daarvoor.

HBO sportraad

SPORTROOSTER SEIZOEN '86

	MA spadestr.	WO spadestr.	WO hengeidal	DO mario cur
16.00-17.00			VOETBAL	
17.00-18.00				
18.00-19.00		JAZZBALLET		ROND
19.00-20.00	BASKETBAL	JAZZBALLET		ROND
20.00-21.00		VOLLEYBAL HEREN		KARA
21.00-22.00	KARATE			
22.00-23.00		TURNEN		
23.00-24.00				

JAWEL, het is hetzelfde rooster als in september d.w.z. dat we d'r nog mee doorgaan; hoe anders. Eén ding is jammer, namelijk dat we er in april eind april, al mee moeten stoppen. Met de rooster sporten, volgens het rooster. Dat komt door de sporthal aan de Lamastraat in mei bezet is en men niet alle tafeltjes en stoeltjes elkander wenst te versjowen. Zou wat zijn voor de wissel schaffing, ja, - ("Daar maak je geen flauwe over!") Dus wij, sportraad, oordeelden dat we alle zoveel mogelijk gelijk dienden te behandelen dus daáádg. Eind april.

Vóór die tijd kun je echter nog heel wat zw...

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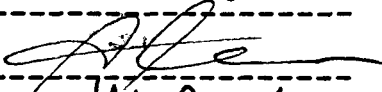
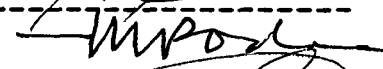
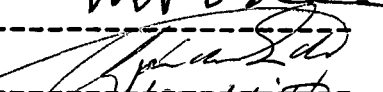
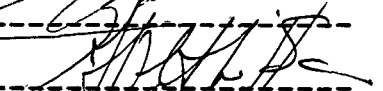
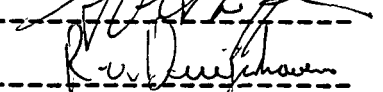
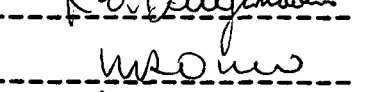
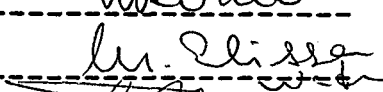
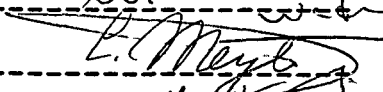
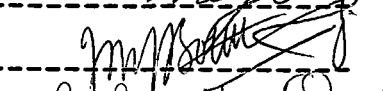
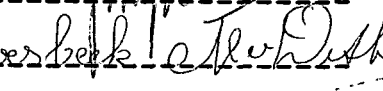
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Name	Address	Signature
------	---------	-----------

A. de Cock-Semstra	Binnenveld 14 Groesbeek	
M. P. de Coole	" " "	
G. van den Ende	Knapheidenweg 57 Groesbeek	
Y. Olthoff-Sciarone	Hofje Hoor-26 "	
R. v. Duynhoven	2e Colonges 5 Groesbeek	
Marian Rouw	Abeelstr. 47 Groesbeek	
Marijke Elissen	Beethovenstr. 13 Groesbeek	
Chr. Meyboom	Rage Hout 14 Groesb.	
J. Bolt	Steynweg 16 Groesbeek	
Al v. Dijkhuizen	Knapheidenweg 76a Groesbeek	

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

DRUKWERK



A.D. de Coote
Binnenveld 14
6562 ZX Groesbeek

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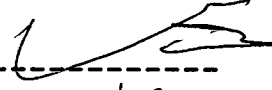
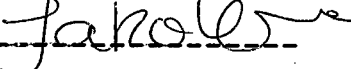
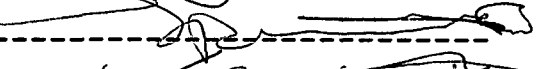
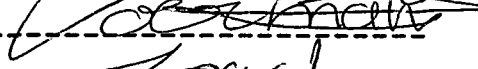
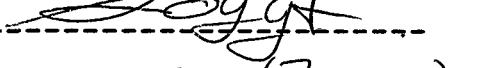
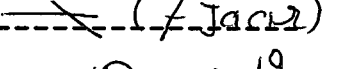
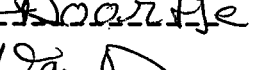
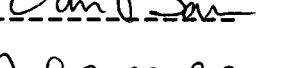
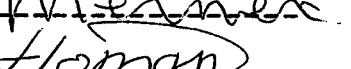
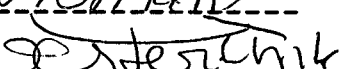

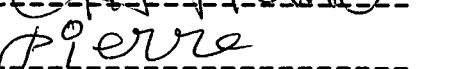

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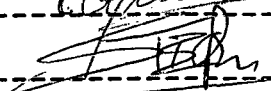
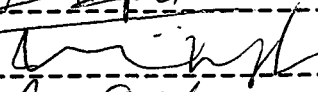
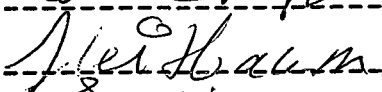
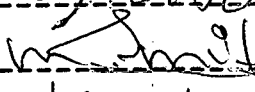
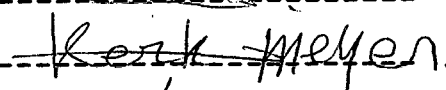
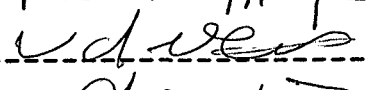
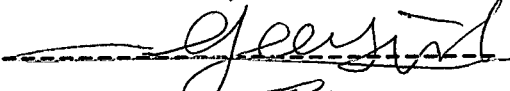
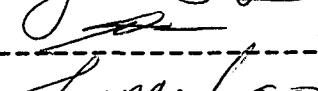
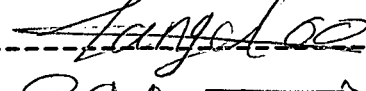


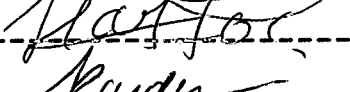
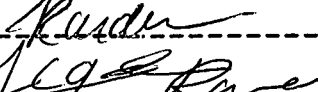
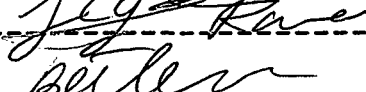

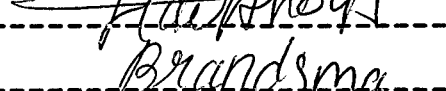
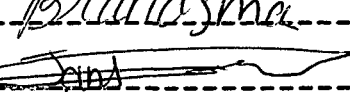
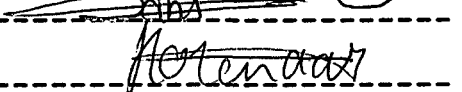
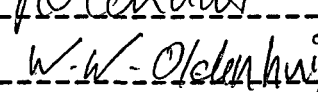
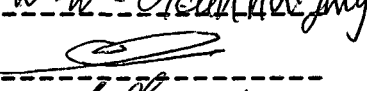

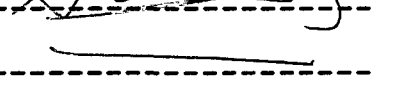
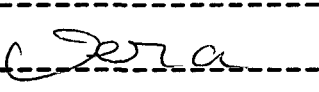

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Name Address Signature

V. Oiet	De Venterweg (De Venter)	
Jakobsen	Margherweg	
Spjckermann	Hilversweg	
Loerman		
W. J. Loggt	Zuickkaden	
Pietje	Waterhuizen	
Doortje	Annerweg	
Van Dam	hoflaan 62 Broek	
Mennen	Zuidlaan	
Homan	Jaarlo	
Westerink	Coevorden	
Litham	Assen	
Pierre		

Name	Address	Signature
Grannen	Ammerweg 27	
Jürgen Gorman	Vossenburg 4	
W. J. H. of	milkystrp	
Deit Baum	Henkelo	
Mary Jan Smith	Anna	
KERKMEYER	Bekken	
J. m. u. d. ven	Veiperweg	
H. Geesink	Laren (NH)	
Yon Lou	Julid Beverland	
Langeloo	Asserweg 11	
Eggers	Laren	
Tierus	Lutlaren	
Den Hardsch	Midlaren	
J. P. H. V. Rande	Lillegomsewg	
J. C. J. V. Rande	Annastr. 14	
P. Beien	Kleinheide 20	
Fred Havithorn	Hogeweg 11	
KEES BRIANDSMA	Loonerweg 11	
FRED Jansma	Groninger Str.	
P. Kozennaar	Uriezerstr. Weg	
W. W. Oldenhuijzing	Noorderkerkstr. 12	
Dauwe en Pinus	Oude dijk 12	
Alberts	Wetfeindegl LAREN.	
Jan van Straten		
Vera	Middelstum	

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

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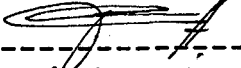
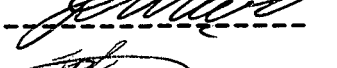
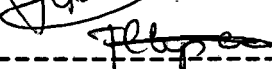
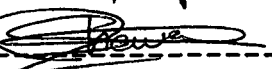
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THEREFORE we, the undersigned citizens of the Netherlands. demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name	Address	Signature
------	---------	-----------

G. Matthijsen	Jac. Latschaat 16, Groningen	G. Matthijsen
L. Ponder	Rivandakend 21, Groningen	L. Ponder
A. Aijewierden	Wanckhout 29	A. Aijewierden
E. van Ploeg	Friseseweg 26a	E. van Ploeg
E. van Velden	Tufterawstr. 7 Gron.	E. van Velden
M. van der Vliet	BB 1466 GRON.	M. van der Vliet
S. Donhebel	Baken 114 Gron	S. Donhebel
J. Siebering	Rabenhauptstr. 15A Groningen	J. Siebering
A. Gijma	P. Drissenstr. 28A	A. Gijma
S. Ypma	Elzenstraat 1	S. Ypma
P. Böhler	Heperwestsingel 27 Groningen	P. Böhler
Jans Engwerda	Verl. Nieuwstr. 22a Groningen	Jans Engwerda
Bert Sutsma	Oude Vrijheid 30b	Bert Sutsma
Lia Scholten	Visserstr. 12 Gron.	Lia Scholten
J. van der Laan	Keurstr. 71	J. van der Laan

Name	Address	Sig	Signature
P. Bors	Meidoornlaan 23 Plimmen		
O. Jureers	Vindenstr. 23 Groningen		
J. N. de Grooff	Kajuit 148 Groningen		
K. de Vries	Palenwoldweg Groningen		
K. Kalkbrenner	Meerweg 40 Haren		
D. vol Burg	7 Israelstr 53 Groningen		
R. le Boert	Florisweg 61 "		
W. van Gennep	Hoge der A 9 Groningen		
K. C. Meers	Deleplein 10 Groningen		
J. Steensma	Gissaboutr. 52A Groningen		
M. Schotsman	Reinusstr. 30 Groningen		
K. Jansma	Willemstr. 61 Groningen		
J. P. Rozemveld	van Storkenbeekstr. 98 "		
J. N. de Grooff	Kajuit 148 Groningen		
Sierp Buurke	St. Eustatiusstr. 82 "		
G. Klieverik	Noordestationsstr. 42A Groningen		
P. Bystenveld	Bloemistenlaan 47 Leiden		
A. de Groot	Doelingeacht 13 Leiden		
M. L. Coevers	Bloemistenlaan 47 Leiden		
H. J. R. Westen	Grote Vest 100 Leiden		
F. Clippen	Burchthof 201 Groningen		
O. Schewer	J. Ensinglaan 11 Groningen		
I. Bosscher	J. H. Egenbergerstr. 24 Groningen		

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Postbus 4266
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Name	Address	Signature
E. v. Rijn-Löner	Wagenmakerij 1 Del Delfzijl-Holland	E. v. Rijn
Linda van Rijn	Wagenmakerij 1 Delfzijl Nederland	L. Rijn
André v. Rijn	Delfzijl	André v. Rijn
E. DE VRIES	F. LIKENALING APPINGEDAM	E. de Vries
INEMEYER	KOSTENEG 291 Delfzijl	Inemeyer
M. Adriaans	Stelmakery 3 Delfzijl	M. Adriaans
Herkent van Slootdalen	Delfzijl	Herkent van Slootdalen
Erthon Prudencia	Capellenstraat 44 Delfzijl - Nederland	Erthon Prudencia
Carol Vedder	Marinischew sta. 15 Groningen, Holland	Carol Vedder
Hugo Hamster	Polderduursweg 1 Nieuwolda "	Hugo Hamster
Harry Korkkork	Ladelmakery 15 Delfzijl	Harry Korkkork
Tom Brink	Westendorpweg 32 Losdorp	Tom Brink
Benny Janssen	Zeis 96 Delfzijl	Benny Janssen

Name

Address

Signature

Name	Address	Signature
A. Dooze	Geevelsteen 3	A. Dooze
O. Veenstra	Burgmansstr 2	O. Veenstra
R. Goede	de Emsnoren 11	R. Goede
M. J. v.d. Werf	hambroek 26	M. J. v.d. Werf
M. H. Ekema	Zadelmakerij 11 Delfzijl	M. H. Ekema
Peeta Ekema	Zadelmakerij 11 Delfzijl	Peeta Ekema
J. Daane B.D.H.	Noordewierstraat 41 Baflo	J. Daane B.D.H.
L. Oerthman	Hoefrunderij 39 Delfzijl	L. Oerthman
H. J. Kevelam	Koninginnelaan Appingedam	H. J. Kevelam
J. M. Maas	Meerduisstraat Delfzijl	J. M. Maas
Mark Portman	Weth. Huismanlaan 25 Appingedam	Mark Portman
Sander Kruisbergs	Jaisterij 91 Delfzijl	Sander Kruisbergs
HERALD STOFFERS	KERKSTRAAT 11 BIERUM	HERALD STOFFERS
H. v. d. Veen	Boksweeg 117 Delfzijl	H. v. d. Veen
A. W. M. Kuiper	Zuringstraat 2 Appingedam	A. W. M. Kuiper
A. de Vries	Frailenaweg L. Looptorp	A. de Vries
R. Silon	Jubandeweg 13 Appingedam	R. Silon
G. J. Haan	Kleine Belt 39 Delfzijl	G. J. Haan
Mans Visser	Muiterplaats 56 Delfzijl	Mans Visser
Frank Wagenaar	Hooldmannen 3 Delfzijl	Frank Wagenaar
H. J. van de Steeg	Uitwiederweg 173 Delfzijl	H. J. van de Steeg
R. J. Velstra	Nooiven 23 Delfzijl	R. J. Velstra
M. v. d. Steeg	Uitwiederweg 173 Delfzijl	M. v. d. Steeg
Arnold Verhaaf	T. Heinstraat 9 Delfzijl	Arnold Verhaaf
Guusta Grootbol	Wagenburgerweg 19 Nieuwolda	Guusta Grootbol

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Name	Address	Signature
G. de Irenestr 37		
G. de Klein Irenestr 37	tel 1476	
marco Dasman		00013
J-M v. Hulten P. Hendriks 6 Nijm		
Muscha Mulder	Frankfurt 54-11	
M. G. de Ganshuyl 1. A font		
H. Timmermans	Elekcomidam 20	

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Name	Address	Signature
Paul de Raes	Piel Heinsbroek 6 Nijm	[Signature]
Jan Robles	Tolhuis 12-36 Nijmegen	[Signature]
[Signature]	Voorstas laan 44	[Signature]
Hans Don	Voorstelenkamp. 10-35.	[Signature]
[Signature]	Pindaren 12. 1	[Signature]
Johan Truijs	GRASSEVEL 30A Nijmegen	[Signature]
Hans de Blaauw	Meerwijk 2 Nijmegen	[Signature]
G. Labus Mey	Giftst 33 Mook	[Signature]
Ch. Raymann	Talembangstraat 20	Ch. Raymann
[Signature]	" "	[Signature]

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Name	Address	Signature
Benjamin Janssens	Ruysdaelstraat 4cl, Nijmegen.	BK
Roos Trooster	Vondelste 19 Nijmegen	P. Neerits
Anne Nijtmans	Pijnboomstr. 114 Nijmegen	AN
Abdij Esders	Eindweg 12 Nijmegen	AE
Johan Thijssen	Laanborst 56-72 Nijmegen	JT
Wim Vaanman	Tolhuis 12-36 6532 L.S. Nijm.	WV
Harrold	Nieuwst 20 7571 BM O'raad	HR
M. van der Waar	Nijmegen	MvW
Wim Rabbers	Daanwey 105 Nijm	WR
MS. RECCERS. OROTS B. Dec. 1973.		

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Name	Address	Signature
Henny Ketslaan	Evertsenstr. 2 Nijmegen	Henny Ketslaan
Henk Spunhelink	Binnen Bergen Dalseweg 95, 6522 BC Nijmegen	Henk Spunhelink
Ellen Klabbers	Johannes Vrijheid 16 Nijmegen	Ellen Klabbers
Poeloon Eyden	Vondelstr 38 Nijmegen	Poeloon Eyden
Ans Klomberg	Van Gentstraat 54 Nijmegen	Ans Klomberg
Sarah Nienhuis	Amstelstraat 12 Maarssen	Sarah Nienhuis
Jan Goppers	3e baan 11 Gronsbek	Jan Goppers
Rob Boelck	3e baan 11 Gronsbek	Rob Boelck
M. ESAIAS	HOEFKAMP 4-07	M. ESAIAS
M. Friedman	Willemsdijk 20-18	M. Friedman

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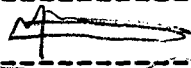

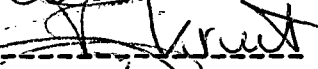
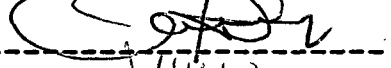
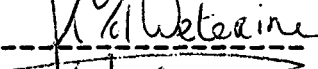
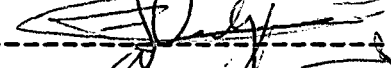
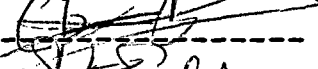

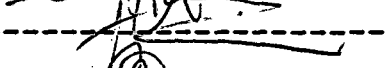
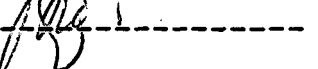
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Name	Address	Signature
Marius v. Brakel	Ruisdaelstr. 53 Nijmegen	
Gerhard Cor.	Beukstr. 14 Nijmegen	
Kruit	Graafseweg 26 Nijmegen	
Rob'ta Wetering	Gildekamp 3332 Nijmegen	
Kitty'd Wetering	Gildekamp 33-32 Nijmegen	
F. Verhagen	Wezenlaan 245 "	
Hans Oosterwijk	Telhuus 41/30	
Jaegerhe Sijde	Bay-Dokweg 230 "	
Janne Velude	-	
V. Rapsels	Trenbithnat 138	

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Name	Address	Signature
------	---------	-----------

<i>Therun</i>	<i>Dodekruaal 129</i>	<i>[Signature]</i>
<i>Therun</i>	<i>Toorpestr 75</i>	<i>[Signature]</i>
<i>Freem Vestrain</i>	<i>Wentbewes 42-44 Nijmegen</i>	<i>[Signature]</i>
<i>Maria v.d. Brand</i>	<i>42-44</i>	<i>[Signature]</i>
<i>Rene' v.d. Haal</i>	<i>Sophiaweg 278 Nijmegen</i>	<i>[Signature]</i>
<i>Wil Nijlles</i>	<i>Pinxtenveld 1 Grootkeel</i>	<i>[Signature]</i>
<i>S. Eskes</i>	<i>Banlastr. 21 Nijmegen</i>	<i>[Signature]</i>
<i>S. Ya Kwant</i>	<i>Alligator 37</i>	<i>[Signature]</i>
<i>G. van Poppel</i>	<i>Val Speykstr. 42 Nijmegen</i>	<i>[Signature]</i>
<i>E. Keusters</i>	<i>" "</i>	<i>[Signature]</i>
<i>RAMON van Poppel c c</i>	<i>" "</i>	<i>[Signature]</i>

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Name	Address	Signature
Aannemie Kistemaker	Vondelstraat 38, 6512 BH Nijmegen	<i>Aannemie Kistemaker</i>
Lothar u. Bortel	Schoolstra. 23 5400 KH Uddel	<i>Lothar u. Bortel</i>
M. Jansma	De Grootste laan 41 Nijmegen	<i>M. Jansma</i>
Ingelid Hoogerdyk	Dambster 1 sull am Zeeland (NBr)	<i>Ingelid</i>
Mark Manders	Elanste 10 5408 XO Uddel	<i>Mark Manders</i>
Gonne Belhars	Maartstraat 19 5404 ND Uden	<i>Gonne Belhars</i>
Wendgard Janssen	Wortle 1 6259 Wad Breda	<i>Wendgard Janssen</i>
M. Vender	Sluislaan 13 BOC	<i>M. Vender</i>
J. Raver	West Prijs 12 edy k 10 St Maarten	<i>J. Raver</i>

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Name	Address	Signature
Ivo de Blaauw	Borneostraat 2, 6524 CA Nijmegen	[Signature]
Edgar Scheers	Hakelweg 285 Nijmegen	[Signature]
Harold Triebumder	Hakelweg 285 Nijmegen	[Signature]
Jan Koning	Jan Luitendaalstr. 52 Nijmegen	[Signature]
Elis van Haelen	Heutehofstr. Nijm.	[Signature]
J. de Vries		[Signature]
Sjaan van	Laarzenw. 50-11 Nijm.	[Signature]
Margje Bond	V. Gentstr. 54 Nijmegen	[Signature]
Bonnie Schoffelen	L. Brouwerstr. 51 Nijmegen	[Signature]
P. K.	Mijn v. Steekstr. 260 Voorburg	[Signature]

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Name	Address	Signature
Christina Kuynenheven	Mgr. v. Steelaan 260 Voorburg	<i>[Signature]</i>
Inge Hoogenboom	Kalenburg 4 Renkum	<i>[Signature]</i>
Heleen Pen	Kortenburg 4 Renkum	<i>[Signature]</i>
Frank Salasie	Maria laan 273 Nymegen	<i>[Signature]</i>
Mit Hammeisom	Nuyhoust 13-14 Nijmegen	<i>[Signature]</i>
Kees v. Eynde	Berg & Debeeweg 20 Nijmegen	<i>[Signature]</i>
marjke v. Hekum	Pi. berndardsstr 23 " "	<i>[Signature]</i>
Dennis: Silvia Vermeulen	GER VENLO	<i>[Signature]</i>
Tue Verhallen	Groesbeekseweg 38 Nijmegen	<i>[Signature]</i>
Nancy van Hal	Kannmilk Boerenste 100 Nijmegen	<i>[Signature]</i>

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Name	Address	Signature
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Muller F.	W. SERRURIERSTR. 66	AMSTERDAM	Elm
Van den Broek	De Horst 5-a	Abcoude	Broek
Sijsbeth Otie	Eckstein 47	1103 AD A'dam 20	Sijsbeth
Wip Mercedes	WIP Amsterdam		Wip Mercedes
STAMMESTHAUS	DRACHWYK 66	A'DAM	Stammesthaus
GERDA BOLHUIS	WEERDSTEDE 49	- NIEUWEGEIN	Gerda
M. Zwartkoed	Poer Brandstr 126	A'dam	M. Zwartkoed
M. Manarini	Gruper de ADAMO	- A'dam	M. Manarini
E. v. d. Poel	Jr. Verreesth. 65 II	A'DAM	E. v. d. Poel
B. Smeets			B. Smeets
Bo Souisa	Marco Polo str. 22	A'dam	Bo Souisa
Stahmann	"		Stahmann
Gerard Luthenberg	Hoogstraat 6	Hilversum	Gerard Luthenberg

Name	Address	Signature
Corine Tempel	Uilenstede 18 Amstelveen	Tempel
Marijke Vromans	J van Lennepkade 382 1053 NL Aldam	Vromans
Joost Adnoanse	Bloemgracht 185 ^R 1016 KP A'dam	Adnoanse
Atje - Metin	2E Atjeh STR. 49 1094 LD Amsterdam	Metin
P. v. Vurpen	Oostkade 40 1274 ND Venen	Vurpen
Offe Nel Swirt	Varikstraat 88 1106 CV Amsterdam	Swirt
Tom Koningh	Varikstraat 88 1106 CV Amsterdam	Koningh
P. v. Vurpen	Oostkade 40 1274 ND Venen	Vurpen
S. Heerendijk-Knecht	Tweedykstr 55 3443 TH Voerden	Heerendijk-Knecht
E. W. Worthington	Melkhuys 61 1025 SS A'dam	Worthington
D. S. S. S. S.	Schans 15 1387 TH Wasse	S. S. S.
L. Tonstra	Regentesseweg 9 1213 AA Olmere	Tonstra
y. Donkerwaart	Papehof 5 1391 BD Abcoude	Donkerwaart
J. v. der Vliet	Frankellstraat 21 Amsterdam	v. der Vliet
A. W. v. der Vliet	Lilverschoen 115 1391 XD Abcoude	v. der Vliet
J. M. v. der Vliet	Daggersbank 22 A'dam	v. der Vliet
J. Paul Muller	Veenmassingel 6 Purmerend	Muller
Elly Fenneman	" " " "	Fenneman
Vincent v. Lingen	Kleiburg 602 1104 EA Amsterdam	v. Lingen
R. A. Kuiper	Burg Fockstr 41 Amsterdam	Kuiper
Elisabeth de Jong	Boekrijdselaan 44 Abcoude	de Jong
R. J. Land-Elgeti	Gooieoord 66 1103 CD Amsterdam	Land-Elgeti
Th. Willebrands	kamp 21-25 8225 DV IJlstad	Willebrands
J. M. Houweling	Landzicht 10 1391 XE Abcoude	Houweling
D. Kiekert	Spaarndammerstr 135 ^{II} A'dam	Kiekert

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

PETITION ON THE LUBICON LAKE INDIAN BAND

WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;

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AND WHEREAS the Province of Alberta has failed to recognize and protect the aboriginal land rights of the Lubicon Lake Band by allowing dozens of oil companies unrestricted access to the oil resources in the traditional lands of the Band;

AND WHEREAS the mineral developments by dozens of oil companies on the traditional lands of the Lubicon Lake Band have disrupted the traditional economy of the band to the point where now its very existence as a society of aboriginal people is in serious jeopardy;

THEREFORE we, the undersigned citizens of the Netherlands, demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name	Address	Signature
Rich Westera	Berettingslaan 150 Groningen	[Signature]
Elmer Thuisman	Aquamarijnstr. 201	[Signature]
Dejan Totir	Aquamarijnstr. 219 Groningen	[Signature]
P.J. Dykema	Aquamarijnstr. 227 Groningen	[Signature]
Hugo Post	" 229 "	[Signature]
Waltera Pillen	" 233 Groningen	[Signature]
Rob Var	Aquamarijnstr. 239 Groningen	[Signature]
Peter Zuffer	Aquamarijnstr. 249 Groningen	[Signature]
Paul de Jong	den Oudestraat 18	[Signature]
Hans Hofman	Aquamarijnstr. 255	[Signature]
Romy Rollema	Aquamarijnstr. 257	[Signature]
Marco de Vries	Aquamarijnstr. 813	[Signature]
F. Overman	261	[Signature]

Name	Address	Signature
Ralph Welcher	Aquamarijnstraat 263 Groningen	
D.P. Leekman	cavalie pl. 150 Pinnerend	
P. Kokkelhorst	Aquamarijnstraat 273 Groningen	
J. Broekhof	Aquamarijnstraat 289	
M. Groen	" 293	
W. Poutsma	" 295	
F. Riss	" 297	
A. Kasel	" 299	
N. Rittig	" 311	
Robert Keener	" 315	
P. Dehn	"	
N. Kordon	" 329	
M. Geenen	" 333	
P. Buijs	" 343	
R. A. Hartman	"	
Regina Dijkstra	" 347	
A. P. Veensma	Aquamarijnstraat 349	
R. Dummelhof	" 415	
L. Vos	" 421	
A. J. J. J.	" 429	
Elen Nieuwold	Oosterh. kade 51	
J. R. C. Nieuwold	Mengelveldebrink 190 ^A Euxhark	
Annet de Boer	Curiestraat 25 Hengelo (ov)	
J. Nieuwold	Lageweg 37 Limalaren	

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Name	Address	Signature
R.B. NIEWOLD	Aquamarijnstraat 521	GRONINGEN (The NETHERLANDS)
E.M. Vos	" 11	Groningen
E. v. Schaijk	" 15	"
G. Westers	" 19	Groningen
M.F. de Boer	" 39	"
A. Bulter	" 19	"
A. Meijer	" 4	"
A. de Vries	" 43	"
A. de Vries	" 45	"
E. de Wit	" 52	"
M. Quanjel	" 57	Groningen
P. Slok	" 59	"
A. de Vries	" 1	"

Name	Address	Signature
G. Onenqa	Aquamarijnstr. 61	G. Onenqa
R. Hillebrand	Aquamarijnstr. 65	R. Hillebrand
F. Roelofs	Aquamarijnstr. 75	F. Roelofs
S. Ebbens	Aquamarijnstr. 521	S. Ebbens
Geert Roemer	" 11	Geert Roemer
Gustaaf van Tildantz	Aqua 99	Gustaaf van Tildantz
Johan Henk	Aquamarijnstr. 99	Johan Henk
D. Delstra	Aquamarijnstr. 103	D. Delstra
(P. B. B.) Lid. T. B.	" 105	(P. B. B.) Lid. T. B.
K. Bergman	Aquamarijnstr. 111	K. Bergman
R. Grobke	Aquamarijnstr. 125	R. Grobke
AR. TORENBOSCH	Aquamarijnstr. 127	AR. TORENBOSCH
G. WERER	Aquamarijnstr. 133	G. WERER
P. Vulner	" " 135	P. Vulner
B. C. van Eeten	Aquamarijnstr. 141	B. C. van Eeten
A. de WAAL	AQUAMARIJNSTR. 143	A. de WAAL
F. Rode	" 147	F. Rode
T. Wieringa	" 153	T. Wieringa
H. Schuurmans	" 161	H. Schuurmans
P. F. Hartman	" 165	P. F. Hartman
Marcel Orie	" "	Marcel Orie
Bealukken	" 167	Bealukken
M. C. Niemeyer	" 167	M. C. Niemeyer
Hans Bosman	" 169	Hans Bosman
Karolien Berghof	Aquamarijnstr. 197	Karolien Berghof
JOSE van Rossum	AQUAMARIJNSTR. 523	JOSE van Rossum
J. Lande Koenders	" "	J. Lande Koenders

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
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Name	Address	Signature
P. de Kolk	Nieuwegein	P. de Kolk
J. Verbeul	Gt. Willemlaan 40	J. Verbeul
J. de Kolk	Nieuwegein	J. de Kolk
R. Wiger	Roelofslaan 8 Nieuwegein	R. Wiger
R. Reijnders	Wendelaar 40 Nieuwegein	R. Reijnders
P. de Kolk	Oostenrijkse 30	P. de Kolk
A. W. G. de Kolk	Havik 29	A. W. G. de Kolk
H. J. de Kolk	Maryn 40	H. J. de Kolk
H. J. de Kolk	Mansrecht (L)	H. J. de Kolk
D. C. Slagmolen	Nieuwegein	D. C. Slagmolen
N. Rampersad	MUIDERSchans 223	N. Rampersad
M. Breeman	Tinniastraat 26	M. Breeman
M. Druppers	Nieuwegein	M. Druppers
J. E. Knoch	Nieuwegein	J. E. Knoch
W. de Steen	Rhenen	W. de Steen
W. de Steen	Rhenen	W. de Steen
A. de Steen	Rhenen	A. de Steen
B. G. R. H. de Steen	Nieuwegein	B. G. R. H. de Steen
M. G. Balder	Nieuwegein	M. G. Balder
E. Knoch	Nieuwegein	E. Knoch
H. J. de Kolk	Houlen	H. J. de Kolk
M. J. de Kolk	Nieuwegein	M. J. de Kolk
C. de Kolk	Nieuwegein	C. de Kolk
M. J. de Kolk	Nieuwegein	M. J. de Kolk

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Name Address Signature

M. Runkes	Hauter	M. Runkes v.d. Bergh
M. v.d. Bergh	Schallwijk	M. v.d. Bergh
P. B. B. B.	Nieuwegein	P. B. B. B.
C. HERBRINK	N'GEIN	C. HERBRINK
Marian den Uyl	Vianen	Marian den Uyl
Mariska van der Wolf	Vianen	Mariska van der Wolf
Hans W. L. B. B.	Nieuwegein	Hans W. L. B. B.
T. de Ronde	Nieuwegein	T. de Ronde
Ton de Ronde	Waalwijk	T. de Ronde
Benson van de Kelder	Nederlandsseweg	Benson van de Kelder
Margo van Basten	UTRECHT	M. van Basten
Theodoor de Korte	de Molukken	Theodoor de Korte
B. Veldhuis	Nieuwegein	B. Veldhuis

Name	Address	Signature
W. van Zon	Raedeckerplantsoen 7	[Signature]
M. Dasse	Rijpeltplantsoen 11	[Signature]
M. Kuyt	G. Geslachtenged 8	[Signature]
R. Setjah	Elke 27	[Signature]
C. de Kruik	Buwardenbus 2	[Signature]
P. Visser	Zinniastr 1	[Signature]
P.M. Lams	Foppe Plantsoengwei 19	[Signature]
F. Millerberg		[Signature]
M. v. d. Ven	Gylke 32	[Signature]
H. Don'talis		[Signature]
R. v. d. Camp	I e p m 31	[Signature]
C. Debboli	Houeltenschans 5	[Signature]
Lo Baan	3434 MD 34	[Signature]
Meijer	Uredenh ofue 9 52	[Signature]
GURKeri	111	[Signature]
O. J. van der	Uredenh ofue 52	[Signature]
A. Barendse	Zaamseschans 42	[Signature]
H. de Koning	Pareldunken 40	[Signature]
L. Stoelers	Snoekslot 45 Houten	[Signature]
A. E. Ma/zaf	Denemarkenple 23	[Signature]
G. v. Vliet	Nienwegtin	[Signature]
G. v. d. Linden	Nieuwegein	[Signature]
J. Coret		[Signature]
C. Coret	N'Gern	[Signature]
J. B. Gelderen	N'Gein	[Signature]

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Name Address Signature

Vanseveld Stormvogel 12 Nieuw G.

S.M. Vanseveld Midlum Stormvogel Nieuwegein

Mohr Ing. Heerhooft 39 Schoonhoven

J.H. de Jong Heerhooft 39 Schoonhoven

J. van der Grinten Zureweg 42 Nieuwegein

Stalen v.d. Ham P.1 Smitsstraat 7 Bergambacht

Geendhuyn Zandveld 56

Rein. Meijer Vogewijk 16

Jon. Snatage Stadionlaan 15 Utrecht

G. Bruinsma Muiderschaas 291 Nieuwegein

L. Melschoten A.N.E. 1100 X STR. 30 Nieuwegein

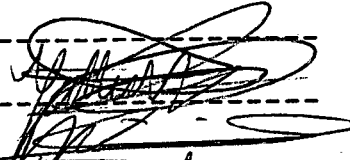

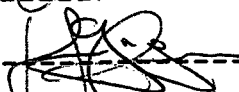

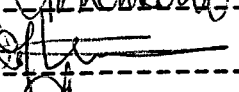
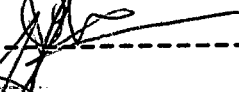
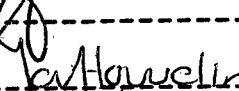
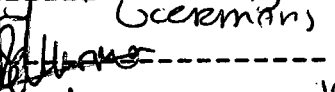
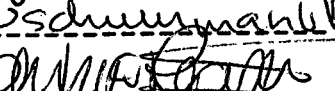
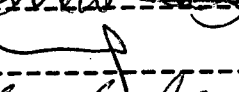

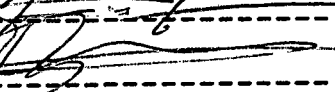
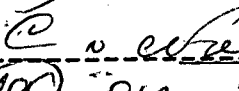
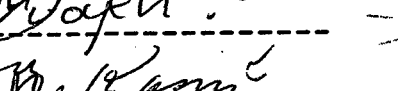
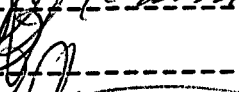
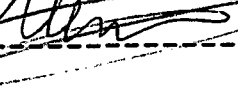





Uppelschooten H. de Moor 30 Nieuwegein

Laan v. Ouden 102 Leiden

Name

Address

Signature

Melle de Rooij	Raedeckerplantsoen 17 N'gein	
En Meinsma	Libelleweide	"
J. v. Nieuw	"	"
J. v. Nieuw	Meis 3 Rosmalen	"
Helen Alblas	Nippelsplant 70 Nieuwegein	
J. v. Nieuw	Vl. 12 Nieuw	
H. v. Nieuw	Dassende 20	
P. ARKENDIJS	IRISSTRAAT 60 NIEUW	
B. Wouters	Gr. Boudewijnlaan 3 N. gein	
C. Malle	Dijckweg 4 Nieuw	
H. v. Nieuw	Nieuwegein	
J. v. Nieuw	Nieuwegein	
R. Schuurman	v. Solmslaane 36 Yss	
W. Schuurman	"	
D. Veenhof v. Nieuw	Nieuwegein	
A. Veenhof	"	
N. Renes	Nieuwegein	
T. A. v. Nieuw	Nieuwegein	
K. Baum	Nieuwegein	
A. C. v. Nieuw	Nieuwegein	
R. v. Nieuw	Nieuwegein	
Pham, Kim	Munkfont	
G. v. Nieuw	Munkfont	
H. v. Nieuw	Butterweide Nieuw	

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Name Address Signature

Schickelautz	Eiters 6,	
Gomersbach	G. Terborchstr 7	
Gomersbach-Plaeg	Idem	
V.D. VERT	WINTERDOONING 19	
P. Scheffers	Tuinfluiters 8	
S. Knipfel	Muiderschan 261	
A.J. DAVINS	Johannesburg 1	
M. d. Heem	Tilburg ydrijs 3	
J.C. Lunnas	Kiechdrift 112	
T. de Ojcoat	Herikhof 1	
C.W. van der	Schooten kampweg 141, Leest	
C. J. de Maessene	Rijn 63	
J. v. Haalen - Goyers	J. Highhartplein 32 Leest	

Name	Address	Sign. re
A. Donselaar	Goudenegeen 52 N'gein	<i>[Signature]</i>
J. Nieuwen	Lindes 32 N'gein	<i>[Signature]</i>
J. Sanders	Ammon 1739 N'gein	<i>[Signature]</i>
W. Oubink	Portenbaan 92 N'gein	<i>[Signature]</i>
De Bode	Lieft weide 12 Houten	<i>[Signature]</i>
Paul Drager	Orpheus 20 N'gein	<i>[Signature]</i>
V. AMELSFORT	SLOBEEND 20 N-GEIN	<i>[Signature]</i>
Catheleyne Wytzes	GROENHOF 239 Amstelveen	<i>[Signature]</i>
Wilma Lubbers	Maarssebroek	<i>[Signature]</i>
J. Janske Butenberg	Nieuwegein	<i>[Signature]</i>
J. van Gruns Pw	Bergschot 242	<i>[Signature]</i>
J. W. Brandermeier	Goudenegeen 44 N'gein	<i>[Signature]</i>
Rob Wammes	Wandelaar 20 N'gein	<i>[Signature]</i>
D. Verwoeg	Nieuwegein	<i>[Signature]</i>
A. Dumont	Nieuwegein	<i>[Signature]</i>
v. Hekum	Nieuwegein	<i>[Signature]</i>
de Wolf	N'gein	<i>[Signature]</i>
Koolmees	Nieuwegein	<i>[Signature]</i>
Koolmees-van Dijk	N'gein	<i>[Signature]</i>
T. Smaling	Nieuwegein	<i>[Signature]</i>
B. arken	Amsterdam	<i>[Signature]</i>
Goelken	Utrecht	<i>[Signature]</i>
H. de Vries	Vordum 25	<i>[Signature]</i>
H. R. v. d. Beem	" "	<i>[Signature]</i>
Boudin M.m.	" "	<i>[Signature]</i>

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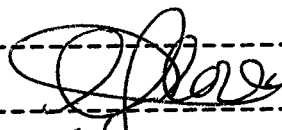

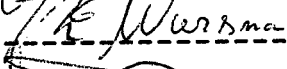
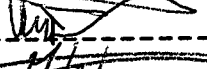
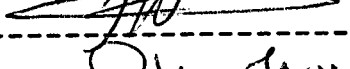
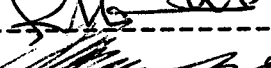
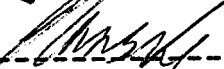
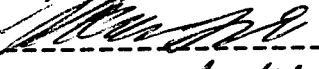
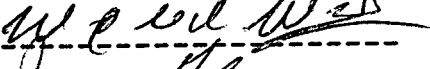

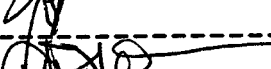


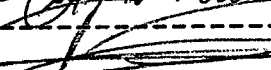
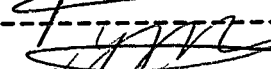
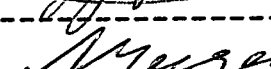


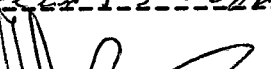
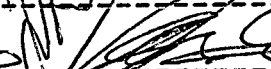


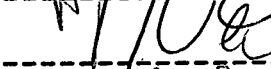


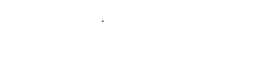
Name Address Signature

AMEN.	VREELAND	
G.F. ERNST	Strook	
R. Mosk	Nieuwegein	
W. Teirabend	"	
E. Teirabend	Oplinter	
W. d. Linden	Nieuwegein	
Beinkhuis	Nieuwegein	
Batenburg	Usselstein	
Vermeulen	Nieuwegein	
V. Baal	N'gerin	
Martini Tollerous	M'gerin	
Riem	Mispe Gave de 14	

Name

Address

Signature

Florie	Vianen	
Eddy Euen	Nieuwegein	
K. Wiersma		
A. Buijs		
J. Wiersma		
Edmunde	N'gein	
		
W. van der Meer	Wijk	
J. van der Meer	Vollendam	
V. Pley	monfort	
A. Meert	N'gein	
J. van der Meer	N'gein	
A. Stuart	N'gein	
C. Peters	B'gers	
J. Kamps	Springe	
M. Jaeger	Nieuwegein	
Beekmans	Nieuwegein	
G. Kamps	Nieuwegein	
M. van der Meer	De Bilt	
C. Elst	Nieuwegein	
W. van der Meer	Roodmus 30	
de Kijder	Nieuwegein	
M. de Kijder	Kloostdrift 66	
M. de Kijder	Nieuwegein	
J. Jansen	Rhenen	

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

PETITION ON THE LUBICON LAKE INDIAN BAND

WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;

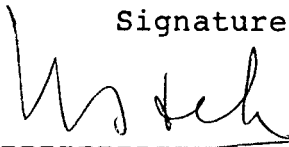
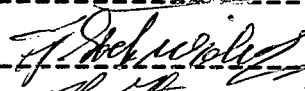
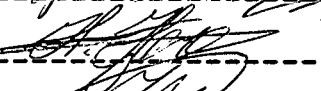

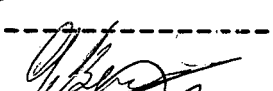
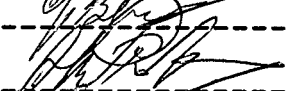
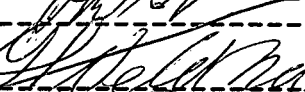
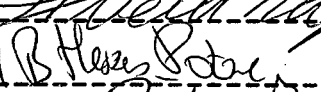
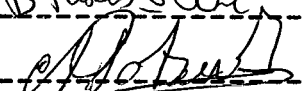
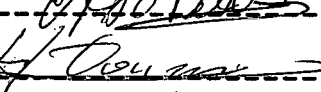
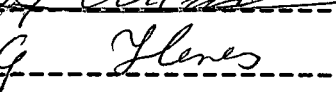
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AND WHEREAS the Province of Alberta has failed to recognize and protect the aboriginal land rights of the Lubicon Lake Band by allowing dozens of oil companies unrestricted access to the oil resources in the traditional lands of the Band;

AND WHEREAS the mineral developments by dozens of oil companies on the traditional lands of the Lubicon Lake Band have disrupted the traditional economy of the band to the point where now its very existence as a society of aboriginal people is in serious jeopardy;

THEREFORE we, the undersigned citizens of the Netherlands. demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name Address Signature

K. Sleh	Beerta	
V. Stok	Beerta	
Chris Hoes	Dieborg	
Leo Hoes	Beerta	
C. Noor Tjipien	Dieborg	
C. Berends	Malenkamp	
H. W. Pater	Beerta	
H. Veld	Malenkamp	
Ria Hoes	Beerta	
A. G. Hoes	Beerta	
A. C. Hoes	Beerta	
G. Hoes	Beerta	
P. Luperans		

Sic ture

[illegible]

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

001564

Name Address Signature

THONI ANKERSMIT KEIZERSGRACHT 210 AMSTERDAM
ALICE DEKKER FRESIALAAN 2 2121 SH BENNEBROEK
Anne-Mari Biesot Boonggaardstr I Zaandam
Fernanda Poel Ousartstraat 43 II 1072 HN Amsterdam
F. Tulder Wenden 123 Alphen 'd Rijn
E. NITRAUW NIENRODE 67 9301 XT RODEN
E. P. van Boog Huispolder 11 2171 MS Sassenheim
H. H. Papa Vondelkerkstraat 15 1054 KX A'dam
R. Hageman Pauluskerk 29 3714 TD Leiden
E. PAPA OLSHOVEN 5 2133 KX HOOEDORP
E. H. Rijnkers Spanderswoudh 120 1024 LB Amsterdam
H. BOUWER BUISKOOISTRAAT 1241 E J SCHAGEN
Inge Brouwer Loet 5 1741 BN Schagen
R. GROESE LOET 5 1741 B.N. SCHAGEN
G. J. Schager van Wierwag Schagen
F. de Wit Rozen Laan 94 1741 ZD Schagen
M. KROONE LOET 22 1741 B.P. Schagen
M. de Groot 1e Helmersstr 147 1054 DR A'dam
A. J. Goede SCHUTTEBREEK 10 1121 LL LANDSMEER
J. BOUWEN KAMP 12-31 ZELYSTAD
M. Schermer Balthumershaat 98 1901 bp Pashicum
Th. Peers Bloeiendendwarsgat 213, Aker
H. Mevrelt v Geest Elzenkade 9 1161 EJ Zaandam
Hennie v d Schaar Thijssenvaart 89 1504 WD Zaandam
J. M. van der Meer Tyn 57 1902 J.W. Lastericum

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PETITION ON THE LUBICON LAKE INDIAN BAND

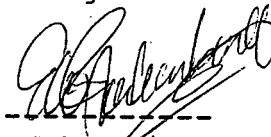
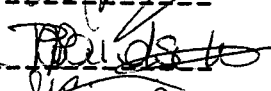
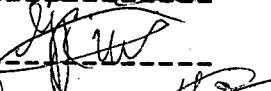
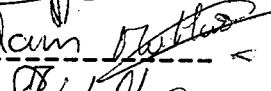

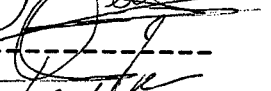


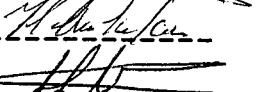
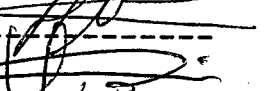
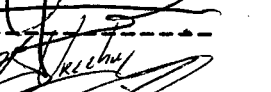
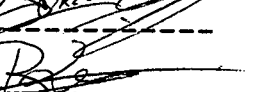
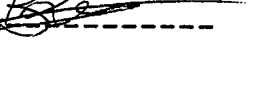
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Name	Address	Signature
Riesbeth Turkenburg	Wouwermaustr. 4RD 2023XC Haarlem	
Nara Brandse	Lindberghst. 16 1945 RC Beverwijk	
Rob Turek	hoflaan 283 23213V Leiden	
Marc van der Horst	Churchill-laan 115 TH Amsterdam	
PERRY Wollman	Plein 10 VISSER 2242KB	
Geertje Geurke	middenweg 16 2372GR RAUEN	
Anja van der Pers	Nieuwendijk 164 7311 RN Apeldoorn	
Sylvia v. Maanen	v. Speylst 137 1057 GU Afdam	
de Anhelon	LoBeliusstraat 56 1504 FN Zaandam	
H. Wijnands	Wulke 16 NOORDWIJK	
Y. de Jong	Aalsmeerderweg 680 Rysenhout	
J. Vreeburg	W. de Zwijgerlaan 107 Kestwijk	
B. KEEN	SPORTPARKLAAN 5 Weesp	

Name	Address	Signature
Miche Hemmelan	Breitneubod 67 Alkmaar	Miche Hemmelan
Ben Hittinger	Tan Oudegeeststraat 35 Oorp	Ben Hittinger
Peter Mastenmans	Kichenpiefkonst 69 Leiden	Peter Mastenmans
Tom v.d. Heden	Huig sloerdijk 379	Tom v.d. Heden
Mohin Hendriks	De Schaepmanstr 203 Haarlem	Mohin Hendriks
Petty BARNHOORN	Zandvoortse laan 353 BenDveldt	Petty BARNHOORN
W. Van Soest	Wageningen 2000	W. Van Soest
Beet van der Gingen	Hollandse laan 13 Woerden	Beet van der Gingen
Ben van Bentem	partijk Kalfrend 55 Amstelveen	Ben van Bentem
Anneloch Ridder	laan 10 de leende meesters 169 Amsterdam	Anneloch Ridder
Ronie Zeilmaker	Rudolf Dieselstr 53# d'dam	Ronie Zeilmaker
Robert M Korthout	Europaboulevard 575 Alkmaar	Robert M Korthout
Karl Doorman	Scheepenveld 128 Apeldoorn	Karl Doorman
A.W. Benant	Burg v. leeuw laan 62# Amsterdam	A.W. Benant
Jai E.	Marco Polostr 23518 Aldam	Jai E.
O.W. Wolke man	PLEIN 10 WASSENAAR	O.W. Wolke man
A. Siebenlist	GRANAT 63 H.H. WAARD	A. Siebenlist
W.A. DOORSCHOOT	MERELSTR 33 SCHAGEN NH	W.A. DOORSCHOOT
de Boer	De lewaal 19 Nieuw Vennep	de Boer
Els Tukker	Wardestein 43 Alphen vld Rijn	Els Tukker
B. Vanheine	Wijpmolenweg 319 Almere	B. Vanheine
MARIN Bylema	KLEYLAAN 24 ALKERE ALPYSEE	MARIN Bylema
H. Staal	Polanen 14 Nw-Vennep	H. Staal
B. Koper	Vechtstraat 179 Ymuiden	B. Koper
Karin Horayh	grotestraat 100 Giberger	Karin Horayh

Opsturen naar: Lubicon Lake Support Group Holland
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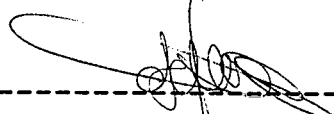
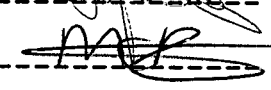

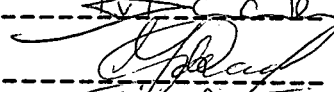
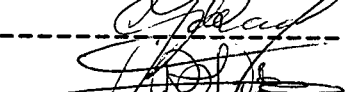

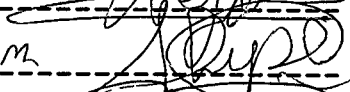

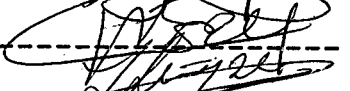
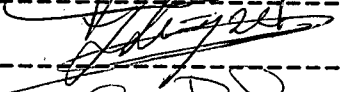



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Name	Address	Signature
------	---------	-----------

Alie de Jong	Tjotten 26 8531 DG Lemmen	
Rita Rikelman	Zorgzaam 2 1068 SC A'dam	
RICHARD V. DAALEN	MILLINGENHOEF 118 1106 KH A'DAM	
Joan de Graaf	Dunantstr. by Blofddorp	
Rob Johnke	MEER EN VAART 406 AMSTERDAM	
Ingrid Lysen	Voorburgsbragt 13 a. Amsterdam	
Corrie Bruij	Garesteinselaan 67 W'berg	
Jeroen Keizer	H. Overwegstr. 8 II Amsterdam	
Samuel de Bont	Fokkerstr. 53 Rindhoedorp	
M. I. Segling	Dorstgeschade 45 I Amsterdam	
Karin Bauma	Top Naeffstraat 48 Leiden	
M. v. Wees	H. v. Somere-str. 35 Oalmeer	
Jris v. Kampen	Gem. polderweg 509 Weesp	

Name Address Signature

Rienaldus - LUISA - PEÛRSUMSTRAAT NR 3-1106-BS. A-DAM -

Ellen Wennee Ant. Maddermaanse 216 I 1023 NO

Sylvia de Haagen Beveren 1 2151 DE Nieuw Vennep

Silly de Groot Minderbos 226 2154 SZ Hoofddorp

SIMONE Hoogervorst Dahliastraat 48 2203 YV Noordwijk

Sintia Hope Da Castorade 101 1053 WR A'dam

M. Deen V. Wel. Den Blaaienden Wijngeest 213.1183 ES. Amstelveen.

Floor Monas Rooseveltlaan 201 1079 AR

Paul v'd Pol Kruidenschans 17 2215 BS Voorhout.

Gwij Glenkes Spaarnhovense 20 Haarlem 2022 TM

Michael Wijnstok Diamantstr. 144 Amsterdam 1074 GG

Marieke Zingemans Smidslaan 139 Zaandijk

Wouter Zandbergen Wilgenlaan 43 Zwanenburg

Janette Udo Amstelwijk Noord 4 Amstelveen

Helene de Bruijn Sincasappelstr 62 Den Haag

Marga Meyer Olmanstraat 10 Amsterdam

Laura Goezinnen HELMERSTRAAT 147 A'dam

Monique Werkhoven Cynssenstraat 24 III A'dam

Veronica Bouman. Van Speijckstraat 1 RD Landvoort V.R. Bouman

Ricardo Lables Janselstraat 152 Zaandam

MARCEL Konijnenberg Heerhalewijnstr 3 A'dam

Rand Klempel Clemenceaustr. 31 Almere

Caroline Gijgerbaert Mercatorstr. 48 II A'dam

Astrid Sier Katthammerstraat 117 C. Olindaam

Peter de Jong Mont Blanc 119 Amstelveen

Opsturen naar: Lubicon Lake Support Group Holland
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Name Address Signature

Ingeklaster	Nw loodrechtbedijde	Nw loodrecht	
Udo Visser	Oordelangs	Amsterdam	
Myrta Huijs	Hekelveld 2 ^{IV}	Amsterdam	
C de Graev. Heftou	Joke Smiloon 8	Heemstede	
Ron. Jans	EENDRACHT STR. 3a	DEN HELDER	
Paula Stokvis	St. Vuurvoolstr. 36 ^{II}	Amsterdam	
K. Bone	Rogedyk 19	Kong 70 Zaen	
G. Schooten	Tinana, plan soen 65	Haarlem	
R. de Oude	Overtoom 416	Amsterdam	
M. Biret	Weederstein 155	Amsterdam	
J. Zoonenberg	Gramatstraat 6 ^{IV}	Amsterdam	
Marco Coha	P. bus 11243	1001 GE Amsterdam	
P. M. Hendriks	Kreldagesstraat 39 ^R	2012 CT HAARLEM	

Name	Address	Signature
H. Wokas	Kwintshend str. 35 III A'dam	H. Wokas
Pde. C. v. Deluythen	Graan voo Visch 18506 Hoofddorp	V. Deluythen
C. de Boer	Kempering 825 A'dam	C. de Boer
C. Hermenker Coen	Schuytstr. 5 I 1071 JC A'dam	C. Hermenker
J. Schapenlietker	Oude vaarstr. 160 42162 xw Risselt	J. Schapenlietker
P. v.d. HATERD	Biesbosch STRAAT 56 II AMSTERDAM	P. v.d. HATERD
Paula Olyve	Klaarkestraat 47 Drievedrecht	P. Olyve
Esther Snoeren	Kopshipstr 34 Amsterdam	E. Snoeren
Judith Link	Hyacinthalaan 14 1906 xp Lisse	J. Link
Judy Jekema	Baarsstraat 48 II 1075 xv A'dam	J. Jekema
Karel Lavisse	Stationweg 328 HS 1076 PL A'dam	K. Lavisse
Gonne v. Uden	P. Kijkkersten 310 104111 A'dam	G. Uden
Carla Muys	Vlierstraat 20 1741 VK Schagen	C. Muys
op H. Meijer	Wierwalslaan 3 9698 XT Meddo.	H. Meijer
J. v. Gukem	Kempers. D. 2006 EM Haarlem	J. v. Gukem
Johan van Leeuwen	M. C. Kinglaan 474 1111 hT Niemen	J. van Leeuwen
Peter Steynbaert	Drechtland 40 2716F Zoutmarren	P. Steynbaert
Erik Dorenbor	Chuschildlaan 23 7951A Stegborst	E. Dorenbor
Marijke Eusman	Wallenbergstraat 35 2131 TR Hoofddorp	M. Eusman
Wies Dolstra	Egholm 141 2133 BD Hoofddorp	W. Dolstra
Kud Schaap	Waardpolderstr 12 2131 ZH Hoofddorp	K. Schaap
P. Bruns	Groenendaal 351 3011 ZW Rotterdam	P. Bruns
G. H. v. Brinck	85 Schinkelstr. 14 A'dam	G. H. v. Brinck
P. Nieman	Boksland 53 1566 GB Oostende	P. Nieman
J. M. Bendeken	Rijdesingel 3 2261 BX Leidschendam	J. M. Bendeken

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

Name	Address	Signature
H. Boefs	Venrayseweg 17 Horst (L)	Boefs
P.H. Janssen	Gebr. v. Doornelaan 56 Horst (L)	Janssen
H. Janssen	gebr. v. Doornelaan 56 Horst	Janssen
H.G.M. Hinkant	Einsteinstraat 135 Nijmegen	Hinkant
Edla Kienhert	Einsteinstr. 135 6531 NJ Nijmegen	Kienhert
Marije Crombach	Moldeburchstr. 240 6535 NH Nijmegen	Crombach
Barry Schutte	Pallensteun 831 6714 BZ Zele	Schutte
S.P.S. Jansen	Asterstr. 303 Wageningen	Jansen
Pud Kok	Vel. Palmweg 26 6717 ON Ede	Kok
G.P. Floor	Griethweg 324 6701 AS Wageningen	Floor
G. Jansen	Dorpstr. 5 6672 LC Heteren	Jansen
E.L. Heij	Harnijeweg 23 6707 ET Wageningen	Heij
J. Drienen	Gerdenskracht 114 6701 AZ Wageningen	Drienen
J. Caminada	Alexanderstraat 25 6820 BR Arnhem	Caminada
Carla Jansen	Balladestr 201 6544 WR Nijmegen	Jansen
Wim Vonk	Slinger 40 6641 HC Benningen	Vonk
Neer Vonk	Slinger 42 6641 HC Benningen	Vonk
Alice Heij	Roozvelthweg 243 6707 CA Wageningen	Heij
Roosje H. ten Katen	Vlein Driehaven 16 6871 GK Arnhem	ten Katen
Peter Hantink	Volkerakstr 12 Lkracht	Hantink
C. Smijers	Riemsdykstr 99 Wageningen	Smijers
J. Wisse	Boschstraat 7 Duren	Wisse
G. Hogeling	Groesbeekse duweg 78 Nijmegen	Hogeling
H. v. d. Heide	Fluitersdreef 42 Reukum	Heide
J. Hooreweg	Fluitersdreef 5 Reukum	Hooreweg

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
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PETITION ON THE LUBICON LAKE INDIAN BAND

WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;

AND WHEREAS the Canadian Government has not recognized and protected the aboriginal land rights of the Lubicon Lake Band by failing to establish the Reserve which was promised to the Band in 1939 and by transferring the traditional lands of the Band, without first rightfully obtaining them, to the Province of Alberta;

AND WHEREAS the Province of Alberta has failed to recognize and protect the aboriginal land rights of the Lubicon Lake Band by allowing dozens of oil companies unrestricted access to the oil resources in the traditional lands of the Band;

AND WHEREAS the mineral developments by dozens of oil companies on the traditional lands of the Lubicon Lake Band have disrupted the traditional economy of the band to the point where now its very existence as a society of aboriginal people is in serious jeopardy;

THEREFORE we, the undersigned citizens of the Netherlands. demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name	Address	Signature
------	---------	-----------

W. Wartena	Maendiep 110 29 Gronin	W. Wartena
L. Grozema	Groningen	
E. Muller	Gr. adolfsstr 20 Gron	E. Muller
J. de Rooij	Nw Bokerlagestr. 23A Groninge	J. de Rooij
R. Talsma	12 Eedenlaan Haven	R. Talsma
H. Assen	Groninger	
M. v. Tol	Gortel 70 Groningen	
J. Hestlinga	Korreweg 436 Groninger	Hestlinga
J. G. Nuijver	Hooiweg 70 Eelde	
E. Vos	Waterloolaan 33 Groninge	
P. J. L. L. L.	Prof. Tennekesstr 93A Groninge	
G. Bastelmink	Bloemsingel 4 Gron	
H. E. Meijering	Brinkhavenlaan 18 Paternuold	

Name	Address	Signature
J. van Dyk	Voornachtsstraat 21A Groningen	
M. de Linde	Tuinbouwerstr 77A Gr	
Hessel de Valle	Aquaraster 607 Gron	
Arnoud Leere	Planete lae 36 Groninge	
Ipe v.d. Deen	Batavlastr. 56a Groningen	
T. Demers	Spencerlee 9 Zwolle	
Astrid Dijkstra	HW. Meerdaght 3A Groning	
Rene Boven	Tuinbouwerstr 56 Gr	
Simon Groeneweld	Aweg 6 Groningen	
Anneke Heeroms	Waggeul 129 Groningen	
Reinold Post	W.I. Hout 89 Reek	
Rob Vossen	Gr. Kerkstr 41	
Be. Hummel	Woninginlaan 4	
Maria van Kerkhof	Gr. Kerkstr. 5a Groningen	
G. van Sloeg	Republiekstr 56 Gron	
R. Heeroms	Vaargeul 129 Gron.	
M. Kolk	Rijksweg 150 Groninge	
J. P. Guichelaar	Witte de Withstr 25A Groningen	
G. Vriessma	Groningerweg 97 Eelde	
W. F. Niepce	Grevest 59 LANDGRAAF	
A. Rinkema	Chopinlaan 290 GRONINGEN	
A. Wielens	K. Speykstr 1a	
M. D. Smit	Bentismakeerd 92 Groningen	
M. Huelshof	Mulhuweg 12 Groningen	

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Postbus 4266
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PETITION ON THE LUBICON LAKE INDIAN BAND

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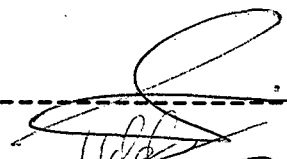
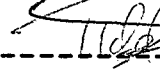
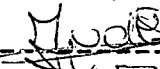
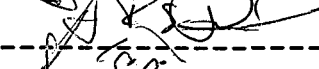


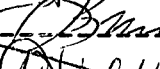
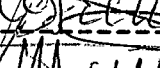

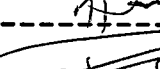

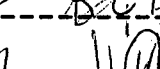
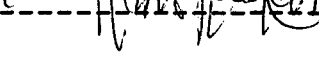
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Name Address Signature

G. van Veen	Wischersdijk 16 Gron	
M. de Vries	Vox. Houtweg 52	
N. van Veen	Fellingesth. 21 Gron	
A. P. de	N. Bleekerstr. 21 Gron	
P. O. de	Bloemstr. 16	
Ida B. de	Fickensdijk 52 Gron	
J. B. de	P. de Vriesstr. 19 Gron	
J. BREUER	J. W. de Vriesstr. 35 Gron	
A. Tweehuysen	G. Bakkerstr. 34 Gron	
P. Bosma	Bloemstr. 2 Gron	
H. de Vries	Bloemstr. 8 Gron	
S. v. de Vries	Kofstr. 32 Gron	
Nim Hoogendijk	V. Keckhoffstr. 16 Gron	

Signature

L. B. Buus	Geonin gen		
Ingrid v.d. Waide	Nr. kerktstraat 1	Groningen	Ingrid v.d. Waide
M. Kruis	Westinghous 94.32		M. Kruis
Greetje Barkema	de Sanstraat 20	Groningen	Greetje Barkema
Brenda Kuiper	de Sanstraat 20	Groningen	Brenda Kuiper
g. Schotanus	de Sanstraat 20	Groningen	g. Schotanus
Kutje	Deef 21		Kutje
J. K. Dolt	Polle 19	Arum	J. K. Dolt
Marijke v.d. Werf	Fok 9	Groningen	Marijke v.d. Werf
Maarten Postma	maerel 40	drachten	Maarten Postma
Jelle v.d. Sijel	Andromedastr. 15	Groningen	Jelle v.d. Sijel
Eugen van der Ven	Timbomwstr. 86B	Groningen	Eugen van der Ven
A. Buijntje	G. Grimmeelhus		A. Buijntje
W. J. Roux	op. Noerwstr. 47		W. J. Roux
M. J. J. J. J.	St. J. J. J. J.	Groningen	M. J. J. J. J.
Wim J. J. J.	St. J. J. J. J.	Groningen	Wim J. J. J.
G. J. B. B. B.	41 Steentilstr	Groningen	G. J. B. B. B.
K. P. P. P. P.	H. W. N. N. N. N.	Groningen	K. P. P. P. P.
J. C. C. C. C.	Heerinn. n. n. n.	Groningen	J. C. C. C. C.
H. C. C. C. C.	Beg. n. n. n.	Groningen	H. C. C. C. C.
A. B. B. B. B.	Tuinbouwstr. 41a	Groningen	A. B. B. B. B.
J. v. d. V. V.	St. J. J. J. J.	Groningen	J. v. d. V. V.
M. v. d. V. V.	Fossemaheerd 133	Groningen	M. v. d. V. V.
F. V. V. V. V.	ATTENAWEG 11	BAELO	F. V. V. V. V.
L. v. S. S. S.	Begoniaweg 45	Groningen	L. v. S. S. S.

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Postbus 4266
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001578

PETITION ON THE LUBICON LAKE INDIAN BAND

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Name Address Signature

J. A. Buize	Jepenlaan 66 Groningen	
S. Haase	Bottemaheend 56 Groningen	
N. SOETERS	WILDEVELDSEWEG 4 MENSINGEVER	
L. VAN ZESSEN	WILGELAAN 84 Groningen	
E. v. Rijssel	Wierwakenburg 9	
G. J. d. Schuur	Westerhavenstr. 12 Gron.	
G. J. W. Koenig	Wierwakenburg 18 Gron.	
Conita Thierne	Postersstraat 44 Groningen	
Anjen Sedema	Gentiaanstraat 7 Gr.	
H. v. Hulsen	MOORDELTAVEN 35a Gr.	
M. Nijhuis	Vinkenstr. 36a Gr.	
C. R. Schunburg	Paradijsweg 1 H'vsk	
C. Koenig	2e Huisweg 13	

Name	Address	Signature
MARCEL VERHAAR	GREVINGAMEERD 253	GRONINGEN
F. Schouten	Winschoter diep 22 ^{0.2}	GRONINGEN
J. de Haan	Ambacht ^{0.2}	GRONINGEN
P. van der Vliet	Elweg 2	GRONINGEN
E. van der Vliet	D. Meuwelshuis 11	GRONINGEN
E. Meijlar	Meerwer 20	GRONINGEN
I. Hoving	Holmskerheid 53	GRONINGEN
C. Huizman	Isoline 600	GRONINGEN
P. van der Vliet	U. Meuwelshuis 1-4-16	GRONINGEN
M. Nauta	Kam. Onnesstr 75	GRONINGEN
M. Kloosterhuis	Van Brakelplein 31 ¹⁹	GRONINGEN
J. Molenaar	Ransumakade	GRONINGEN
J. van der Vliet	Steg 108	GRONINGEN
M. van der Vliet	Isoline 69	GRONINGEN
J. van der Vliet	Ransumakade 33	GRONINGEN
J. van der Vliet	Tuifongel 2	GRONINGEN
S. Pauze	Marwixkade 19	GRONINGEN
W. Jager	Marwixkade 19	GRONINGEN
J. van der Vliet	Toplicht 15	GRONINGEN
F. Tenissen	Toplicht 15	GRONINGEN
R. van der Vliet	Heijerwestsingel 55	GRONINGEN
E. van der Vliet	oudelk2, verl. heweg 2	GRONINGEN
Pradeep Sobha	Lijbaanstraat 100	GRONINGEN
E. van der Vliet	O. Boteringstraat 10	GRONINGEN

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Name Address Signature

Frans Roemers	Nassauplein 35	Groningen	
Gerrit Stam (U.S. citizen)	Nassauplein 35	Groningen	
G. Willems	Klaas de Vriesstr.	Groningen	
F. Meijer	Imfingel 22a	Groningen	
H. Rangeland	Kochstr. 25	Groningen	
G. Buijs	Stadensland 14	Groningen	
At. J. B. B.	Stratingweg 34	Groningen	
B. van den Brink	A-Kerkstraat 27A	Groningen	
Pauk. Wolterbe	H. W. Meijerstr. 37	Groningen	
Hilte. J. J. J.	A. J. O. H. Str. 151	Groningen	
J. Ad. Peijnenburg	Bilitenstraat 65	Groningen	
A. Bruijs	P. Camperlingstr. 10	Groningen	
M. Spangier	Hollaan 16	Westerbeek	

Name	Address	Signature
Y. meto-elaaar	Adm. de Ruyterlaan 7	
H. Konings	Adm. de Ruyterlaan 7	
F. Deodatus	O. Boteringestr. 57	
W. Warkena	Maendiep Ho 29	
L. Groezema	Groningen	
MC de Lange	Stationsstr. 1734 Groningen	
J. vander Horst	J. B. de la Faillestr. 66 Gron.	
Hanneke v. Dan	Ooststraat 59 GP	
Manuel J. J. J. J.
J. Knuthner	Groep Hultsh 6, Jr	
J. K. Visser	...	
Jm Karsch	Kersumakeerd 9 Gron.	
Erik Hol	Rijksweg 125 Gron	
W. J. J. J.	...	
J. A. V. G. E. S. C. H. I. E. T	W. i. kade 200 Gron.	
P. L. P. i. s. a. m. a.	Mulianastr. 6 Gron.	
S. Oude Munneke	Vinkianstr. 7 ^B Gron.	
J. Schultze	Froukenkeerd 123	
Ilse Slopsema	Froukenkeerd 125 Gron	
G. P. P. o. e. g. n. d. e. s.	Vel. Fradenkestr. 19 ^a Gr.	
A. E. u. l. e. n. v. d. y. k.	Zoukekeerd 10 Groninge	
... (G. B. O. S. M. A.)	KIADROOSLAAN 75 ^A Groningen	
R. W. I. E. R. S. M. A.	ESDOORNLAAN 514 GRON	
E. V. a. n. d. e. n. a. l. d.	Meesterij 1 Overdijld	
V. e. l. d.	Verechthouders 59	

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Name Address Signature

Patricia Wistheek	Wegsmaborg	Groningen	
H.J. Rezendiaal	Beldam	Marum	
H. Dosten	Nijerstraat	Groningen	
S. Boukens	Helmsteherd 70	Groningen	
M. Warners	Herestraat 77 d-1	Groningen	
HANS KROONRE	HOOFDWEG 26	ZURBOK	
Uytze Bahken	Zuiderdiep 13 A	Groningen	
L. Tromp	A Tasmanstr 59	Groningen	
T. Aoy	Wibenaheid 117	Groningen	
H. v. Vlier	Ir. Sloam 32 A	Groningen	
J. Od Vegt	Neptunustraat 61	Groningen	
Jan Vissers	Soerabeijstr. 23 A	Groningen	
Marjan Oudeker	On Tasmanstr. 3	Groningen	

Name	Address	Signature
Wieranda		
Jan Engenda	Van Nieuwstraat 2 Groningen	[Signature]
Wim Norderus	Reindornstraat 225 Groningen	[Signature]
Piet Bruna	11 Hobbemastraat 17 Groningen	[Signature]
ALIE HOLSCHER	NOORDERSPORTEL 8 Groningen	[Signature]
D. Camping	Penslaan 7 Gron	[Signature]
Jv Soest	Woondeijerstr 24-45 Gron	[Signature]
Jonger Kuyh-burg	Te Oudekerkplein 22 Gron	[Signature]
Anne Marie	Bierlaagh 28-10 Zuidhorn	[Signature]
[Crossed out]	[Crossed out]	[Crossed out]
Jos Bak	Wijk 1 Bork 30 [Signature]	[Signature]
W. Baer	Soephuusstr. 3 Groningen	[Signature]
L. Knot	J. W. Friesstr. 43 Groningen	[Signature]
Reijntjes	Faunelstr 5 Roden 9301 KG	[Signature]
W. Savelle	Helpekerkstr 5 Gron 9722 ES	[Signature]
M. Kluun	resp. 12 Gron 9722 ES	[Signature]
B. Dyhluis	Begoniustr. 45 Gron	[Signature]
K. Reijndes	Faunelstr 5 Roden	[Signature]
H. Buist	Stephensstr 16B Gron	[Signature]
C. Heslinga	Rionwstr 13 Gr	[Signature]
N. Bekhof	Splitting 36 9701 GR	[Signature]
T. Horst	Oosterbambakade 32 THORST	[Signature]
F. Maatjes	Reminsstraat 49 Gron	[Signature]
P. J. van Paveert	Helpekerkstr 1 Gron	[Signature]

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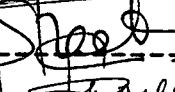
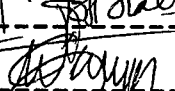
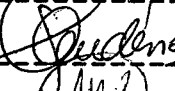

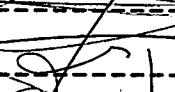

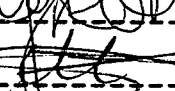

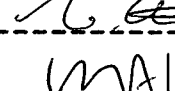
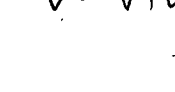

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Name Address Signature

Frouke Boukema	Holtstele 33 Groningen	
Janette Strackemeier	Sandburch 14 Roermond	
Bert Brab	Nordent 5 9479 PJ Noordlaan	
C. Wiersma	Montrichardstr 2 Groningen	
J. Oudekampen	Emmala 15 Emmen	
M. Eimers	Mausmarkhof 4 Haren	
D. d. Bjl	Germaat 67 ^B Gron.	
D. Sijm	Tongensplaats 166 Gron	
P. Xervey	Het Vant 42	
W. J. J. J.	Thuisweg 69	
G. Selmerman	Heemstra 25 Wierum	
D. v. d. Zwag	Reigerstraat 6A Groningen	
V. Aelbert	Wouwevlietlaan 12 Groningen	
T. Kuipers	Frankstraat 205 Gron.	

Name Address Signature

Albert Gelderman 1^e Hunzestr 38 9715BL Groningen
 Trans Dam Bergstraat 52 Groningen
 Tieske Gekkerdeker Gangboord 66, 9733 GE Groningen
 Douwe Jan Steenhuis Friestru. weg 26 n
 Ria Joxhorst Deliplein 92 Groningen
 Hans Bergman v. Wassenaerstr 5 Groningen
 Mr. M. Blauer Verdrieweg 7 Eelde
 Epre Strating Baronielaan 45 Goois
 Jenny de Groot V. Syenstra 33 Groningen
 Bert Huigmes Aquamant. 168 Groningen
 Jan Heeringa Zuiderpark 2 Groningen
 Arieke Vdlaan Schoolstr 2 Groningen
 J. de Kruis Groeneweg 112 Groningen
 Gerda J. Timmer Stadhouderslaan 24 Groningen
 Soer Everman Nw. Kerkhof 30
 Evelyn W. Gleser Nieuw Kerkhofstr 22a gr.
 Ebe Heerhewer Aquamant. 40 Groningen
 Rene Dijkema Kerkweg 147 Groningen
 P. de Smeenge Koningslinde 81 Groningen
 H. G. de G. Radesingel 31/15 Gr.
 M. A. de G. G. Bergsma 281 Gr.
 C. Swameijer Bonawest. 62 Gr.
 Bert Kragt Tuinbouwstraat 118 Gr.
 E. Oosterveld Kerkweg 12 Gr.
 R. in 't Hof Tuinbouwstr 94 Gr.

Opsturen naar: Lubicon Lake Support Group Holland
 Postbus 4266
 9701 EG Groningen
 The Netherlands

PETITION ON THE LUBICON LAKE INDIAN BAND

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Name Address Signature

<i>J. H. H. H. H.</i>	<i>H. H. H. H. H.</i>	<i>J. H. H. H. H.</i>
<i>Albert Wissmann</i>	<i>Haadlingestraat 44 A Gr.</i>	<i>Albert Wissmann</i>
<i>Martijn Jager</i>	<i>v. Bovenlaan 5 Zuidwalde Gr.</i>	<i>Martijn Jager</i>
<i>Al L. W. W.</i>	<i>K. L. W. W. 56 A Gr.</i>	<i>Al L. W. W.</i>
<i>Matthijs H. H.</i>	<i>Perceus 12 A 9716 H. H. H.</i>	<i>Matthijs H. H.</i>
<i>H. Boersma</i>	<i>Salmen 38 9747 R. H. H.</i>	<i>H. Boersma</i>
<i>W. A. Zijlma</i>	<i>G. N. Schutterlo 7 47 9724 A Theringe</i>	<i>W. A. Zijlma</i>
<i>P. L. L.</i>		
<i>E. J. W. W.</i>	<i>Nieuwe Kerkhof 312 9712 P. L. L.</i>	<i>E. J. W. W.</i>
<i>E. J. W. W.</i>	<i>Timmerstraat 6 Groningen</i>	<i>E. J. W. W.</i>
<i>P. L. L.</i>	<i>Groningen</i>	<i>P. L. L.</i>
<i>K. L. W.</i>	<i>v. S. W. W. 42 A</i>	<i>K. L. W.</i>
<i>A. J. de Vries</i>	<i>Berkelstraat 8 A Groningen</i>	<i>A. J. de Vries</i>

Name	Address	Signature
Susua Klomp	Chopinlaan 354 Groningen	
Bert Oosting	Chopinlaan 50 Groningen	
S. v. Bannanen		
H. Natman		
A. Hofman		
A. Poelman		
J. Lilla	Groningen	
L. Woldma	Soerabajastr. Groningen	
Thel. Kuiper		
B. Akker	L. Henriëttestr. 33 Groningen	B. Akkerman
Tanja Posthouwer	Vaargeul 94 Gron.	
Sander Wiefman	Margpleinstr. 20	
Eric ter Veen	Koningsdreef 275 Groningen	
G.W. Smilde	A. Paulownastr. Groningen	G.W. Smilde
H. Kilder	Annerstreek 60 Annen	
Pieter Scheffer	Rionustraat 13 Groningen	
Akko Schep	Boulevard 13 Groningen	
Konink	Stuurhut 6	
A. Gorter	J. A. Feitstr. 15A Groningen	
Dirk Ruler	Rabenlaan 21 Groningen	
Christe van Oordel	H. v. Meerkaplein 19	a. v. Andel
JAN J. WESTER	Julianalaan 2 Haren	
B. Schuringa	Oostersedweg 62 Zuidwold (Gr)	B. Schuringa
A. Tilburg	Brouwerstr. 23 Groningen	
Wouter B. Buijs	Brouwerstr. 25 Groningen	

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Name	Address	Signature
K. A. van Oort	Groningen	K. A. van Oort
A. Wouters	Or. heest. Groningen	A. Wouters
L. Zeijlemaker	Groningen	R. Krijnen
Jans Schuurmans	Groningen	[Signature]
F. Meereema	Groningen	[Signature]
E. Verhey	Groningen	[Signature]
R. Jansen	Groningen	[Signature]
H. B. van der	Groningen	[Signature]
J. M. Tolben	Groningen	[Signature]
H. Zewinkel	CHARENCE	[Signature]
E. de Vriest	Kapreneg x b Groningen	[Signature]
R. A. Ahrens	Groningen	[Signature]

Name	Address	Signature
Sjouke Kingma	Grevengahoord 60 Groningen (NL)	
Raymond Hartman	Friesestraatweg 24 Groningen	
Ulben van Dongen	Mulderstraat 12 Groningen	
Johannes Spikman	Friesestraatweg 69 B Groningen	
M. J. Spikman	Friesestraatweg 69 B Groningen	
Fan Hammonix	Reinewijk 12 "	
P. Meurer	Pieterzijlsteeweg "	
J. Reinders	Pieterzijl "	
W. Bos	st. Gouwee "	
M. Kruis	Meersee 18 "	
S. Miedema	9 Koningin "	
A. de Visser	Aaren (Gr.)	
D. Wendorp	Groningen	
Hilke de Vries	Groningen	
Maximilian Drukker	Hoekenslaan Gron	
Christiaan Adell	Oosterstraat 55 "	
C. M. Knyswyl	Vlasstr. 197 Gron.	
H. B. de Weert	Werkade 10 Hrand	
L. v. d. Schee	Viachiedst. 7 Gron.	
P. H. JASPERSE	24000 HOOGTE 14 TOLBERT	
S. Huisman	Rabenhaupth. 52 Gron	
W. J. de Haan	2e Huisstr. 27a Gron	
J. de Jong	Asingastr. 150 Gron	
Joke Frieso	Groningen	
J. I. van der ...	Meersee 18 "	

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Name	Address	Signature
Wendela Karsenberg	J. Altingstr. 25	Groninger
Dharamdew Bhat	Radiumstraat 125	Groninger
d. Kampman	Wassenburghstr. 44	Groninger
B. van der Linde	Vinkesh 14 ^a	Groninger
M.E. Claassen	Nijensteinlaan 74	Groninger
M. Bakker	J. Wouda 2	Groninger
G. Peters	Kids. Hofstraat 62	Groninger
F. Mulder	J. Wouda str. 42	Groninger
D. Brauer	Magna. Petrusk. 30 ^a	Groninger
P.J.K. Vorenkamp	Herestra. 111 B	Groninger
Karin Hertzog	J. Altingstr. 30 ^a	Groninger
Eric Peters	Vondelplein 30/2	Groninger
Christiaan Bult	Deliplein 37	Groninger

Name	Address	Signature
Lambert M	ASSEN	
Kirk Groenwijk	GD WATENDIEP 6	
NICOLETTA GARBEROGGIO	GORECHTVADE 18C	
A.A. Smit	Westinghouse 39-1927GT Groningen	
SANESH	Jacobstr 52	
J.A. Postma	Kornelje str 2H 22 Gron	
A. Deuker	Nwe Blekerstr. 72 Groningen	
H.J. Aarssen	Jeroen Boschlaan 142 Ghv	
J. Ritsma	Timersmastr. 14 Wke den Hoorn	
W. Oude	Meerwerderweg 39b	
J. Schuurman	J. B. de la Fautte. 001	
J. JONKER	Molendrift 2-2 GRONINGEN	
Walter J.	Prince Rupert BC CANADA	
H. van f	Postbaan 20 Willemstad	
P. Damsma	Bisschopstr Gronin	
E.B. Otten	Petrus Camperingel 23 Groningen	
M. ALAMS	weet ik wel voorweg zoveel bewegen	
R. van Luit	Koolstraat 19 9717 KB Groningen	
E.A. van Vliet	Martenstraat 14 Groningen	
Silma Jabe	Nassaulaan 53 a Gr	
T. de Veen	Amstelstr 21 Gr	
J. Walstra	Ernst Casimirlaan 6A Gr.	
M-B. Christensen	Herengartenmolendrift 26 Groningen	
F. van Bruggen	lage der A 5-9 Groningen	
B. Flansma	Renssumaherd 5T Groningen	

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Name	Address	Signature
Maarten onderkeld	Steenwijkdijk 97 8331 LR STEENWIJK	<i>[Signature]</i>
Werner Wieringa	Conradslaan 8 8387 gk Breda	<i>[Signature]</i>
Marc de Zwaan	Molenweg 36 8355 AT Githorn	<i>[Signature]</i>
Harald Lubbinge	Langesteeg 3 8355 BZ Githorn	<i>[Signature]</i>
A. v. Vliet	Gasthuislaan 16 8331 MX Steenwijk	<i>[Signature]</i>
Georg Roon	Burg de Jager 54 8380 ES Wilhelminadorp	<i>[Signature]</i>
Bonnie v. Buren	16 7 Blokstraat 9 8304 ET Wilhelminadorp	<i>[Signature]</i>
Toran de Gans	Waardeel 82 8332 BG Steenwijk	<i>[Signature]</i>
Gerboent v.d. Ven	Westeres 3 7901 BC Dieren	<i>[Signature]</i>
Fibeko Smit	Hoofdweg 2 8803 EH Nijmegen	<i>[Signature]</i>
Marleen Kruiden	Kornputsingel 13 8331 JS Steenwijk	<i>[Signature]</i>
Sigrid Heist	Bultweg 9 8346 KH De Bult	<i>[Signature]</i>
Birgit Kuipers	Bisschopsweg 1 7974 MC Haren	<i>[Signature]</i>

opsturen naar: postbus 4266
9701 EG Groningen

202
P.T.U.
001593

Maarten de Jong Beulakerweg 58 8341 RZ P. Gietloorn
Eelwin Sijtsma Waardkeel 106 8332 BG Steenwijk
Anita Veenstra Karnebeeklaan 34 8347 WD Eeveen ?!
Maureen Dankhuis Gelderingen 73 8341 P.T. Steenwijkerwold
Janet Tip Vredenburg 90 8341 RK. St' wold. OV
Billy Donkersteeg Oosterpaasloew. 10. 8378 JC Paasloo.
Esther de Zeeuw K. allee 92 8331 AY Steenwijk
Janneke Visser Burg. Kuipersl. 11. 8375 BJ Oldemarkt
Wilja Wieringa P. Canincklaan 8 8387 GK Boschhoed
Rene' Vos De Pilsing 115 8332 CD St' wijk ~~St' wijk~~
Annemarie Lampe Schaepmanstr 26 8331 AW St' wijk ~~St' wijk~~

K. DUIVEN

STEENWIJKERDIEP 97

8331 LR

lies & v d velde

steenwyherdiep 97

8331 LR ^{STEENWIJK} lies v d velde

PETITION ON THE LUBICON LAKE INDIAN BAND

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Name	Address	Signature
Alien Rink	Harriweg 2 Paasloo	[Signature]
Ingrid Hogenloot	Lysterbesloot 3 Blesdijk	[Signature]
Diana Blomsma	Wildwal 4 Vledder	[Signature]
Johanna v Zonen	Beekweidenweg 1 Havelland	[Signature]
G.M. Laar jr	Julianastr. 29 St.wijk	[Signature]
Esther de Boer	Waardeel 1-1 Steenwijk	[Signature]
Joan Post	Baanweg 10 8336 KJ Daarn	[Signature]
André de Vos	Meelkstr Oost 23 8301 AS Nibbe	[Signature]
Johan Lubbinge	Zunderpad 40 8355 CB Gielhaar	[Signature]
Karona Graen	Ruitersweg 44 4943 GT Darp K	[Signature]
Diana Manveld	H. de Vroomestr 7 8331 CD St. w - 12 m	[Signature]
Julide Jacqueline	ten Wolde de Eben 4 8355 AX Gielhaar	[Signature]
Inke Bakker	Bildardijkstraat 12 8331 RV St. Lijk	[Signature]

opsturen naar: postbus 4266
9701 EG Groningen

Z.O.Z.
001597
P.I.V.

Patricia Keetman P.C. Hooftstr. 57 St'wijk ~~P.H. Houtman~~
Saskia v.d. Veen Oosteind 5 Uledde ~~W. Houtman~~
Alta Wols Steunwal 68 St'wijk Alta Wols !

Alinda Wierenga J. Conincklaan 8 Boschoord Wierenga

~~P. Zaidema~~

Patrick Zaidema H.S. Schrevelstr. 26

Marjolein de Boer Kon. Wilhelminalaan 77a St'wijk

~~182000~~

8582 GC Frederiksoord

RBalk
(Ron Balk)

Steenwijker diepgg, Steenwijk

PETITION ON THE LUBICON LAKE INDIAN BAND

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Name Address *Labour Party Steenwijk* Signature

<i>I. J. Lanting</i>	<i>Tukseweg 12, Steenwijk</i>	<i>[Signature]</i>
<i>H. W. Visser</i>	<i>Thoebekeerd 27 Steenwijk</i>	<i>[Signature]</i>
<i>H. J. Spyker</i>	<i>Amelienstr. 99 Steenwijk</i>	<i>[Signature]</i>
<i>F. R. H. N. N. N.</i>	<i>Verluisweg 167 Steenwijk</i>	<i>[Signature]</i>
<i>T. S. Puntor</i>	<i>Steenwijkerweg 174 Willemsoord</i>	<i>[Signature]</i>
<i>H. B. R. P. R. P.</i>	<i>Oosterlicht 9 Steenwijk</i>	<i>[Signature]</i>
<i>A. Deetje</i>	<i>Warded 92 Steenwijk</i>	<i>[Signature]</i>
<i>R. Timmerman</i>	<i>Boersluiker 53 Tuk</i>	<i>[Signature]</i>
<i>A. J. Bomunde</i>	<i>Tulpstraat 3 Steenwijk</i>	<i>[Signature]</i>
<i>J. Lijbenberg</i>	<i>Kalkhofterallee 109</i>	<i>[Signature]</i>
<i>M. BAKKER</i>	<i>BENTINGESTR 12</i>	<i>[Signature]</i>
<i>M. B. Bakker</i>	<i>15 16</i>	<i>[Signature]</i>

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Name	Address	Signature
Pau Tillmans	Rijksstraatweg 78	Tillmans
Annet Nijmeyer	Berg, Dalseweg 53	Nijmeyer
Alida Roerink	Van Spelenstr. 2	Roerink
Oberte Rosier	Ooddendaal 194 Nijmegen	Rosier
Nellike 't Hart	v. Sliekenhoutstr 42 Nijmegen	't Hart
Jan Frank Gerards	Pontanusstr. 10 Nijm	Gerards
Lies Kulsdonk	Stijn Buysstr 29 Nijm	Kulsdonk
Jan van Toor	Obelisk 3 Berninge	van Toor
Dick Vizzer	Brink 122 Groesbeek	Vizzer
Gavin Allen	Vordelste 62 Nijmegen	Allen

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
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DRUKWERK



A. P. Tikhemans
Rijksstraatweg 78
6573 DA Beek-Ubbergen.

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Name	Address	Signature
Maria v.d. Elzen	Potgieterstraat 5 Groningen	Maria
Bart Nolet	Potgieterstraat 5 Groningen	Bart Nolet
Janna Roorda	H. Emminkstraat 18 ^e Groningen	Janna
Joos Buis	Willemalaard 71 Groningen	Joos
Sjandje v.d. Lidel	Seravangstr. 23 ^A Groningen	Sjandje
Gerda Galema	Herestk. 95 ^B Groningen	Gerda
Antoinet Blom	Pluimerstraat 35 ^a Groningen	Antoinet
France Hiddink	Polderstraat 10A Groningen	France
Marcel Maassen	Veenweg 35 Groningen	Marcel
Anneli Deike	Veenweg 35 Groningen	Anneli Deike
Inge v. Calmer	v. Sijpesteijnhal 43 Utrecht	Inge
Eric Eddo Cavels	J. van Beierenlaan 9 Delft	Eric
Elis v. Calmer	Valkh/n 20 Maarsseveld	Elis

Name Address Signature

Gea v. Essen Leidsebad 1279 Utrecht

Bob Houff Prof. A.P. Fokkerstr. 24A Groningen

Jacqueline van Nijfelen J. Gaeremmenstr 35A Groningen

Carly de Roos Gorkesstraat 15 Leiden

Marje Keener Veenweg 35 Gr.

Guilje Keener Veenweg 35 Gr.

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Name Address Signature

Anne-Mieke Ploeg P. de Haagstr 12 Hov.
Jeanine Ploeg Deltalaan 59 Deventer
A Ploeg P. de Haagstr. 12 Hov.
de Geus J. de Haagstr. 5 Hov.
H. Wijn De Haagstr. 12 Hov.
R. Groenier K. de Haagstr. 40 7331 YA
Rudi Spoler Brinkgreverweg 137 Deventer
Walter Wessels Dringendeweg 17 Lichtenvoorde
R. Dijkstra Brinkgreverweg 137 4415 CG Deventer
José Harmelink Hofmeyersk 7 Oldenzaal
Monique Liet Viltmakersdonk 220 7326 IN Apeldoorn
Marianne Janssen Viltmakersdonk 186 7326 WX Apeldoorn

Name	Address	Signature
P.F. Ploeg	Thuis 100 A Groningen	[Signature]
B. Ploeg	Tatenburgse P. de Hoog 15	[Signature]
Christa van der Veere	Herestraat 50A Groningen	[Signature]
Martine Zwarteveen	Vordenseweg 12	[Signature]
Aos Elsinga	Rijtersplein 3 Borne	[Signature]
Ingrid Schröder	De Brink 2 Zutphen	[Signature]
Hilde Voedeveld	Vordenseweg 12 Warnsveld	[Signature]
Geerten Thole	22 Waltheemoud 15 22 Waltheemoud	[Signature]
Tanja Pruimel	Het Laar 263 7414 BR Deventer	[Signature]
Mariëtte Boerkamp	Brinkgreuweg 137 Deventer	[Signature]
Joyce maters	vordense 12 Warnsveld	[Signature]
Kromhout - v.d. Meer	Hereweg 21 A Groningen	[Signature]
Aurita Ranchon	Vissestr. 6 Gron	[Signature]
bert Bijl	Wisch 'sliep 77-C	[Signature]
P. Hofmeester	Tellegenste 53 Groninge	[Signature]
M. Rinsch	Hermansstr. 31 Bors	[Signature]
M. W. Valler	Rolde	[Signature]
M. H. Waller	Rolde	[Signature]
M. W. de Vos	Belant	[Signature]
J. van der Vliet	Westerkerkeweg 11	[Signature]
U. van der Vliet	de kleine pleisterstr. 21	[Signature]
J. Frans Keeser	Verrekestr. 132	[Signature]
J. Schuurman	Karskens - Westersedult	[Signature]
J. J. Schuurman	Westerse Drift 104 Hare	[Signature]
Maria Blom	P. Hendriksstr. 104 GRON.	[Signature]

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

PETITION ON THE LUBICON LAKE INDIAN BAND

WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;

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Name	Address	Signature
------	---------	-----------

J. J. Ten Have	Platanalaan 477	Groningen	
A. Kuiper	Burgv. Woninglaan 25	Beek	
J. C. de Man	Bottemaheerd 71	Groningen	
J. M. Brakenhoff	De Hooge 26	Groningen	
Piet Vlaar	ZEESEESTEE 2	9483 T.A. ZEESE	
Lies Venema	Gronnoord 12	Reeuwijk	
Gerit Tuijthof	Wid. O. diep 122	B. Compas	
Bouwen P. van	Buurland 3	Marum	
Meinie Straatsma	Winschoterdiep 5	Groningen	
Ly. Nieuweger	Amtenaheerd 310	Groningen	
Marga Maas	Isisstraat 9	Scheemda	
Thea Giellet	O. Sluisbaan 11	Tinsterwold	
M. M. M. M.	Am. M. M.		

Name	Address	Signature
J. van der Aa	Paduwpstraat 71 ^A	
G. IOKOGAAT		
B. Nijlens		
Ed	Onnemaheerd 132	
Silvia Pol	" "	
C. E. VAN Y. Glin	Groningen	
R. Russchen	Rotterdam	
H. MONASCH	Groningen	
M. K. Sikkema	Groningen	
M. v. d. Linden	Winsum	
A. BIEMAS	Heppel	
P. Kuyper	Groningen	
I. v. d. Deen	Bakkerstr. 56 ^a Groningen	
J. M. Kersch	Reinmaheerd 9 Groningen	
Kloosje V. bank	Eendrachtste 61 Groningen	
M. L. V. K. 3	G. Bakkerstr. 60 Groningen	
C. N. van der	G. Bakkerstr. 60 Groningen	
H. Vos	Wassenbergstraat 32 ^a Groningen	
A. Huizenga	G. DORBORCHSTR 4 ^A Gr.	
E. Y. Huizenga	Rolderstr 42 Assen	
n n	W. P. Plein 10 B Gr.	
A. Kranenburg	Groningen	
E. Hendriks	Groningen	
J. K. K. K.	Groningen	

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Name	Address	Signature
Mieke-Montse Jalvingh	Amelkhuys 11A	
Henk Sprink	Oordhuis 3	
Tety Leukfeldt	Boekweitveld 15	
Eindert v. Rees	Sachkenderlaan 106 Arse.	
Yoke v. d. Beek	Van Veen's park 8 Smilde	
Jolie Ghulp	Bremstr. 225 Arse	
Garry Kemmink	De Nieuwe Oude 20 Arse	
Markey Aartsma	Menadost. 11 A Groningen	
M. Gijze	Galkemaheerd 28 Gron.	
Wim Vinga	Esplanade 9 Ee lde	
Therese v. Dam	Bentimakerd 43 Gron.	
Ronald J. Heidner	200 Giesd St Cardington, Ohio USA	
Edith L. K.	2772 HERMOSA WAY VAN NUYS CALIFORNIA, USA	

Name	Address	Signature
Udo de Jong	A. Tomanweg 540. Gulegeort	
Jennie LATYMAKULITA	Caan 1/1 Vrijheid 50. C/R.	
Andrea Dürschlede	Osnabrück Deutschland	
R. R. Leves	"	
Veronica vd Pol	Moestr. 53A Groningen	
Carin Schepstra	"	
E. Harulean	Pr. Pen. lestr. 40 Groningen	
E. H. Middel	R. v. Rypstr. 55 Groningen	
P. Jorna	St. Canisiusmijel 19A-64 Nymegen	
H. H. H. H.	Kernstr. 77 Groningen	
R. H. B. B.	Dublin Island	
J. M. B. B.	de Voorzom 11 Buitenpost	
H. H. B. B.	Veilthuis 7. Apeldoorn	
R. H. G. G.	Frankfurt BRD	
S. H. B. B.	stadsweg 16 garrachur	
J. A. K. K.	KERKSTRAAT 4 KOLLUMERZWAAG	
W. N. N.	Nog Winschoterdiep 155 I	
H. v. D. D.	PATERSWOLOSEWEG 459 GR	
W. J. J.	Doddendaal 124 Nymegen	
E. W. W.	Postbus 4 Stavoren	
M. V. V.	Nassauplein 14 Groningen	
J. W. W.	Kanisweg 59 Mann	
B. P. P.	Begoniast. 45 Groningen	

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Name Address Signature

Koen Kramer Mariniestraat 19 Groningen

Zick Pegtel Sluierhofflaan 46 Haren

Jan Beekman Pluimersstraat 33 Groningen

Bandeijn Antonissen Pluimersstraat 33A 9711SV Groningen

M.C. Essen v. Calker Huis Mesdagstr. 16 7312 LP Apeldoorn

Fr. v. Essen Pluimersstraat 33 Groningen

A. Wiersma Ap. Fokkerste 24-4 Groningen

K. Smeijng O'straat 7 Ten Boer

E. d. Stogge Ged. Underdiep 46A Groningen

B. Pol Nieuweneg 17 Groningen

I. G. van Beekhoekst. (ALTAADHEED) 132 GRONINGEN

Annelies de Vroom Saffiersstr. 226 Groningen

Janne Wieringa v. Zander Giele Kromme Elldroeg 39

Name	Address	Signature
Alletta Kuishoof	Oosterweg 7 Gr	Kuishoof
Diana Alkerman	Oosterweg 7 Groningen	D. Alkerman
Bened Voslanter	Markerlaan 8 Winchote	B. Voslanter
Ruurd Noordhuis	Egplanterstr 6-10 Arnhem	R. Noordhuis
Marian Kooijet	Oosterweg 7 Groningen	M. Kooijet
Sjoerd Dirksen	v. Heemskerckstr 10A Groningen	Sjoerd Dirksen
Beate de Leeuw	v. Heemskerckstr 109 Groningen	Beate de Leeuw
Tred Raaij	Bloemstraat 65 Groningen	T. Raaij
Pieter Kiersema	Merendaan 4 Haren (Gr.)	P. Kiersema
Peter Raaij	Boemstraat 65 Groningen	P. Raaij
Jero de Leeuw	Quaksh. 31 Groningen	J. de Leeuw
Ben Kok	Kremerheerd 51 Groningen	B. Kok
Erwin Alblas	Polderlaan 12A-3 Groningen	E. Alblas
Kees Kolligberg	Kleinervweg 2 Holwerde	K. Kolligberg
Mans Ineijder	Jonkerlaan 122 Leeft	M. Ineijder
Ellie Berends	E.L. Ubbensweg 2 Sluizinge	E. Berends
Mario Hofman	Fazantshof 10 Pen Boor	M. Hofman
Hans Eustein	Lagaveg 6 Gammelsdole	H. Eustein
Jon Probst	Hereweg 59 Groningen	J. Probst
Charles Kruimmer	Wierdsh. 10A	C. Kruimmer
Hinke Alken	Woerdus 16 Asse	H. Alken
Marije Verhey	Marswegstr. 9 Groningen	M. Verhey
St. Hoerjens	Wibenaheerd 53 Groningen	St. Hoerjens
A. Huit	Boterdiep 107a Groningen	A. Huit
C. Sikkema	Korreweg 392 Groningen	C. Sikkema

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Name	Address	Signature
Margaret Handelaars	Gerardusstraat 17 Nijmegen	Handelaars
Frans Kerkhoff	Emmewijkpad 8 Lith	Kerkhoff
Joost Fleuren	Cochovenstr. 23 Nijmegen	Fleuren
Jeane v.d. Klift	Berg en Dalseweg 27 Nijmegen	v.d. Klift
Jennie Beers	Amstmanstr 30 4001 MC Tiel	Beers
Renate Pooijshoens	Koningsweg 43 De Bosch	Pooijshoens
Pascal Ossen	-V.d. Venlaan 5 - Schaik	Ossen

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Name	Address	Signature
Erik Nillesen	Rijksstraatweg 78 - 6573 DA Beek-ubbergen	<i>E. Nillesen</i>
Ben Buurman	"	<i>B. Buurman</i>
Frank Buijs	"	<i>F. Buijs</i>
Pau Tillmans	"	<i>P. Tillmans</i>
Anganita Zoete	"	<i>Anganita Zoete</i>
Celeste Reker	"	<i>C. Reker</i>
Marlin Stabel	"	<i>M. Stabel</i>

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Name Address Signature

J. Singer Noorderbreuk 35 Landsmeer
J. Koot perthuislaan 109
J. Claassen Hooge Huist 44 Groenb.
Rud Maarschall Nicolaiweg 2B, Zaandam
Kees Visser Pesthuislaan 208 Amsterdam
HERMAN RÏST, J.D. ALLANSTR. 102 WESTZAMM
Liesbeth Beelhuus Burg. vd. Stadsh. 116 Zaandam
Gepke Jans Perim 109 Zaandam
Kees Vermeer Pesthuislaan 109 Diemen
Dirk Jan Booy Penkenhof 39 Zaandam

Signature

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PETITION ON THE LUBICON LAKE INDIAN BAND

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Name	Address	Signature
Luc Brants	St. Annastraat 157 Nijmegen	[Signature]
Stefan Kuiperboek	Langloot 55-57 Nijmegen	[Signature]
Frank Vusselder	St. Annastraat 135 Nijmegen	[Signature]
Gron Koops	St. Annastraat 137 Nijmegen	[Signature]
Toon van Dijk	Koninksweg 33 Nijmegen	[Signature]
Martin Drenthen	Groesbeeksedwarsweg 194 Nijmegen	[Signature]
Astrid vd Rooy	Dennenstraat 121 Nijmegen	[Signature]
H. Strik	Dennenstraat 121 Nijmegen	[Signature]
Manon Hombergen	Dennenstraat 121 Nijmegen	[Signature]
Herman Kelder	Dennenstraat 21 Nijmegen	[Signature]

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
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Name	Address	Signature
Mauke Robertus	Kamperboek 23 Roden	M. Robertus
Poly van Dijk	Nedelaan 40 Roden	P. van Dijk
John Vrijer	Kamperboek 3 Roden	J. Vrijer
Anna Konijnendijk	Yachtlaan 3 Roden	A. Konijnendijk
Titia Pel-Bot	Haverathen 107 Roden	T. Pel-Bot
Albert Wouda	Er. midwiltens 15 Roden	A. Wouda
Stij. Kist-Sen	H. Lunspl 14 Roden	S. Kist-Sen
A. Konijnendijk	Yachtlaan 3 Roden	A. Konijnendijk
Pella Baaher	Hoofdweg 71 Stb. (Roden)	P. Baaher-Smidt
John Reunies	Rehorstkeis. 12 Amerfoort	J. Reunies
Miene Jansman	Havixhorst 15 Roden	M. Jansman
C.P. Gakweld	Allardsoogthuyweg 3 Zevulhuise	C. Gakweld
A.P. Lakerveldt	" " "	A.P. Lakerveldt
J.A.P. F. Smit	In Steenstraat 25 Dierap	J.A.P. F. Smit
C. M. de bus-Lo	Glacisasthulam 127 Roden	C. M. de bus-Lo
A. Verhaegh v. Dijk	Kamp 4 Roden	A. Verhaegh v. Dijk
G. J. de Boer	Nedelaan 23 Roden	G. J. de Boer
Chr. Postershoff	Cederlaan 11 Roden	Chr. Postershoff
Marthe Reunies	Oldengorde 8 Roden	Marthe Reunies
Marianne Kuiper	Haverathen l. 16 Roden	M. Kuiper
Fraus Robertus	Kamperboek 23 Roden	F. Robertus

Succes met uw actie

Wereldwinkel Roden

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Name	Address		Signature
Christa Schrek	Weth. Leodatusplantsoen 20	Roden	J. A. Schrek
Wilma Jankman	Havixhorst 15	Roden	Wilma Jankman
Greet Westerbreek	Klinck 14	Roden	Greet Westerbreek
C. Huijwerde	Portenstraat 6	Roden	C. Huijwerde
Arie Smit-Kopman	Van Stee straat 25	Wetap	Arie Smit-Kopman
Elly Klein	Statenlaan 38	Roden	Elly Klein
Elly Pries	Norgeweg 31	Rodenesch	Elly Pries
Daisy Verschuif	Wolfsdreef 35	Roden	Daisy Verschuif
H. van Eke	Groninger 26	Roden	H. van Eke
L. P. Jankman	Havixhorst 15	Roden	L. P. Jankman
P. de Boer	Hasehaan 2	Roden	P. de Boer
G. Willems	Hoogdijk 52	Zierdijk	G. Willems
Lammie Everts	Hullenweg 8	Roden	Lammie Everts

PETITION ON THE LUBICON LAKE INDIAN BAND

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Name	Address	Signature
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C.M. Bekken / H. Wouda	De Toevondans 1	6584EA Molenhoek NL	E. Bekken

Opsturen naar: Lubicon Lake Support Group Holland
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DRUKWERK



C.M. Bethlem
De Toverdans
6504 EA Molenhoek

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Name	Address	Signature
M. v. Geel v. Hees	Postweg 83 Nijmegen	M. v. Geel v. Hees
W. v. Geel	Groeneveldseweg Nijmegen	W. v. Geel
G. v. Geel	Gageldemh 41 Bavel	G. v. Geel
M. v. Geel v. Hees	" "	M. v. Geel v. Hees
Sander Louwet	Kuunskop Huissen	Sander Louwet
Lidewij Louwet	Kuunskop 17 Huissen	Lidewij Louwet
L. Heeze	Kuunskop 20 Huissen	L. Heeze
H. Barends	Kuunskop 15 Huissen	H. Barends
P. Sipkema v. Druken	Molenv. 26 Angeren	P. Sipkema v. Druken
M. Benda	Gouda v. d. d. Huissen	M. Benda

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Name	Address	Signature
M. Rouwet v. Geel	Kunnsloep 17 Huissen	M. Rouwet v. Geel
W. Volleberg - Nissers	Holthuizerdreef 13a Huissen	W. Volleberg - Nissers
E. Maas v. Lohuizen	Walstraat 13 Huissen	E. Maas v. Lohuizen
L. Hoes	Schans 23 Huissen	L. Hoes
Guurje Bultjes	Orieleweg 25 Huissen	Guurje Bultjes
Frans Wolswijk	Parkstraat 10 Arnhem	Frans Wolswijk
Gerry Welling	Holthuizerdreef 60 Huissen	Gerry Welling
Hans Louwet	Kunnsloep 17 Huissen	Hans Louwet
Yosi Janssen v. Geel	Tolhuis 3308 Nijmegen	Yosi Janssen v. Geel
A. Janssen	" " "	A. Janssen

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

PETITION ON THE LUBICON LAKE INDIAN BAND

WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;

AND WHEREAS the Canadian Government has not recognized and protected the aboriginal land rights of the Lubicon Lake Band by failing to establish the Reserve which was promised to the Band in 1939 and by transferring the traditional lands of the Band, without first rightfully obtaining them, to the Province of Alberta;

AND WHEREAS the Province of Alberta has failed to recognize and protect the aboriginal land rights of the Lubicon Lake Band by allowing dozens of oil companies unrestricted access to the oil resources in the traditional lands of the Band;

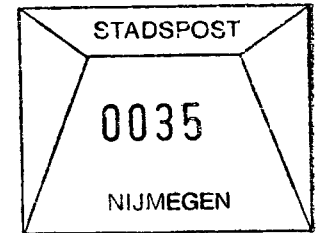
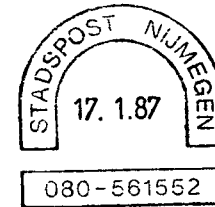
AND WHEREAS the mineral developments by dozens of oil companies on the traditional lands of the Lubicon Lake Band have disrupted the traditional economy of the band to the point where now its very existence as a society of aboriginal people is in serious jeopardy;

THEREFORE we, the undersigned citizens of the Netherlands. demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name	Address	Signature
Vulst	Brokmanstr 17	Groenbeek
J. Geel	Postweg 83	Nijmegen
M. Geel	Hollweg 13	Nijmegen
A. Geel Ruiten	"	"
J. Pellen	Klockscherweg	Hommersum
G. Pellen Nuy	Klockscherweg	Hommersum
M. Bense	Danielstraat	Tienen
Meur Houwet	M. Hezemanstr. 20	's Bosch
W. Houwet	Van Heerenstraat 20	's Bosch
Thouret Jansen	Hofstraat	Andels

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

DRUKWERK



R. Roekofsema
Kart huizerhof 23
6511 ZG Nijmegen.

PETITION ON THE LUBICON LAKE INDIAN BAND

- WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;
- AND WHEREAS the Canadian Government has not recognized and protected the aboriginal land rights of the Lubicon Lake Band by failing to establish the Reserve which was promised to the Band in 1939 and by transferring the traditional lands of the Band, without first rightfully obtaining them, to the Province of Alberta;
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- THEREFORE we, the undersigned citizens of the Netherlands, demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name	Address	Signature
------	---------	-----------

M. Neuman	Conkfort 56-54 Nijmegen	[Signature]
L.H.J. Peters	Lievehamptof 5 Nijmegen	[Signature]
L. van Burgh	Pylonn 10 Beuningen	[Signature]
[Signature]	Kan 1 Mulierstraat 25 Nijmegen 6525 VK	[Signature]
[Signature]	Kan 1 Mulierstraat 25 6525 VK Nijmegen	[Signature]
H. Engelaar	De Schoren 26 Malden [Signature]	[Signature]
[Signature]	Weren laan 3? Nijmegen	[Signature]
[Signature]	N ^w . Molleshauserweg 16 Nijmegen	[Signature]
R. Hegnen	Tolhuis 60-22 Nijmegen	[Signature]
H. Albers	Tolhuis 31-46 Nijmegen	[Signature]

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
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PETITION ON THE LUBICON LAKE INDIAN BAND

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Name Address Signature

J. H. Kwon	Radsangel 3	Groning	J. H. Kwon
W. H. Blomdrecht	Pinksterbloemweg 6	Marum	W. H. Blomdrecht
R. F. Drost	Laan 't d' Vrede 117	Groningen	R. F. Drost
J. H. Vrij	Engelse Kamp 5	Groningen	J. H. Vrij
P. Naxinx	Engelse Kamp 5	Groningen	P. Naxinx
W. G. B. B. B.	W. d. Steen	"	W. G. B. B. B.
J. SCHREUDER			J. SCHREUDER
H. E. T. Meyer	Oosterstraat 10A	Groningen	H. E. T. Meyer
P. Bodde	Danwerd		P. Bodde
W. H. Splinter	Rijksstr. keep 15	Glinne	W. H. Splinter
J. F. B. B.	Engelse Kamp 5	Groningen	J. F. B. B.
W. H. B. B.	Groningen		W. H. B. B.

Name	Address	Signature
PH ten Cate	Wageningen Wageningen	
P.A. de Wit	Wageningen Wageningen	
Jos Holwerda	Groningen	
A. de Haas	"	
J. Jagersma	Groningen	
R.K. Pines	Groningen	
G.J. Meulenbeld	Bedum	
S. Fransbergen	Zuidhorn	
H.v. Doorn	Tolbert	
W. Rensen	Groningen	
Bigot	Koningh	
Wageningen Wageningen	Wageningen	
Groningen	Groningen	
dugjes R.C.	Wageningen	
P.D. Wampin	Wageningen	
Wageningen	Groningen	
W. Ullma	Groningen	
W. ter Horst van Telders	Groningen	
Wessel Rutenborg	Schonebeek	
Piet Schulking	Groningen	
A. Uyman	Groningen	
Michael Robert	Groningen	
Johan Dambrink	Groningen	
R. Manna	Groningen	

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
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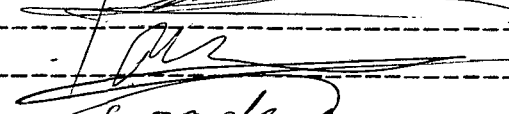
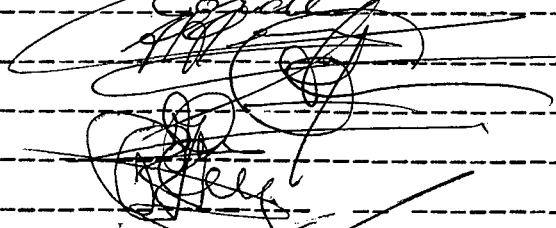
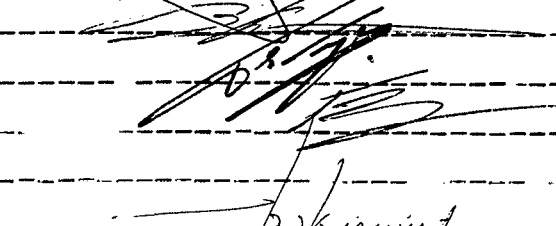
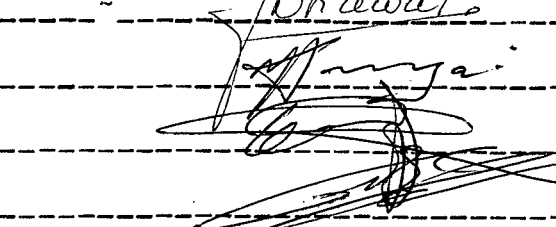

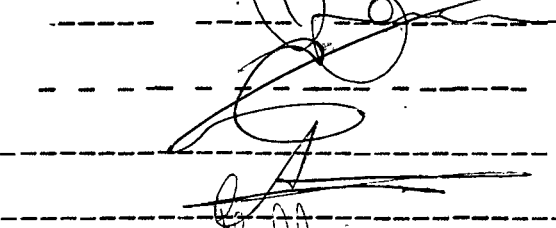
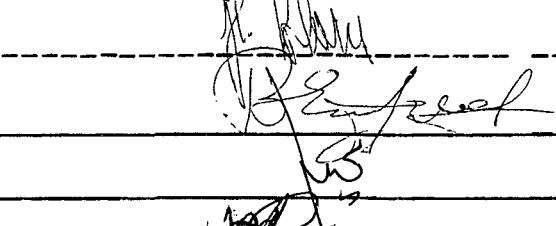
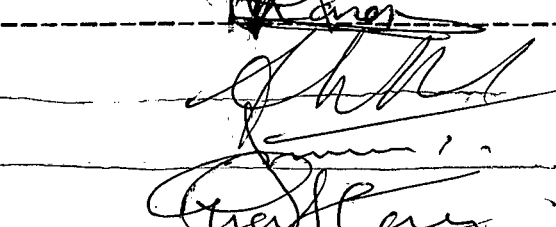
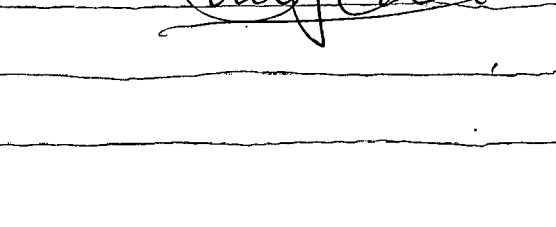

Name

Adresse

Signature

Name	Adresse	Signature
G. Thom	Har	
J. Barends	Groning	
Bo	Groning	
B. Bo	Veendam	
E. Vobke	Hoogerade	
F. Hooijhuijs	GRUNINGEN	
A. Ramaker	Oosterwolde	
E. Westij	Groning	
A. van der Wier	Groning	
F. Dolder	ASSEN	
L. Hooijhuijs	Groning	
H. de Jong	Groning	
H. H. G. Bosch	Hoehingeb	
H. Draaijer	Groning	
H. Pol	Groning	
B. Arends	Groning	
A. Premer	Haulewyk	
K. Dykstra	Groning	
P. Adriaansz	Groning	
DEACON	Groning	
B. J. J.	Groning	
Smit	Groning	
P. J. Looij	Groning	
A. Boer	Groning	

001629

Name	Address	Signature
G. H. van der Horst	Groningen	
Bob de Wilde	Groningen	
E. J. de Vries	Groningen	
J. H. de Vries	Groningen	
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J. H. de Vries	Groningen	
J. H. de Vries	Groningen	
J. H. de Vries	Groningen	

Name Address Signature

G.R. Jongema	Meesstraat 46	[Signature]
Thijf Wieringa	Schuitendijk 4-9	[Signature]
Ann Bosdrien	Dijkstraat 14	[Signature]
Marthe Glanburg	V. Hamelsh 26	[Signature]
Hanneke v.d. Heide	Kastanjeleaan 56	A. d. v.d. Heide
B. Spekschute	Moentich 20 Gronje	[Signature]
Jan Eschamp	Moesshaat 20 Groningen	[Signature]
Maria Hartog	Bessenwerth 20	[Signature]
Theo de Boer	Moesshaat 20	[Signature]
Rob Hennelien	Narcisstraat 56 Gron.	[Signature]
Bert Stuurwold	B. Engelkensl. 53 Winschoten	[Signature]
Dina Glanburg	Van Hamelsh 26	B. d. v. d. Heide
Wiro Weersink	Moesshaat 20 Gronje	[Signature]
Allard Gerding	Klein. Kruis 112	[Signature]

Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

PETITION ON THE LUBICON LAKE INDIAN BAND

WHEREAS the Lubicon Lake Indian Band in northern Alberta has never ceded its traditional lands and therefore retains unextinguished aboriginal title to these lands;

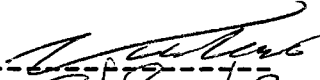

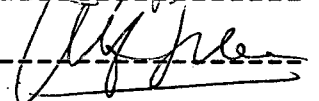
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AND WHEREAS the Province of Alberta has failed to recognize and protect the aboriginal land rights of the Lubicon Lake Band by allowing dozens of oil companies unrestricted access to the oil resources in the traditional lands of the Band;

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THEREFORE we, the undersigned citizens of the Netherlands. demand that the Canadian Government immediately take any and all actions necessary to ensure that the aboriginal land rights, hunting and trapping rights and mineral rights of the Lubicon Lake Band are protected from further abuse and are properly recognized and respected.

Name : Address Signature

Nienhuis	Isebrandtsheerd 30.	
S. Kamboel	Isebrandtsheerd 30	
G. Hendriks	Benixstr 82, 9721 KV Groningen	

Signature

[illegible]

001633

PETITION ON THE LUBICON LAKE INDIAN BAND

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Name	Address	Signature
P.T. Barlenda	Voorburgse Herengr. 92 ^A	<i>P.T. Barlenda</i>
T. Noordhoff	Mondriaanstr. 30	<i>CMH</i>
Geert Borna	Radijschraut 73 ^B	<i>[Signature]</i>
M. Annema Luinze	Zuiderweg 26 Hoogerh	<i>[Signature]</i>
Henk Schendstok	Bilitusstraat 80 B Groningen	<i>[Signature]</i>
J. CLOBUS	Boofdweg 41 Zuurdyk	<i>[Signature]</i>
L. Curvers	Groninge	<i>[Signature]</i>
Job Reitsema	Tellegend 18 ^I Gron	<i>[Signature]</i>
Geerke Kraan	Groningen	<i>[Signature]</i>
Willem Bulder	Aquamarijnstr 761 Gron	<i>[Signature]</i>
A. Vellema	Sabotagelaan 30 Groningen	<i>[Signature]</i>
A. Ehes	Grote Boereste 152 Groningen	<i>[Signature]</i>
Ralph Miller	Leenwarderstr. 9 Gron	<i>[Signature]</i>

Signature

[illegible]

001635

PETITION ON THE LUBICON LAKE INDIAN BAND

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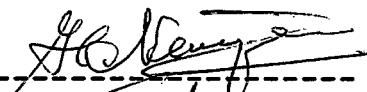
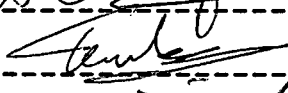
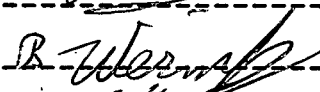
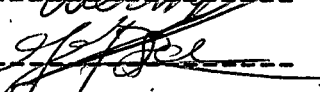
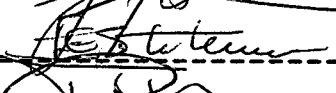
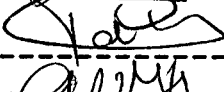






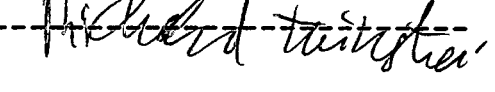
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Name	Address	Signature
------	---------	-----------

H. Nuyjen	Bergstraat 35	
T. Emsman	Voornaligkleduspoortje 9	
B. Wierink	Bibbistr. 71 Groningen	
Jaap Schult	Schuitendiep 58	
Frederike Statema	Groningen	
Thea de Haas	Groningen	
Gerda Klabbege	Groningen	
S. A. Sieroon	De Dijk	
Klaske Kamfers	Groningen	
Mark Douglas	Groningen	
E. van der Berg	Heerestraat 67, Groningen	
de Noll	Groningen 95	
Richard Tuinstra	Groningen	

Name	Address	Signature
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Opsturen naar: Lubicon Lake Support Group Holland
Postbus 4266
9701 EG Groningen
The Netherlands

B/C *pl*
ACTION
SUITE A DONNER

RECEIVED - REÇU

ISL
OCT 6 1986

IMH

UNCLASSIFIED

FM HAGUE YWGR0687 05OCT87

TO EXTOTT IMH

INFO VIENN BONN BRU BERN COPEN OSLO STKEM GENEV LDN PARIS HSNKI ROME
PCOOTT/SERSON/CARON JUSTOTT/FREMAN

INAHULL/BOEDASAVICH/COULTER/DIERR/WHITAKER

DISTR MINA MINP IMD BKC BKA RGB RWD RWR BFE JLO ISD ISS ISE BCM TADF

---LUBICON LAKE INDIAN BAND:03OCT DEMONSTRATION AND PETITION

WHILE NUMBER OF OTHER POSTS IN EUROPE EXPECTING DEMONSTRATIONS

IN SUPPORT OF LUBICON LAKE INDIAN BAND ON 12OCT,THE ONE IN NETHS

WAS HELD 03OCT.ORGANIZERS INCLUDED G. DE GROOT,FOUNDATION WORKING

GROUP INDIGENOUS PEOPLES(KNOWN TO US FOR HIS VIEWS ON DUTCH

AIRFORCE USE OF GOOSE BAY)AND BERTRAND RUSSEL TRIBUNAL LECTURES

CTTEE,WITH PARTICIPATION BY KARINJA INDIANS OF SURINAME,LAKOTA

TREATY COUNCIL(NORTH DAKOTA),FOUNDATION OF THE TWELVE OF OCTOBER

MANIFEST.WEST PAPUA COUNCIL NOT/NOT PRESENT DUE TO A FUNERAL.

2.DATE OF 03OCT CHOSEN TO COINCIDE WITH START OF NINE DAYS OF

ACTIVITIES ORGANIZED BY BERTRAND RUSSELL TRIBUNAL LECTURES CTTEE

AROUND THEME OF FUTURE OF ABORIGINAL PEOPLE IN AMERICA.OTHER

EVENTS IN THE SERIES OF ACTIVITIES ARE IN AMSTERDAM AND INCLUDE

LECTURE BY JUSTICE BERGER(LAST YEAR IN SAME LECTURE SERIES JOHN

MUNRO DREW CROWD OF 400).

3.ORGANIZERS CONTACTED US AHEAD OF TIME,ASKING AS USUAL TO MEET

WITH AMBASSADOR AND TO HAND OVER PETITION.AS IS OUR PRACTICE,WE

PAGE TWO TWGR0687 UNCLAS

ADVISED ORGANIZERS THAT EMBASSY REP(COUNSELLOR)PREPARED TO RECEIVE
DEL OF NO/NO MORE THAN THREE PEOPLE WITH NO/NO MEDIA, PHOTOGRAPHERS
OR RECORDING DEVICES. THIS WAS ACCEPTED. POLICE NOTIFIED BEFOREHAND
AND ON FINE, COOL SUNNY SATURDAY AFTERNOON MADE APPROPRIATE
ARRANGEMENTS. BLOCK ON WHICH CHANCERY IS SITUATED WAS MADE OFF LIMITS
FOR PARKING AND TRAFFIC(IT IS WIDE BLVD WITH COUNTER ALLEYS AND
NORMALLY FOUR LANES OF PARKING). OFFENDERS WERE TOWED AWAY. EMBASSY
GATES WERE LOCKED SHUT SO GROUNDS NOT/NOT ACCESSIBLE FROM SIDEWALK
BORDERING OUR TWO-METRE HIGH VERTICAL IRON GRILLE FENCE. THESE
MORE EXTENSIVE THAN USUAL PRECAUTIONS TAKEN AS DEMONSTRATION HAD
BEEN ADVERTISED IN AMSTERDAM. IN THE EVENT NUMBERS WERE SMALL AND
PARTICIPANTS ORDERLY WITH BLVD IN FRONT OF CHANCERY BEING ENLIVENED
WITH BANNERS, FLAGS, MUSIC, ALTERNATE FOOTBALL GAME, VIDEO PRESENTATIONS
AND INFO BOOTH.

4. AS SCHEDULED WE RECEIVED PETITION. IT CARRIES OVER 2600 SIGNATURES.
TEXT FOCUSSES ONLY ON LUBICONS AND THEIR SITUATION VIS-A-VIS
FEDERAL GOVT, ALBERTA AND OIL COMPANIES. IT ALSO REQUESTS THAT
NEGOTIATIONS RESUME IN PRESENCE OF MR FULTON AS THIRD PARTY. EACH
OF THREE MEMBERS OF DEL SPOKE IN BALANCED REASONABLE MANNER.
ACCOMPLISHMENTS OF CDA IN PROTECTING AND ENHANCING POSITION OF
ABORIGINAL PEOPLES RECOGNIZED WITH PLEA THAT LUBICONS BENEFIT
FROM SAME APPROACH. WHILE TWO DUTCH SPOKESMEN MAY NOT/NOT BE KNOWN
TO YOU, YOU MAY HAVE PREVIOUSLY RUN ACROSS MILO YELLOWHAIR WHO CAME
...3

PAGE THREE YWGR0687 UNCLAS

FROM GENEVA WHERE HE ATTENDED HUMAN RIGHTS MEETING AND IS ACTIVE
IN REPRESENTING NGO FOUR DIRECTIONS COUNCIL WHICH, WE UNDERSTOOD,
REPRESENTS INTER ALIA MICMACS AND INNU.

5. PETITION SIGNERS FOR MOST PRINTED THEIR NAMES, GAVE THEIR
ADDRESSES AND SIGNED. LARGEST GROUP COMES FROM NORTHEASTERN PROVINCE
OF GRONINGEN, HQ OF LUBICON LAKE SUPPORT GROUP IN HOLLAND.

6. AS REQUESTED BY DEL WE WILL FORWARD PETITION TO IMU BY BAG AND
ASK, AS WE WERE ASKED, THAT IT IN TURN BE FORWARDED TO PRIME MINISTER,
MINISTER MCKNIGHT, PREMIER GETTY AND MINISTER HORSEMAN. WE HAVE ALSO
BEEN ASKED TO CONVEY TO DEL IN DUE COURSE ANY REPLY OR COMMENTS
FROM THOSE TO WHOM PETITION ADDRESSED.

UUU/014 060720Z YWGR0687

The Rt. Hon. Joe Clark, P.C., M.P.
Secretary of State for External Affairs



Canada

Please return to IMH
after signature and release

Remettre à IMH après
signature et diffusion

Secrétaire d'Etat aux Affaires extérieures

OCT 5/87

OTTAWA, ONTARIO

K1A OG2

45-09-13-1-3- Lubicon
Lic Band

Dear Mr. Tavender:

Thank you very much for your kind letter of September 23 on "The Spirit Sings". Officials of my Department have worked closely and effectively with Mr. Duncan Cameron and his staff, and I am pleased to hear that this extraordinary exhibition of Canadian native culture is not only going ahead, but that it will be a first-class event. I have taken the liberty of passing along your comments to the many individuals here at headquarters and at our embassies abroad who have supported the Glenbow's efforts.

I look forward to an opportunity of seeing the exhibition at the earliest possible date.

Yours sincerely,

Mr. E.D.D. Tavender
Chairman of the Board of Governors
Glenbow Museum
130 - 9th Avenue S.E.
Calgary, Alberta
T2G OP3

A-01122-01

IMD



Glenbow Museum

FROM THE OFFICE OF THE CHAIRMAN OF THE BOARD OF GOVERNORS
E. DAVID D. TAVENDER, Q.C.

September 23, 1987

The Right Honourable Joe Clark
Minister of External Affairs
Government of Canada
House of Commons
OTTAWA, Ontario

Dear Joe:

Re: Glenbow Exhibition - The Spirit Sings

Duncan Cameron and Julia Harrison, on behalf of the Glenbow Museum, have just returned from what they believe to be a very successful trip to Europe. They tell me that there is every reason to believe that most, if not all, of the museums that committed artifacts to Glenbow's Olympic Exhibition, The Spirit Sings, will be forthcoming. It would appear that most, if not all, of the international museums recognize The Spirit Sings as a very valuable contribution to the Olympics and to our understanding of native culture in Canada.

The situation with the Swiss and Italian museums who were threatening to withdraw their artifacts from the Exhibition seems to have improved significantly and we are hopeful that they will contribute their artifacts. Whether they do or not, the Exhibition will proceed and be a first-class event.

On behalf of the Board of Governors of the Glenbow Museum I would like to thank you and your department for your strong support and constructive and practical advice. Representatives of Shell, OCO and Glenbow were able to assure Gerry Berger at a meeting just yesterday that the Exhibition will not only proceed but it will be a resounding success. Much credit for that will be due to the assistance of your department.

Best personal regards,

Sincerely,

E.D.D. Tavender

EDDT/sjw

cc: Mr. D. F. Cameron

OFFICE OF THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS
CABINET DU SECRETAIRE D'ETAT AUX AFFAIRES EXTERIEURES

ACTION REQUEST/FICHE DE SERVICE

From/De : E DAVID D TAVENDER, CHAIRMAN
GLENBOW MUSEUM

No. : A-07122-87

Subject/ GLENBOW OLYMPIC EXHIBIT-INTL ARTIFACTS
Objet: INTL ORGANIZATIONS * ORGANISATIONS INTLES

3 IMH/Livermore

Action div./Dir. resp.: ~~IMD~~
Info div(s)/Dir(s) informee(s): EKD, MINA/NORQUAY

Let./Tel. dated
Let./Tel. en date du

Date sent to division
Date d'envoi à la direction

Deadline date
Echeance

23 SEP 87

02 OCT 87

19 OCT 87

Comments/Commentaires

SSEA SIGNATURE IF YOU AGREE

ACTION REQUIRED/SUITE A DONNER

FOR DIVISIONAL USE
RESERVE A LA DIRECTION

[X] Reply for signature of SSEA
Reponse pour la signature du SEAE

Date received/Date recue
IMD, Oct. 2/87

[] Reply for the signature of
Reponse pour la signature de

Action officer/Agent resp.

[] Reply by division
Reponse de la direction

Disposition and/et date

[] For information and any necessary action
Pour examen et suite a donner, s'il y a lieu

This letter was not sent

[] CAMPAIGN: Reply for signature of SSEA
CAMPAGNE: Reponse pour la signature du SEAE

MINA / 15 JAN 88

[] CAMPAIGN: Reply by division
CAMPAGNE: Reponse de la direction

Send Bico 8 FEB 88

For MINA use/
Reserve a MINA

[] CAMPAIGN: For information and any necessary action
CAMPAGNE: Pour examen et suite a donner, s'il y a lieu

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Yellow - Divisional secretary Green - File with original incoming letter

Jaune Secretaire de direction Verte Au dossier avec la lettre recue

External Affairs
Canada

Affaires extérieures
Canada

TRANSMITTAL SLIP - NOTE D'ENVOI

TO/À MINA /through IFB)
FROM/DE IMH (through IMD)
SUBJECT/SUJET E.D.D. Tavender, Glenbow
Museum

Security
Sécurité UNCLASSIFIED

File
Dossier

Date October 5, 1987

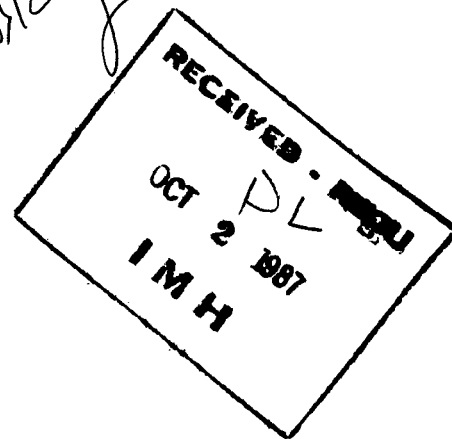
ATTACHMENT Letter for the signature of the Secretary of State
PIÈCE JOINTE for External Affairs (MINA A-07122 IMH-1304)

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MINA (2) FILE BCM CMG	<i>This letter was not sent. MINA / case - Famb Jan 15/88</i> <i>OK Pru JH</i>	<p>The attached letter is for your signature, if you agree.</p> <p>REQUIRED BY/DEMANDÉ POUR</p> <p><i>Dan Livermore</i></p> <p>Dan Livermore Acting Director Human Rights and Social Affairs Division</p>

OCT - 8 1987

TO BE RETAINED WITH FILE COPY - A CONSERVER AVEC L'EXEMPLAIRE DESTINÉ AU DOSSIER 001645

**ACTION
SUITE A DONNER**



UNCLASSIFIED

FM BONN ZQFC2819 01OCT87

TO EXTOTT (IMH

INFO VIENN BERN PCOOTT/CARON INAHULL

DISTR MINA IMD BKC BKA RWR RWDN BFE JLO

REF VIENN TEL 5570 26AUG AND YRTEL 1149 31AUG

---LUBICON LAKE: DEMONSTRATION ON 12/13 OCT

WE HAVE NOW RCVD LETTER ADDRESSED TO AMB BASICALLY SAME AS CONTAINED
IN REFTEL, ADVISING US OF PLANNED DEMONSTRATION ON 12OCT (THANKSGIVING
HOLIDAY) AND 13OCT.

2. WE WILL FOLLOW GAME PLAN OUTLINED YRREFTEL INCLUDING INVITATION TO
PETITIONERS TO MEET WITH US FEW DAYS BEFORE PLANNED DEMONSTRATION. WE
WILL REPORT OUTCOME.

UUU/777 011600Z ZQFC2819

ACC	REL	DATE
FILE	DOSSIER	
45-CDM-13-3-1-Lubicon Lake		



Office of the Assistant Deputy Minister (Civil)

9833 - 109 Street, Edmonton, Alberta, Canada T5K 2E8 403/427-0912 TWX 610-831-1167

September 29, 1987

File Number: 7900-3-5

Mr. Martin Low
Senior General Counsel
Human Rights Law Section
Department of Justice
OTTAWA, Ontario
K1A 0H8

ACC	REV	DATE
FILE	DOSSIER	
45-CDA-13-1-3-Lubicon		
Lubicon Band		

Dear Mr. Low:

Re: Lubicon Lake Band - Canada's Response To The
Committee's Decision on Admissibility

Further to your letter to Mr. Al Kennedy, dated September 17, 1987, and to discussions which have taken place between Mr. Bob Coulter of the Department of Indian and Northern Affairs and Mr. Ken Boutillier of the Attorney General's Department, we would offer the following comments with respect to the draft copy of Canada's response to the U.N. Human Rights Committee:

1. In regard to the effects of oil and gas exploration and development on wildlife, we have provided to Mr. Bob Coulter, under separate cover, copies of the affidavit materials submitted by Alberta to the Court of Queen's Bench. These materials indicate a number of factors, other than oil and gas activity, which have affected both the moose population and fur yields in the Lubicon area during recent years.
2. Concerning the Lubicon Band's assertion that it has exhausted options for domestic remedy, including recourse to the Courts, you may wish to note, possibly at the bottom of page 8, that as recently as June 22, 1987 the Band took a significant step in the Court of Queen's Bench action when it made application before the Chief Justice to amend its Statement of Claim to add the Government of Canada as a defendant and to expand the list of claimants represented by the Band. Written submissions were to have been submitted by August 30, 1987 and a decision is expected shortly.

.../2

Mr. Martin Low

-2-

September 29, 1987

3. Both your letter of September 17, 1987 and the draft copy of the federal response (parenthetical insert at bottom of page 8 and top of page 9) suggest "...the suspension of inland gas activity..." which does not accurately reflect the situation. Consistent with Alberta's October 1985 offer to transfer land for an Indian Reserve, the Province currently is not issuing any further surface dispositions within the 25.4 square mile area, but is continuing to respect the rights, including surface rights, of those with existing third party interests.
4. Although oil and gas activity is proceeding within the general area surrounding Lubicon Lake, certain informal procedures have been adopted. In this regard, you may wish to consider incorporating the following at the bottom of page 8:

With respect to oil and gas exploration and development activity which is proceeding in the vicinity of the Lubicon Lake area, Alberta agencies have voluntarily adopted the following informal procedures to alleviate the Band's concerns regarding possible disturbance of sites seen by the Band to be of significance, such as burial grounds and historic sites, and to assist it in receiving notice of projects where band members might find employment opportunities.

1. The Energy Resources Conservation Board, an independent agency of the Alberta government, is requiring companies operating within a 900 square mile area to advise the Lubicon Band of their plans prior to seeking approval from the E.R.C.B. for well-sites, transmission lines and pipelines; and
2. The Department of Forestry, Lands and Wildlife, as a condition of approval of seismic activity within a similar area, is requiring companies to give notice of proposed activities to trappers possibly affected, at times notice being given through the Band where it has been designated by the trapper.

These procedures do not in any way validate the Lubicon Band's land claims, but rather are arrangements made in consultation with the Band to enable oil and gas operations to proceed in a way which reduces the possibility of conflict between operators and the Band.

.../3

Mr. Martin Low

-3-

September 29, 1987

In addition, the Alberta government in 1981 established a province-wide Trapper's Compensation Board which at the request of the trappers affected by industry activity (including trappers in the Lubicon area) will arbitrate disputes where the trapper and an exploration company have been unable to successfully negotiate compensation. As well, a fund has been established from which the Trappers Compensation Board will make awards to trappers directly in those cases where the responsibility for the disturbance to traplines is unclear.

5. The section on services (second paragraph, page 9) could be strengthened. For example, the Government of Alberta by the end of this year will have constructed a total of 30 houses in the community of Little Buffalo at an average total cost of \$30,000.00 per house. This does not include the 24 houses provided by the Department of Indian Affairs. In addition, \$1.5 million has been approved, under the Canada/Alberta North Agreement, for the construction in 1987 of a water treatment plant at Cadotte Lake and a line will be completed to Little Buffalo next year at a cost of \$1 million.
6. On page 15, greater emphasis could be placed on the magnitude of the claims being advanced by the Lubicon Band in the two actions. It could, for example be pointed out that the 25,000 square mile area within which the Band has asserted aboriginal title is an area comparable to that of Austria (32,377 square miles). Similarly, the compensation being sought in the two Statements of Claim (\$1 billion and \$800 million respectively) amounts to several million dollars per claimant.
7. Again on page 15, consideration could be given to elaborating the conflicting claims, not only of other Indian groups, but of the Metis who have permanently occupied the area in the vicinity of Lubicon Lake for at least as long as the Lubicon Indians. In our view, the Metis agricultural development is not insignificant.
8. The first paragraph of page 18 states that the 1985 Alberta offer was made to the Band. In fact the offer was made to the federal government.

.../4

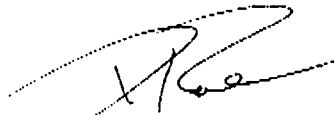
Mr. Martin Low

-4-

September 29, 1987

I trust that these comments will be of assistance. If you require any clarification or have any further questions, please feel free to contact Mr. Ken Boutillier at (403)422-4939.

Yours truly,



D.G. Rae
Assistant Deputy Minister (Civil)

c.c. A.E. Kennedy

Dan Livermore

ALBERTA ATTORNEY GENERAL
BOWKER BUILDING
9833-109 STREET
EDMONTON, ALBERTA T5K 2E8

SEP 29 1987

RECEIVED - REÇU
GENERAL COUNSEL
AVOCAT GENERAL
SEP 29 1987
9-259
HUMAN RIGHTS LAW SECTION
DROITS DE LA PERSONNE

TELECOPIER COVERSHEET
RECEIVED - REÇU

DATE: Sept. 29/87

TIME: 9:25 Am.

TO: Martin Low
Dept. of Justice
Ottawa, Ont.

OCT 1 1987

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(613) 957-4944

FROM: D. S. Rae

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Edmonton, AB

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437-0912

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Sept. 29/87

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Ver 30 May 86

Department of External Affairs



Canada

Ministère des Affaires extérieures

OTTAWA, ONTARIO
K1A 0G2

September 28, 1987

Our Ref.: IMH-1234

Mr. Kurt Klingbeil
5 Fitzgerald Avenue
Fort McMurray, Alberta
T9H 1K1

ACC	NO.	DATE
FILE	DOSSIER	
57-9-5-Human Rts		
45-CDR-7-3-Lubicon LK		

Dear Mr. Klingbeil:

I am replying to your letter of September 4, as we have no record on hand of your earlier correspondence, evidently dated June 5. It may be that changes in staff over the past two months or our recent move to a new location in headquarters led to a loss of records. In any event, the information is not available to verify whether a reply was prepared.

With respect to the contents of your recent letter, our position with respect to the Lubicon Lake Band communication now before the Human Rights Committee has been clear. The communications procedures are confidential in accordance with the rules of the Committee itself. Therefore we are not free to divulge what has transpired or what our response to the Committee will be. I understand that the Lubicon Lake Band has chosen to make available part of the records. This is their privilege if Band leaders or advisers wish to ignore the rules of procedure of the Committee. However, as a government with several cases before the Committee, we are not free to follow this example. I can only say that I agree with you that the handling of this communication by the Band has been awkward, and that the Government of Canada will be requesting follow-up action by the Human Rights Committee shortly.

As you seem to have been in touch with the Band (as this would be the only source available for obtaining the U.N. document, which is restricted in distribution), I suggest that you enquire with its leadership concerning the future evolution of this case. As far as concerns the land claim issue, which is totally different from the Human Rights Committee communication, the Government of Canada has already made clear its readiness and availability to sit down at any time with the Band.

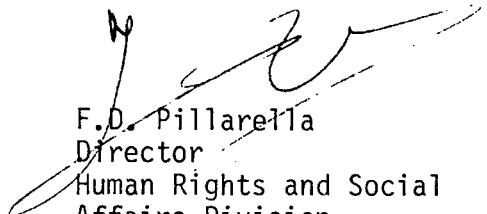
...2

- 2 -

Unfortunately, the offer to negotiate a just and equitable settlement does not appear to have been taken up by the Band, at least as matters stand today.

I hope that this reply suffices as a response to your earlier enquiry. I regret that we have no record on hand of your letter and that it was necessary to write again.

Yours sincerely,

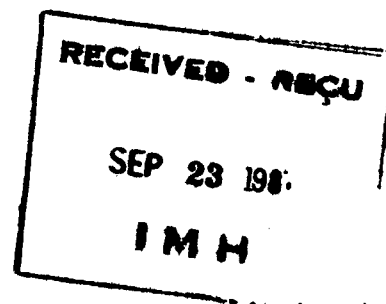


F.D. Pillarella
Director
Human Rights and Social
Affairs Division

A: Kling

Sept 4/87

F.D. Pillarella, Director
Human Rights and Social Affairs Division
Department of External Affairs
Ottawa



Dear F.D. Pillarella,

Please extend the courtesy of a
reply to my letter to you dated June 5.

I am interested in your response;
personally if not officially.

Don,

Sincerely

Vurt Klingbeil

Vurt Klingbeil
5 Fitzgerald Ave
Fort McMurray, AB
T9H 1K1

please forward a copy of the enclosed letter
to Mr. Clark.

Hon. Brian Mulroney
Prime Minister
House of Commons
Ottawa

September 8/87
5 Fitzgerald Ave
Fort McMurray, AB
T9H 1K1

Dear Brian Mulroney,

I write to ask about Canada's response to the UN Human Rights Commission's ~~the's~~ decision to hear the Lubicon Band's case alleging the violations of their rights of self-determination by the Government of Canada.

Specifically, in document CCPR/C/30/D/167/1984 27 July 1987, page 11, ¶ 14.5 point 2: Canada has been requested "to take interim measures to avoid irreparable damage to Chief Aminayak and other members of the Lubicon Lake Band". Does Canada intend to comply with this request? How? Please arrange for a copy of any communications to the UN-HCR on these interim measures to be sent to me.

I look forward to the decision on the merits of the case and hope that Canada is not embarrassed internationally. I am very concerned that the inept handling of the claims of the Lubicon Band has had the ill effects it has, and hope that you will help achieve a fair settlement.

Sincerely,

Just King
001655

ACTION
SUITE A DORNER

UNCLASSIFIED

FM FEDINTGOVA EDM 28/09/87 14:43:18

TO EXTOTT CFX/LARRY BROWN

RE: LUBICON BOYCOTT

ACC	DATE
30-2-4- / DOSSIER	

45-CDA-13-1-3-LUBICON
LAKE BAND

AS PER OUR RECENT TELEPHONE CONVERSATION, WOULD APPRECIATE ANY INFORMATION CANADIAN POSTS IN EUROPE, ESPECIALLY THOSE IN NORDIC COUNTRIES, MIGHT PROVIDE CONCERNING THE LUBICON BAND'S BOYCOTT OF THE CALGARY OLYMPICS. AS YOU KNOW, THE LUBICON BAND IS CONDUCTING AN INTERNATIONAL CAMPAIGN TO DISCOURAGE ORGANIZATIONS AND INSTITUTIONS FROM PARTICIPATING IN ACTIVITIES ASSOCIATED WITH THE 1988 WINTER GAMES. THE BOYCOTT IS BEING UNDERTAKEN IN CONNECTION WITH LUBICON BAND'S LAND CLAIMS' DISPUTE WITH THE PROVINCIAL AND FEDERAL GOVERNMENTS.

WOULD PARTICULARLY APPRECIATE ANY INFORMATION POSTS CAN PROVIDE ON LUBICON BOYCOTT ACTIVITIES IN THEIR RESPECTIVE GEOGRAPHIC AREAS. MEDIA REPOTS ON ACTIVITIES ALSO USEFUL.

THANKS

JOHN COTTON

UUU/175 282105Z TLX0982

SEP 28 1987

File

P R O T E C T E D

FM GENEV YTAG5894 25SEP87

TO EXTOTT JLO DELIVER BY 250900

INFO PCOOTT/OACA/CARON

BH JUSTOTT/FREEMAN/LOW DE OTT INAHULL/WHITAKER DE OCI

DISTR IMH

REF HOLMES/HYNES TELECON 24SEP

---HUMAN RIGHTS CTTEE:LUBICON LAKE

CENTRE FOR HUMAN RIGHTS(MOLLER) ADVISES THAT RECEIPT OF CDN COMMENTS ON ADMISSIBILITY ISSUE AS LATE AS 19OCT COULD PRESENT DIFFICULTIES IN ENSURING MATERIAL IS PLACED BEFORE WORKING THAT WEEK. IF DOC IS ONLY QUOTE TWO OR THREE PAGES UNQUOTE, TRANSLATION ETC MIGHT BE DONE VERY QUICKLY, BUT ANYTHING LONGER COULD ONLY BE PUT BEFORE WORKING GROUP CTTEE IN ORIGINAL LANGUAGES - WHICH COULD PROVIDE PREMISE FOR INACTION. MOLLER COULD NOT/PREDICT TO WHAT EXTENT WORKING GROUP WOULD ADDRESS ITSELF TO MATTER (AS OPPOSED TO SIMPLY REFERRING ISSUE TO CTTEE PLENARY), BUT HE CONSIDERED IF ADVISABLE THAT WE BE IN POSITION TO ENSURE WORKING GROUP HAS ADEQUATE OPPORTUNITY TO REVIEW SUBMISSION. CONSEQUENTLY, WE WOULD URGE YOU TO MAKE EVERY EFFORT TO COMPLETE AND TRANSMIT COMMENTS TO US (BY TELEX, IF NECESSARY, FOR RE-TYPING HERE) BY 13OCT OR EVEN EARLIER.

CCC/131 251111Z YTGR5894

DATE	
DOSSIER	
45-CDA-13-1-3-LUBICON LAKE BAND	

Bico

RECEIVED - REÇU
DL
SEP 28 1987
IMH

ACC	DATE
FILE	DOSSIER
45-CDR-1313-	
Lubicon <i>Lubicon</i>	

C O N F I D E N T I A L

FM OSLO WGGR2970 25SEP87

TO EXTOTT IMH

ACTION
SUITE A DONNER

INFO PCOOTT/SERSON

BH INAHULL/BOGDASAVICH/COULTER/WHITAKER DE OCI

BH JUSTICEOTT/FREEMAN DE OTT

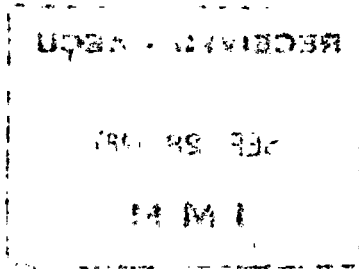
DISTR MINA IMO BKC BKA RWR RWDN BFE JLO

REF OURTEL WGGR2907 08SEP

---LUBICON BAND:GLENBOW MUSEUM

UNFORTUNATELY WE WERE UNABLE TO ATTEND GLENBOW/ETHNOGRAPHIC MUSEUM MEETING BUT WERE EXTENSIVELY DEBRIEFED AFTERWARDS BY BOTH CAMERON AND SVENSSON. CAMERON AND HARRISON MET 14SEP WITH SVENSSON, DIRECTOR OF MUSEUM; ALVE, CHAIRMAN OF BOARD AND OXNES, SECRETARY TO MUSEUM. IN OPINION OF CAMERON AND HARRISON RESULTS OF MEETING IN OSLO WERE BASICALLY NEGATIVE. HARRISON GAVE IT A POSSIBLE FOUR OUT OF TEN. OXNES APPARENTLY MOST APPEARED TO HAVE POWER AND SEEMED MOST ADAMANTLY NEGATIVE, SVENSSON SAID LEAST, WHILE ALVE DID SOME TALKING AND APPEARED MOST REASONABLE--THAT IS, OPEN TO DISCUSSION. CAMERON AND HARRISON GOT IMPRESSION THAT NORWEGIAN CONCERN WAS LESS WITH INTERNATIONAL COMMUNITY OR BROADER ETHICAL QUESTION OF SEPARATING POLITICS FROM PRIORITY OF THEIR DISCIPLINE BUT RATHER THEY APPEARED TO BE RESPONDING TO A DOMESTIC OR NORDIC CONSTITUENCY. THEY FELT NORWEGIANS WERE VERY CLOSED MINDED ABOUT THIS ISSUE, AND REPORTED THAT FIVE MINUTES INTO MEETING IT WAS APPARENT THEIR MINDS WERE MADE UP. THIS WAS INDICATED

...2



PAGE TWO WGG2970 CONF

BY VARIOUS COMMENTS THROUGHOUT MEETING. FOR EXAMPLE WHEN SHOWN CONTRADICTORY INFORMATION SUCH AS LIST OF MUSEUMS THAT HAD PULLED OUT WHICH WAS NOT AS LARGE IN NUMBER OR PERCENTAGE WISE AS THEY WERE TOLD, THEY APPEARED SOMEWHAT CONFUSED AND PERHAPS SLIGHTLY EMBARRASSED. HARRISON TOLD NORWEGIANS THAT ETHNOGRAPHIC MUSEUMS NAME WOULD GO IN CATALOGUE AS A CONTRIBUTOR REGARDLESS OF WHETHER THEY PULLED OUT SINCE CATALOGUE HAD GONE TO PRINT. SVENSSON SEEMED TAKEN ABACK BY THIS.

2. THESE IMPRESSIONS DO NOT/NOT COINCIDE WITH SVENSSONS AND WE SUSPECT TWO SIDES WERE RATHER TALKING AT CROSS PURPOSES. CLEARLY SVENSSON IS EMBARRASSED BY WHOLE AFFAIR AND WOULD RATHER HE COULD PROCEED WITH LOANING SIX ARTIFACTS MUSEUM HAD PROMISED TO GLENBOW EXHIBIT. HE SAID IN FACT IF HE GOT WORD THAT CDN GOVT HAD REOPENED NEGOTIATIONS WITH LUBICONS BEFORE EARLY DEC (FINAL DEADLINE FOR SHIPPING ARTIFACTS) THEN LOAN COULD PROCEED. CLEARLY HE IS LOOKING FOR FACE SAVING WAY OUT OF AWKWARD SITU. HIS PREFERENCE IS TO BE CONTRIBUTOR TO WHAT HE CONSIDERED BOLD AND INNOVATIVE PROJECT AND TIMING OF LUBICON LETTER (23 JUN 87) WAS VERY UNFORTUNATE (OR PERHAPS IF LUBICON AIM WAS MAXIMUM DISRUPTION PERFECTLY TIMED). IF NORWEGIANS HAD BEEN APPROACHED AT SAME TIME AS SWEDES AND DANES THEY TOO WOULD HAVE DECLINED TO CONTRIBUTE, AS IT WAS SVENSSON WAS LEFT IN BLISSFUL IGNORANCE OF BOYCOTT (WE CERTAINLY WERE NOT/NOT GOING TO TELL HIM NOR DID ANYONE IN CALGARY WHEN HE WAS THERE LAST YEAR) UNTIL LETTER

...3

PAGE THREE WGGR2970 CONF

ARRIVED. IF LETTER HAD COME ONE MONTH LATER IT WOULD HAVE BEEN TOO LATE AS ARTIFACTS WOULD HAVE BEEN SHIPPED. SVENSSON BITTERLY REGRETS INCONVENIENCE SITU POSES TO GLENBOW PARTICULARLY GIVEN SHORT NOTICE TO FIND REPLACEMENT NETSELIK ITEMS.

3. NORWEGIAN POSITION FOR WITHDRAWAL RESTS ON ANTHROPOLOGICAL PROFESSIONAL ETHICS. LUBICON BOYCOTT HAS RECEIVED CERTAIN (ALBEIT LUKEWARM) ENDORSEMENT OR ACKNOWLEDGEMENT FROM VARIETY OF CDN AND INTERNATIONAL NATIVE GROUPS, INCLUDING SAMI. IWGIA HAS ALSO WRITTEN TO MUSEUMS ASKING THEM TO SUPPORT BOYCOTT. AS IWGIA IS MADE UP OF ANTHROPOLOGISTS CONCERNED WITH PLIGHT OF INDIGENOUS PEOPLES ITS VIEWS CARRY CONSIDERABLE WEIGHT IN PROFESSIONAL CIRCLES. HEAD OF IWGIA IS DANISH AND NUMBER TWO IS NORWEGIAN AND ORGANIZATION RECEIVES FAIR AMOUNT OF OFFICIAL SUPPORT AND CONTRACT WORK FOR NORDIC AID AGENCIES.

4. ETHNOGRAPHIC MUSEUM IS BASINB ITS WITHDRAWAL ON RESOLUTION NUMBER 11 OF 1986 GENERAL ASSEMBLY OF ICOM WHICH STATES THAT QUOTE MUSEUMS WHICH ARE ENGAGED IN ACTIVITIES RELATING TO LIVING ETHNIC GROUPS, SHOULD, WHENEVER POSSIBLE, CONSULT WITH THE APPROPRIATE MEMBER OF THOSE GROUPS, AND SUCH MUSEUMS SHOULD AVOID USING ETHNIC MATERIALS IN ANY WAY WHICH MIGHT BE DETRIMENTAL TO THE GROUP THAT PRODUCED THEM; THEIR USAGE SHOULD BE IN KEEPING WITH THE SPIRIT OF THE ICOM CODE OF PROFESSIONAL ETHICS, WITH PARTICULAR REFERENCE TO PARAGRAPH

...4

PAGE FOUR WGGR2970 CONF

2.8 AND 6.7 UNQUOTE.UNLIKE GLENBOW,ETHNOGRPAHIC MUSEUMS MAIN RAISON D ETRE IS ANTHROPOLOGICAL RESEARCH AND IT MUST,SAYS SVENSSON,TAKE GREAT CARE NOT/NOT TOCOMPROMISE ITS STANDING AMONG INDIGENOUS PEOPLES WHO ARE OF COURSE ITS CLIENTELE.SVENSSON WAS UNDER IMPRESSION THAT CAMERON,WHO IS NOT/NOT ANTHROPOLOGIST AND REGARDS HIS MUSEUMS MAIN PURPOSE AS PUBLIC PRESENTATION OF ITS COLLECTIONS RATHER THAN RESEARCH,DID NOT/NOT APPRECIATE THESE SENSITIVITIES.

4.PLEASE ADVISE OF ANY MOVE TO REOPEN GOVT NEGOTIATIONS WITH LUBICONS,AS NOTED PROGRESS IN THIS AREA PRIOR TO DEC87,COULD PROVIDE ETHNOGRPAHIC MUSEUM WITH FACE-SAVING REASON FOR NOT/NOT WITHDRAWING FROM EXHIBITION.

CCC/097 250652Z WGGR2970



BKC/A. HILLMER/992-9939/pc

TO/A

BFE RWR RWT RWP IMH

FROM/DE

BKC

REFERENCE •
RÉFÉRENCE

SUBJECT •
SUJET

Olympics Promotion: European Tour
by Ralph Klein, Mayor of Calgary

RECEIVED - REÇU

SEP 9 1987

IMH

Security/Sécurité

UNCLASSIFIED

Accession/Référence

File/Dossier

45-00A-13-1-3-Lubicon

Date

September 09, 1987

Number/Numéro

BKC-0749

ENCLOSURES
ANNEXES

DISTRIBUTION

w/o attachment

MINA/
Norquay

BKD

BFD

RWD

BCM

BKA

Susan Norquay (MINA) has requested your assistance with regard to the forthcoming visit to Europe of Calgary Mayor Ralph Klein. The trip is scheduled to take place November 8-16 and the draft itinerary (attached) includes stops in Frankfurt, Oslo, Stockholm, Helsinki, London, Paris, Zurich, Vienna and Athens. The purpose of the Mayor's promotional tour is to raise the profile of the Winter Olympics in Western Europe and to respond to some of the negative publicity (ticketing, Lubicon Indian boycott activity) which has been directed at the Games.

2. A meeting will be held on September 10 at 10:30 in the A-10 conference room with Rod Love and Sheila Marie Cook of Ralph Klein's office to discuss the itinerary and the Department's involvement in the tour. I would be grateful if someone from your division could attend.

3. Please see the attached for further background information

A. Hillmer

A. Hillmer
Olympics Coordinator



OFFICE OF THE MAYOR

RALPH KLEIN

MAYOR

August 17, 1987

Ms. Susan Norquay
Special Assistant - Minister's Office
Department of External Affairs
10 Flr., Tower A, Lester B. Pearson Bldg.
125 Sussex Drive
Ottawa, Ontario K1A 0G2

Dear Susan:

Further to our telephone conversation of this morning, I am pleased to forward a draft outline of the Mayor's itinerary in Europe during his Olympic promotional tour this November.

It is included within a general discussion paper on the subject of the Mayor's tour, and as such, the recommendations on the final page have already been adopted.

As we discussed, Sheila-Marie Cook and I will be in Ottawa the morning of Thursday, September 10, and we would very much appreciate the opportunity to meet with you at that time to discuss the preliminary itinerary, and any assistance External Affairs can offer the Mayor while he is in Europe.

Please call (403/268-5622) if you need anything further.

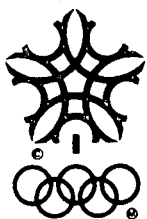
Yours truly,

A handwritten signature in dark ink, appearing to read "Rod Love".

Rod Love
EXECUTIVE ASSISTANT
TO THE MAYOR

/gb

Attachment



Host City
for the 1988
Olympic Winter Games

DISCUSSION PAPER

MAYOR'S EUROPEAN PROMOTION

NOVEMBER 1987

ISSUE

The coordination of a final European trip to promote the 1988 Olympic Winter Games, led by Mayor Klein and supported by OCO'88.

BACKGROUND

At the June meeting of the Board of Directors of OCO'88, Mayor Klein presented a paper outlining various means by which the positive profile of the XV Olympic Winter Games could be enhanced.

Among other proposals, the Mayor suggested that a final promotional tour of the major European winter sport countries be undertaken. The tour would accentuate the positive nature of the Games, the successes to date, and answer any lingering doubts in Europe as to Calgary's complete readiness to host the world.

The effective use of the European media to enhance the Games' profile was also proposed by Honourary Chairman Peter Loughheed during the 92 Session of the I.O.C. in Istanbul, and by President J.A. Samaranch in a meeting with Mayor Klein in May.

RECENT DEVELOPMENTS

The Federal Department of External Affairs has indicated full support for this undertaking, and has offered to assist with the coordination of the trip through the various Canadian Embassies and Consulates throughout Europe.

As to timing, it was discussed by the joint City/OCO'88 Public Relations Committee that it would be advantageous to conclude the trip in Greece with the lighting of the Olympic Torch. Such a scenario allows the Mayor to accompany a Calgary Economic Development Authority delegation to Hong Kong in early November, continue on to Europe for the Olympic promotional trip, and still comfortably arrive in Olympia for the torch lighting ceremony.

INVESTIGATION

The proposed promotional tour is seen as a final opportunity to raise the profile of the XV Olympic Winter Games in Europe, and can be viewed as part of OCO'88's ongoing series of similar tours throughout Canada and the United States.

In each country visited, it is proposed that through the Canadian Embassy or Consulate, we arrange a press conference/reception for selected print, radio and television media, officials from that country's winter sports community, and other individuals deemed appropriate such as Olympic sponsor representatives, political and/or business figures, etc.

Appropriate promotional material will have been forwarded in advance by the City and OCO'88 to the Embassy or Consulate.

At the press conference it is envisaged that Mayor Klein and OCO'88 will make brief opening statements, screen the OCO'88 film, present the latest promotional information, ticket update, etc., and entertain any questions from the invitees.

From what is already known of the European perception of these Games, all participants should be prepared to answer questions on subjects such

as tickets (i.e. sporting events; Arts Festival); weather (i.e. snow at Nakiska; wind at Canada Olympic Park); accomodation (media and otherwise) the Lubicon issue, among many others.

This press conference would be followed by a reception that would allow for more informal exchange between the delegation and the invited guests.

The tone of the entire journey is one that conveys Calgary's readiness for the Games, that we are eager to tell our story in Europe primarily to the major winter sport countries, and that we are using our trip to the Torch Ceremony in Greece as an opportunity to tell that story one last time.

Based on the foregoing information, a preliminary itinerary for Mayor Klein would be as follows:

Tue. Nov. 3 - Depart Calgary for HONG KONG

Wed. Nov. 4 - Arrive HONG KONG

Thu. Nov. 5 - Economic Development Authority Meetings
in HONG KONG

Fri. Nov. 6 - Economic Development Authority Meetings
in HONG KONG
Depart HONG KONG Cathay Pacific #289 10:40 pm
(OCO'88 officials arrive in FRANKFURT from
CALGARY)

Sat. Nov. 7 - Arrive FRANKFURT 5:20 a.m.
Evening function in FRANKFURT

Sun. Nov. 8 - FRANKFURT/OSLO (Lufthansa #1336)

10:10 am - 12:05 pm

Afternoon function in OSLO

Mon. Nov. 9 - OSLO/STOCKHOLM (SAS #486)

9:10 am - 10:05 am

Noon function in STOCKHOLM

STOCKHOLM/HELSINKI (Pan Am #170)

2:45 pm - 4:35 pm

Evening function in HELSINKI

Tue. Nov. 10 - HELSINKI/LONDON (Finnair #831)

9:10 am - 10:15 am

Noon function in LONDON

LONDON/PARIS (unconfirmed)

Evening function PARIS

Wed. Nov. 11 - Free day in PARIS pending nature of French
observance of Remembrance/Armistice Day

Thu. Nov. 12 - Travel PARIS/ZURICH (Swissair #701)

9:45 am - 11:00 am

Afternoon or evening function in ZURICH

Fri. Nov. 13 - Travel ZURICH/VIENNA (Swissair #432)

11:55 am - 1:15 pm

Afternoon or evening function in VIENNA

Sat. Nov. 14 - Travel VIENNA/ATHENS (Austrian #871)

11:35 am - 2:50 pm

Reception hosted by Canadian Embassy 9:00 p.m.

Sun. Nov. 15 - Travel ATHENS/OLYMPIA

Flame Lighting Ceremony OLYMPIA

Mon. Nov. 16- Return with Olympic Flame to ST. JOHN'S,
NEWFOUNDLAND.

Tue. Nov. 17 - Beginning of Torch Relay

Travel ST. JOHN'S/CALGARY (AC #195)

2:20 pm - 8:00 pm

ALTERNATIVES

There are various alternatives regarding precisely:

a) which winter sport countries to include on the itinerary.

The preliminary itinerary has been based on discussions with OCO'88 relative to which countries offer the greatest benefits.

b) which cities in those countries should be the focus.

External Affairs offer to assist with logistics makes their input in this area to be invaluable.

c) in which order those countries should be visited.

Under any suggested itinerary, the two requirements for Mayor Klein are that he be in Hong Kong November 5, and that he be in Olympia for the Torch Lighting November 15.

A final constraint to the planning of this itinerary is the nature of the recognition given Remembrance/Armistice Day services in Europe, and whether any business can be conducted November 11 without offending sensitivities. In the face of this unknown, November 11 has been left open.

FINANCIAL IMPACT

Each participant in the promotional tour, i.e. City of Calgary, OCO'88, others, will be responsible for their own transportation, accomodation, and expenses. It would undoubtedly be the simplest to have one of the participants make all the arrangements, pay for same, and subsequently invoice each participant for his or her participation. Insofar as the promotional trip is at the Mayor's suggestion, the City of Calgary would be prepared to assume this responsibility.

It is also anticipated that costs can be kept to a minimum by using the services of External Affairs to the utmost, as well as taking advantage of any services that Olympic sponsors and suppliers have to offer.

RECOMMENDATION

- a) That a planning committee be struck consisting of Rod Love, Executive Assistant to the Mayor; Shiela-Marie Cook, City of Calgary Protocol Officer; Gary Arthur, Executive Assistant to the Chairman of OCO'88; and Bill Payne, General Manager of Media, OCO'88.
- b) That the committee meet forthwith to determine
 - i) City and OCO'88 participants
 - ii) Preliminary budget
 - iii) Priority of locations
 - iv) Arrangements for Olympic Torch lighting and transport to Canada.
- c) That External Affairs be appraised of these developments.
- d) That a preliminary report of this planning committee be on the agenda of the next City/OCO'88 Public Relations Committee September 3.

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WHITAKER JUSTICEOTT/FREEMAN

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DISTR MINA IMD BKC BKA RWR RWDN BFE JLO

---MUSEE GLENBOW-VISITE D.CAMERON ET J. HARRISON

AVONS ORGANISE RENDEZ-VOUS POUR DIR.MUSEE GLENBOW D.CAMERON ET

CONSERVATEUR EN CHEF DE L EXPO CIT THE SPIRIT SINGS FINCIT MME

J.HARRISON AVEC LEURS HOMOLOGUES FRANCAIS.NOUVELLE DIRECTRICE DE LA

BIBLIOTHEQUE STE GENEVIEVE,MME BOICART LES A RECUS CHALEUREUSEMENT

ET A CONFIRME LE PRET DE PLUSIEURS OBJETS.

2.DIR. DU MUSEE DE L HOMME,M. TAQUET N ETANT PAS DISPONIBLE,MME

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3.D.CAMERON NOUS A REMIS UN DOSSIER COMPLET D INFO SUR LES INDIENS

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SEP 16 1987

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SEP 11 1987

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INFO OSLO ROME STKHM HSNKI GENEV BONN LDN PARIS WSHDC CNBRA MOSCO/
MIN JELINEK

PM INAHULL/CLOUTIER DE OCI

VALISE MLBRG DE CBA

DISTR MINA IMD BKC BFE BKA RWR RWDN

REF VOTRETEL IMH1099 19A0U87

---LUBICON LAKE BAND/GLENBOW MUSEUM

D CAMERON ET MRS HARRISON ONT RENCONTRE HIER A BERNE LES DIRECTEURS
DE LA PLUPART DES MUSEES SUISSSES IMPLIQUES DANS L EXPOSITION:ETAIT
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OBTENU EN L OCCURENCE LE MAXIMUM.A SAVOIR L ENGAGEMENT DE LA PART
DES MUSEES A FAIRE RE-EXAMINER LA DECISION PAR LEURS CONSEILS
D ADMINISTRATION. /

2.CAMERON ET HARRISON QUI SE SONT DITS/TRES SATISFAITS DE CETTE
DECISION JUGENT QUE LES/CHANCES/D EXPOSER LES OBJETS SUISSSES ET
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AU PROBLEME DES LUBICONS.

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DIT EN PASSANT,LE DIR DU MUSEE DE GERBAMO ETAIT UN DES PLUS
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MUSEOLOGIE.IL EST DONC PERSONNELLEMENT TRES EN FAVEUR DU PRET DE
SES ARTEFACTS AU MUSEE DE GLENBOW. /

CCC/205 111020Z ZNGR0703



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

BY COURIER

September 9, 1987

Mr. Dan Livermore
Human Rights and Social Affairs Section
Department of External Affairs
Third Floor, Tower "A"
Lester B. Pearson Building
125 Sussex Drive
OTTAWA, Ontario
Dear Mr. Livermore:

ACC		PROTECTED AND CONFIDENTIAL	
FILE	DOSSIER		
415-CDA-13-1-3	Your file		
LOC	Our file		
C7-C	Notre référence		

*Lubicon
Lake Band*

*1959
9:00 AM*

Lubicon Lake Band

Further to our meeting last week please find enclosed a series of points which could be made in response to the letter prepared by John Streve. The points followed the order of the statements made by Streve in his letter.

These points are submitted in a draft format on the understanding that you will add input on certain aspects of the letter including clarification of the numbers and reasons of boycotting museums and on other foreign policy concerns which relate directly to the FRG. We hope to provide additional input for this material on the oil and gas question raised by Streve by early next week.

I have also enclosed a letter I sent to I. Weiser of Justice in regard to the Band's UNHRC complaint. The first section of that letter could be of use to you in preparing annd introduction to this piece. I have also enclosed copies of our specific claims policy which, if you think it appropriate, could be made available for inclusion in your package.

In regard to your fact sheet, I believe the section in the attached dealing with our offer to the Band could be added to your sheet.

Yours truly,

R.A. Coulter
A/Director
Policy Development,
Lands, Revenues and Trusts

Attach.

Canada

**Points to be made in response to letter
by John Streve to German Parliament**

1. It should be stressed that human rights are not the issue in the Lubicon Lake Band's land claim. The issue is the fulfilment of a recognized outstanding treaty land entitlement obligation by the Government of Canada to the Lubicon Lake Band. Specifically, at issue is the amount of land owed by Canada to the Lubicon Lake Band under the provisions of Treaty 8 signed in 1899.

Canada, as is the Federal Republic of Germany, is proud of its outstanding record with respect to Human Rights. In Canada there are widely recognized avenues of appeal for alleged human rights violations, such as the Canadian court systems and the Canadian Human Rights Commission. These are available to the band to bring forward any such allegations. It has not chosen to do so. Rather, its major claim before Canadian courts focuses on rights to lands and other matters.

2. In regards to the assertion that the Lubicon Lake Band has never ceded its entitlement to land, the Government of Canada recognizes an outstanding treaty land entitlement claim by the Lubicon Lake Band. As such, Canada is fully prepared to seek the fulfilment of this entitlement through negotiations. Should the Band ultimately find that negotiations do not produce a satisfactory resolution to this entitlement, it, of course, has the same access to the Canadian court system as do all Canadians. The details of the Band's claim are outlined in the attached statement.
3. The assertion that the Province of Alberta refuses to acknowledge the Lubicon's right to land is not true. In 1940, the Province of Alberta offered to provide Canada, for the benefit of the Band, 25.4 square miles of land for a reserve with full mineral rights. In 1985, it repeated this offer which remains open for the Band's consideration at the present time. ~~Only~~, the standing offer by the Province of Alberta is a clear acknowledgement of the fact that ~~they~~⁵ recognize¹ the Band has an outstanding entitlement to land. ~~1~~

The Band's assertion that no serious negotiations have taken place with Canada is correct. The fault for no such negotiations occurring, however, is solely with the Lubicon Lake Band and not with the Government of Canada

- 2 -

or the Province of Alberta. In May 1986, Canada and the Band agreed to undertake bilateral negotiations in an attempt to resolve this claim. To this end Canada appointed one of the most senior and experienced negotiators available to it, Mr. Roger Tassé. Mr. Tassé is a highly respected lawyer and a former longstanding Deputy Minister of Justice and Deputy Attorney General for Canada. Prior to Mr. Tassé's appointment, this claim was considered on four occasions by the Canadian Cabinet. In agreeing to undertake bilateral negotiations, it was also agreed that Mr. Tassé would undertake parallel negotiations with the Province of Alberta. This was done because the Band refused to participate in any direct negotiation whatsoever with the Province of Alberta, even though the Province will have to be a party to any final settlement with the Band. ~~because~~ Owing to the nature of the Canadian Constitution, the Province is the present owner of the lands sought by the Band and is responsible for wildlife management within the Province. Subsequent to making this proposal, Mr. Tassé wrote to the Band encouraging it ~~them~~ to return to negotiations and stating he was willing to consider counterproposals to his offer to the Band. Canada's Minister of Indian Affairs and Northern Development has also publicly and privately through correspondence urged the Band to return to serious negotiations.

Notwithstanding this agreement to negotiate with Canada, the Band withdrew from negotiations after only one and one-half days of discussion. At this point Mr. Tassé tabled with the Band's negotiator a substantial proposal for the resolution of this claim.

The federal proposal tabled with the band on July 9, 1986 included the following elements:

- a. based upon the approximately 200 persons then registered as status Indians and members of the Lubicon Lake Band, approximately 40 square miles of land for a reserve was offered. (This is about 15 square miles more that was identified for the Band in 1940). This land would have included full mineral rights;
- b. a commitment to increase this quantum of land for persons claimed by the Lubicon Lake Band as members and who were then registered as members of other Bands provided that these persons had not already been counted for land purposes with another Band or were affected by prior receipt of Métis scrip;

- 3 -

- c. the payment of \$300,000 for reserve planning purposes. This was intended to allow the Band to maximize the benefits flowing from a settlement;
- d. a commitment to (jointly) develop with the Band and Alberta a program which would allow the Band a significant voice in the management of wildlife within a specific area beyond that set aside for a reserve. This element of the offer is considered critical by Canada in order ~~for~~ ^{that} a forward-looking approach ^{can be} ~~to be~~ taken to conserving and enhancing wildlife stocks in Northern Alberta in order that, in so far as possible, the Band's traditional land-based economy can be maintained and enhanced.
- e. a commitment to negotiate a package of economic and training programs to assist the Band's aspirations in this regard;
- f. a commitment by Canada to seek the payment by the Province of Alberta to the Band of all oil and gas revenues gained by Alberta from the 25.4 square mile area identified for the Band in 1940 (with interest). This revenue was gained by Alberta largely from the sale of exploration rights and is thought to be worth up to \$6 million. It is very important to note that no oil and gas has actually been extracted from the area sought by the Band for a reserve;
- g. the payment by Canada to the Band of compensation for the loss of any Treaty 8 benefits the Band might have incurred;
- h. a commitment by Canada to negotiate with the Band and the Province of Alberta for the modification of the existing Alberta Trappers' Compensation Program for the ongoing benefit of the Band or for the establishment of a new program for the ongoing benefit of the Band;
- i. a commitment by Canada to negotiate with the Band for the payment by Canada to the Band of compensation for expenses incurred by the Band in presenting its claim. To date Canada has provided the Band a \$1.5 million ex gratia payment and a \$242,000 loan for the presentation of its claim;

- 4 -

- j. a commitment by Canada to provide the Band with a "catch up" capital program for construction of a new community on its new reserve. This would include funding for housing, water and sewer systems, electrification, roads, and educational facilities. The value of this commitment would have likely exceeded \$50,000 for each member of the Band counted in the determination of the quantum of land provided to the Band; and
- k. a commitment by Canada to negotiate a process relating to the proposal for self-government made by the Band.

The Minister of Indian Affairs and Northern Development has, in correspondence, stated the following to Chief Bernard Ominayak of the Lubicon Lake Band:

"I sincerely regret that you withdrew from negotiations with Mr. Tassé in early July. I continue to be of the view that much could have been accomplished had you remained at the negotiating table. In the negotiations the federal government has recognized the longstanding grievances of your Band. I believe the Government has offered a substantial settlement in an honest effort to find a fair and just resolution of your grievances.

"Mr. Tassé has indicated to your band that Canada remains flexible on many of the claims made, including the amount of land to be set aside as a reserve. I would urge you to return to the negotiating table to further explore the offer.

"We continue to be ready at any time to return to the table." (November 12, 1986)

"...I would propose that our respective negotiators meet again for the purpose of clearly identifying those aspects of the heads of the claim set out by Mr. Fulton upon which agreement can be secured and clearly identifying those aspects where differences remain. I would also propose, where difficulties remain on key questions, that sufficient time be taken for both parties to fully understand and appreciate the complexities of each other's positions and arguments and that alternatives to our respective positions be explored in detail.

- 5 -

"You raise in your letter the question of my instructions to my negotiator, Mr. Tassé. I believe that the instructions I have provided to Mr. Tassé are sufficient for him to reach a fair and just resolution of your claim. As I previously indicated, we have some flexibility on the initial proposal tabled by Mr. Tassé with you. If, however, during the course of negotiations, it is determined that these instructions are insufficient, I can provide you my assurance that I am prepared to review the facts and legal interpretations upon which these instructions are now based. By the same token, I trust you will be prepared to modify your current position and instructions to your negotiating team should they become convinced such modifications are warranted." (February 6, 1987)

"I think you would agree with me that a fair and just resolution of your Band's outstanding land claim is achievable through negotiations. Clearly, if this resolution is to occur, face to face discussions between our respective negotiating teams on what you accurately describe in your letter as 'the key issue of membership' must occur. On this key issue, and its related impact on land quantum, I have some flexibility on the initial proposal tabled with you last July. This flexibility can, however, only be fully explored through frank, open, bilateral discussions which have a sufficient degree of commitment behind them to ensure they are not walked away from by either side at the first sign of disagreement. I can assure you that the Government of Canada is firmly committed to such talks.

"The Lubicon Lake Band's land claim is a matter which must be addressed between us and, if sufficient agreement can be secured, subsequently with the Province of Alberta.... The bilateral negotiating framework which was originally agreed upon is a framework which has seen the successful resolution of other land claims and, indeed, the kind of framework through which many differences in our society have been, and continue to be, resolved. I am confident, given sufficient determination by both of us at addressing the membership and other issues, that this process can, and will, prove successful here as well.

"You have before you my proposal of February 6, 1987 for a resumption of negotiations. My proposal still stands. I would again urge you to accept it." (May 1, 1987)

- 6 -

"I trust that when you state you are prepared to reenter serious negotiations with the federal government at any time, you are fully prepared to do so without conditions which could in any way impede progress on the addressing of the substantive issues raised by your claim. I also trust that the aim of our negotiations will be firstly, a successful, fair and just resolution of your claim within the bounds of Canada's legal obligations to you and secondly, the establishment of a permanent, viable community for the members of your band."
(August 25, 1987)

5. The allegation that the situation of the Lubicon Lake Band is worsening day by day must be challenged. The Government of Canada now pays to, or on behalf of, the Lubicon Lake Band about \$765,000 per year for social service programs, including social assistance, education, and housing. The level of social services available to members of the Band are roughly comparable to those available to other Indians in Canada and, comparable to those available to all Canadians. In addition, the status Indian members of the Band are entitled to certain other social programs which are not readily available to other non-Indian Canadians, including free medical and dental care and free post-secondary education.
6. The assertion that the World Council of Churches concluded that the policies of the provincial government and oil firms show "genocidal tendencies" needs to be put on context. In an undated 1983 letter to the then Canadian Prime Minister Pierre Trudeau, Dr. Anwar M. Barkett, Director, Programme to Combat Racism of the World Council of Churches, Geneva, stated "They (the Lubicon Lake Band) told us of 50 years of alternating abuse and neglect at the hands of both the Provincial and Federal Government of Canada. In the last couple of years, the Alberta Provincial Government and dozens of multinational oil companies have taken action which could have genocidal consequences". In response to a request from a member of the Alberta legislature on this and other allegations of the Lubicon Lake Band, the Alberta Ombudsman, the Reverend ~~Ivan Randall~~, undertook a special investigation into these allegations. On the statement of Dr. Barkett, he stated that the "...language was designed to make a strong point, and it does. But during my investigation, I was able to find no factual basis for it. I have not been provided with any evidence, either from the members of the Band or from other sources, that could substantiate such a serious accusation."

*Randall
Ivan*

- 7 -

7. The contention by the Band that members of the Olympic Organizing Committee area also on the Boards of Directors of oil companies also needs to be put into context.

It should be noted up-front that the Olympic Games are awarded to a city (in this case Calgary) and not to Canada or Alberta. The city is thus responsible for establishing a committee of responsible citizens with a wide diversity of expertise and experience to organize and present the Olympic Games. Being a city within which the oil industry is the predominant employer, it is hardly surprising that a member of the Olympic Organizing Committee finds employment within that industry. This situation is not unlike any other cities, such as Munich, which have previously hosted Olympic Games where responsible citizens drawn from a cross-section of the community have volunteered their time and expertise to the Olympic cause.

8. The Band's reference ^{to} an exhibition of past Indian culture is made to the major exhibition of Indian artifacts to be held by Calgary's Glenbow Museum as part of the concurrent Olympic Arts Festival. This exhibition "The Spirit Sings: Artistic Tradition of Canada's First Peoples" will focus on the six major cultural grouping within Canada's Native community. It will bring back to Canada over 600 artifacts from 20 countries and will trace the continuity of Native culture from before contact with the white man to a contemporary context. The exhibition will allow Canada's native peoples, and indeed all Canadians and those attending the Olympics, to study and appreciate the roots of Canada's Native heritage. Surely, this exhibition is the antithesis of "genocide" the Lubicons would have many believe. Glenbow's exhibition will probably be the most comprehensive exhibition yet organized of Canada's Native heritage and will be of significant benefit to the long term enhancement of the preservation of this heritage.

To date some (20) museums have for a variety of reasons declined to lend artifacts to Glenbow. Of these (8) have declined as a direct result of the Lubicon boycott while the remainder have cited reasons such as the fragile nature of artifacts requested and security of the artifacts. Many major institutions, including the Vatican and Her Majesty the Queen, have agreed support to this exhibition.

- 8 -

9. It must be strongly stressed that the boycott of the Lubicon Lake Band of the 1988 Calgary Winter Olympic Games and the Glenbow exhibition is unfortunate and inappropriate. There are no direct linkages between the boycott and the Games per se. The Band resides over 600 km from the Olympic site in Calgary within a different treaty area (Treaty 8), from Bands around the Olympic site (Treaty 7). It should also be stressed that many Indian Bands from the Treaty 7 area are actively working with the Olympic Organizing Committee in respect of their participation in various events associated with the Games.

The Lubicon Lake Band's land claim is a domestic issue to which the Band has access to unexhausted domestic remedies such as the Canadian court system and the negotiation process to resolve its dispute. The issue is not an international issue. It should be stated in this regard that previous Olympic boycotts by various countries, including Canada and the Federal Republic of Germany, have resulted from major international crises and not as a result of entirely domestic issues.



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

CONFIDENTIAL

September 3, 1987

Ms Irit Weiser
Legal Adviser
Human Rights Section
Department of Justice
Justice Building, Room 604
OTTAWA, Ontario
K1A 0H8

Your file Votre référence

Our file Notre référence

Dear Ms Weiser:

Lubicon Lake Band
U.N. Human Rights Committee Decision

Further to your request for input into the Government of Canada's response to the above noted decision, the following could be incorporated into the response:

Canada's approach to the resolution
of outstanding land claims

It is the policy of the Government of Canada to seek the resolution of valid, outstanding land claims by Indian Bands through negotiation. To this end, in 1973, the Government of Canada announced a policy through which its outstanding treaty obligations to Indians could be resolved. This policy: a) stated that the Government of Canada was willing to meet its "lawful" obligation to Indians; b) outlined a process for resolving claims; and c) provided guidelines for the submission and assessment of claims.

Under this policy, Canada and Bands have successfully concluded a number of agreements which have resolved outstanding claims. In the past year five such agreements have been reached, including a major agreement with the Cree Band of Northern Alberta. This agreement among Canada, Alberta, and the Cree Band resulted in, among other things, the Band receiving 12,280 acres of land for a reserve, \$26.6 million in compensation largely in lieu of land, and hunting and fishing rights over a 3 million acre area. It is the position of the Government of Canada that this policy is open to the Lubicon Lake Band to utilize in pursuing a fair and equitable resolution of its claim and, moreover, that this policy provides an effective domestic remedy to the Band which to date has not fully been exhausted.

- 2 -

A copy of Canada's specific claims policy "Outstanding Business: A Native Claims Policy" is attached for information purposes. This policy statement has received very wide circulation within Canada and is well known to all Indian Bands with outstanding treaty land entitlement claims.

It is the position of the Government of Canada that the claims put forward by the Lubicon Lake Band fall within its policy for the resolution of treaty land entitlement claims. While the Lubicon Lake Band was not a signatory to Treaty 8 per se, it is the position of the Government of Canada that Treaty 8 covered a large area encompassing most of Northern Alberta and included the area claimed by the Lubicon Lake Band. Moreover, it is the position of the Government of Canada that the Lubicon Lake Band has acquiesced to Treaty 8 as a result of it coming forward to Canada in 1933 and 1939 for receipt of the benefits provided for by Treaty 8 and as a result of the actions of the individual members of the Band in receiving treaty annuities since at least shortly after the signing of Treaty 8 in 1899.

Consequently, Canada recognizes this Band has an outstanding entitlement to land and other benefits set out in Treaty 8 and, as a result, remains willing to fulfil this entitlement in accordance with Canada's treaty land claim policy and Canada's legal obligations to the Band. As the facts with respect to the Band's claim are in dispute, Canada is of the opinion that the most appropriate vehicle through which a resolution could be sought is negotiations.

Negotiations to date:

Following an inquiry into the claim undertaken by the Honourable E.D. Fulton and the receipt of his "Revised Discussion Paper" and "Special Report to the Minister" in February, 1986, the Lubicon Lake Band and the Government of Canada agreed in May, 1986 to undertake bilateral negotiations in an attempt to resolve this claim. At that time the Government of Canada and the Band also agreed that Canada would also undertake parallel negotiations with the Province of Alberta. It should be noted that the Band specifically refused to enter into any negotiations to which the Province of Alberta was a party in spite of the fact that the Province is a necessary party to any final settlement of this claim. The Province of Alberta, under the terms of the Canadian constitution, is, for example, the present owner of the lands sought by the Band and is responsible for the management of wildlife stocks within the Province including the 9,000 square mile area over which the Band seeks to exercise future hunting and trapping rights.

- 3 -

Actual negotiations between the Band and Canada commenced in June 1986 for one day. At this meeting it was mutually agreed to use the report prepared by Mr. Fulton as a basis of future negotiations. On July 9, 1986 negotiations continued at Little Buffalo, Alberta. At this meeting, which was designed to be information meeting, the Band demanded that Canada's final offer be put forward. As a result an initial proposal for settlement was tabled with the Band by the Federal negotiator. This offer presented Canada's initial position with respect to each head of claim identified by Mr. Fulton in his discussion paper. In terms of land this offer approximates Canada's view of her legal obligations to the Band under the provision of Treaty 8 while, on other heads of claims, such as self-government and the provision for a new community, it exceeds Canada's obligations to the Band under the treaty. It was, however, rejected by the Band.

The federal proposal tabled with the band on July 9, 1986 included the following elements:

1. based upon the approximately 200 persons then registered as status Indians and members of the Lubicon Lake Band, approximately 40 square miles of land for a reserve was offered. (This is about 15 square miles more that was identified for the Band in 1940). This land would have included full mineral rights;
2. a commitment to increase this quantum of land for persons claimed by the Lubicon Lake Band as members and who were then registered as members of other Bands provided that these persons had not already been counted for land purposes with another Band or were affected by prior receipt of Métis scrip;
3. the payment of \$300,000 for reserve planning purposes. This was intended to allow the Band to maximize the benefits flowing from a settlement;
4. a commitment to jointly develop with the Band and Alberta a program which would allow the Band a significant voice in the management of wildlife within a specific area beyond that set aside for a reserve. This element of the offer is considered critical by Canada in order for a forward looking approach to be taken to conserving and enhancing wildlife stocks in Northern Alberta in order that, in so far as possible, the Band's traditional land based economy can be maintained and enhanced.

- 4 -

5. a commitment to negotiate a package of economic and training programs to assist the Band's aspirations in this regard;
6. a commitment by Canada to seek the payment by the Province of Alberta to the Band of all oil and gas revenues gained by Alberta from the 25.4 square mile area identified for the Band in 1940 (with interest). This revenue was gained by Alberta largely from the sale of exploration rights and is thought to be worth up to \$6 million. It is very important to note that no oil and gas has actually been extracted from the area sought by the Band for a reserve;
7. the payment by Canada to the Band of compensation for the loss of any Treaty 8 benefits the Band might have incurred;
8. a commitment by Canada to negotiate with the Band and the Province of Alberta for the modification of the existing Alberta Trappers' Compensation Program for the ongoing benefit of the Band or for the establishment of a new program for the ongoing benefit of the Band;
9. a commitment by Canada to negotiate with the Band for the payment by Canada to the Band of compensation for expenses incurred by the Band in presenting its claim. To date Canada has provided the Band a \$1.5 million ex gratia payment and loaned it \$242,000 for the presentation of its claim;
10. a commitment by Canada to provide the Band with a "catch up" capital program for construction of a new community on its new reserve. This would include funding for housing, water and sewer systems, electrification, roads, and educational facilities. The value of this commitment would have likely exceeded \$50,000 for each member of the Band counted in the determination of the quantum of land provided to the Band; and
11. a commitment by Canada to negotiate a process relating to the proposal for self-government made by the Band.

- 5 -

Subsequent to the withdrawal by the Band from negotiations, the federal negotiator and the Minister of Indian Affairs and Northern Development wrote to Chief Bernard Ominayak on numerous occasions urging him to resume negotiations and indicating that Canada has some flexibility on its initial proposal for settlement.

It is felt necessary to bring to the Committee's attention a number of factors which have complicated the resolution of this claim. These factors include:

- have an on-going interest in*
1. The lands currently sought by the Lubicon Lake Band for a reserve are now in part occupied by other Native people who, owing to their long residence on the lands in question, ~~present a conflicting claim for~~ these lands. Prior to the reaching of a negotiated agreement with the Lubicon Lake Band, the Governments of Canada and Alberta will need to resolve in a fair and just manner these other ~~claims~~ *interests on the part of* other Native people.
 2. A number of members of the Lubicon Lake Band, or their ancestors, have been counted under the provisions of Treaty 8 in the determination of the land provided to other neighbouring Bands. If Canada were to fully meet the Band's demands that 128 acres be provided for each of the 457 current members of the Band, this would result in land being provided twice for some members.

Moreover, about 50 of the 457 people claimed as members by the Lubicon Lake Band are now members of other Bands. Canada is willing to address these problems in negotiation with the Band.

3. The majority of members of the Lubicon Lake Band, or their ancestors received Métis scrip which makes them ineligible to be counted under the provision of Treaty 8 for inclusion in the calculation of the quantum of land owed to the Band by Canada. Again, Canada is willing to address these issues with the Band in negotiations. It should be noted that Canada in its initial offer did not seek to exclude the status Indian members of the Band who were affected either by their previous counting with another Band or because of Métis scrip in their ancestry.

- 6 -

The resolution of these and other issues with the Band must be achieved prior to the Government of Canada being able to request lands sought by the Band from the Province of Alberta. Under the Constitution Act, 1930, Canada transferred lands to the Province of Alberta for its administration with the proviso that Alberta would return to Canada lands necessary for Canada to meet its obligations to Indians. While Canada views the Province of Alberta as having a parallel obligation to Canada in this matter, in order for Canada to make a legitimate request to Alberta under the Constitution Act, 1930 it is necessary for Canada to demonstrate that its request is reasonably within its legal obligations to the Band. While Canada anticipates that there may be some measures of flexibility with the Province of Alberta, any agreement reached with the Band must approach Canada's obligations to it under Treaty 8. The Governments of Canada and Alberta remain willing to seek ways and means with the Band whereby this could be accomplished.

Present Situation of the Members of the Lubicon Lake Band

Prior to 1940, the original members of the Lubicon Lake Band were recognized as members of other neighbouring bands. In 1940, at the request of the 127 original members of the band, recognition of separate band status was granted. This was accomplished by establishing a separate treaty annuities payroll for the original members. In 1973, the Band's status as a separate band was confirmed by a federal Order-in-Council passed pursuant to the Indian Act.

At present, the majority of members of the Lubicon Lake Band reside in the Provincial hamlet of Little Buffalo approximately 8 kilometres from the area sought for a reserve.

The Government of Canada now provides to, or on behalf of the Band, \$765,000 for the delivery of social services to Band members. Among the services provided are the following: social assistance, education, housing, band governance and administration, and adult training. The level of social services delivery to Band members is comparable to those provided to other Indians in Canada and are comparable to those available to all Canadians. For instance, social assistance payments to Band members are the same as those

- 7 -

available to all residents of the Province of Alberta, both Indian and non-Indian. As Indians, members of the Lubicon Lake Band also have access to other federal social programs not generally available to other Canadians. These include free medical and dental care and free post-secondary education.

Conclusion

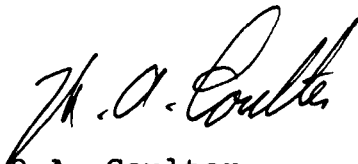
It is the strong position of the Government of Canada that its established policy for negotiating outstanding treaty land entitlement claims is available to the Lubicon Lake Band. Moreover, it is maintained by Canada that this process offers the Lubicon Lake Band an effective domestic remedy to which the Band has not sought to avail itself in any serious manner. It is a remedy which is effective as evidenced by its successful use by other Canadian Indian bands with equally complex land claims.

I am proceeding on the assumption that you will build in input from Justice on the court system as a domestic remedy.

We are considering preparing further input on background to the land claim process in Canada. If we have further input, it will be provided by the end of the day tomorrow.

I have contacted the Alberta Attorney General's Department for a statement from them on measures they have taken to suspend oil and gas activity on the area sought for a reserve. They indicated to me that they hope to have something to us by next week.

Yours truly,



R.A. Coulter
A/Director
Policy Development
Lands, Revenues and Trusts

Attach.

**ACTION
SUITE A DONNER**

UNCLASSIFIED

FM BERN ZNFC2204 08SEP87

TO EXTOTT/IMH IMMED

INFO BRU BONN HAGUE VIENN COPEN OSLO STKHM GENEV LDN PARIS

DISTR MINA IMD BKC BKA RWP RWDN BFE JLO

---LUBICON LAKE INDIANS

HAVE JUST FOUND IN SWISS PUBLICATION QUOTE INCOMINDIOS UNQUOTE
USEFUL INFO REGARDING RECENT TOUR OF LUBICON LAKE REPS IN SWITZER-
LAND LAST MAY AND QUOTE INSTRUCTIONS UNQUOTE ABOUT PROTEST PLANNED
FOR 12OCT.QUOTE INCOMINDIOS UNQUOTE IS AN INTERNATL ASSOCIATION
AIMING AT BRINGING MORAL AND MATERIAL SUPPORT TO NORTH,CENTRAL AND
SOUTH AMERICAN INDIANS IN THEIR STRUGGLE TO OBTAIN POLITICAL,
ECONOMIC AND CULTURAL SELF DETERMINATION.EMB HAS BEEN IN CLOSE
CONTACT WITH ONE WRITER,PETER GERBER,DIRECTOR OF ETHNOGRAPHIC
MUSEUM IN ZURICH.PUBLICATION HAS CIRCULATON OF 1400,APPEARS 6 TIMES
A YEAR AND IS GERMAN ONLY.BOTH EXCERPTS ARE OFFICE TRANSLATIONS.
2.IN ACTIVITY REPORT OF INCOMINDIOS FOLLOWING APPEARED REGARDING
VISIT TO SWITZ OF BERNARD OMINAYAK AND FRED LENNARSON LAST 13-15MAY.
QUOTE DU 13 AU 15 MAI,MM RETO JENNY,FRANK STUCKERT ET PETER GERBER
ONT ACCUEILLI MM BERNARD OMINAYAK ET FRED LENNARSON,REPRESENTANTS
DES INDIENS LUBICON CREE.UNE TOURNEE ORGANISEE PAR UN REPRESENTANT
DE INCOMINDIOS EN SUISSE N A PAS DONNE LES RESULTATS ESCOMPTEES;
CONTACTS AVEC D IMPORTANTES PERSONNALITES POLITIQUES ET SPORTIVES
ET AVEC LES MEDIAS,COMME L ATS ET LA RADIO SUISSE ALLEMANDE:

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Lubicon Lake Indians

PAGE TWO ZNFC2204 UNCLAS

MES DEMARCHES PAR CORRESPONDANCE ET MES DISCUSSIONS TELEPHONIQUES AVEC LE COMITE OLYMPIQUE SUISSE, LE PRES DE LA FED SUISSE DE SKI ET LA TV SUISSE ALLEMANDE; TOUS LES AGENTS DE PRESSE ETAIENT ABSENTS, TOUT EN DESIRANT ETRE INFORMES. LA DEL A ENSUITE ETE CONDUITE A BERNE: VISITE CHEZ M ADOLF OGI, ORGANISATEUR CELEBRE DE COURSES DE SKI, MALHEUREUX ORGANISATEUR DE JEUX OLYMPIQUES DANS L OBERLAND BERNOIS, ET HOMME POLITIQUE ENTREtenant DE NOMBREUSES RELATIONS EN RAPPORT AVEC LES JEUX D HIVER. LA RECEPTION A ETE AMICALE ET FRANCHE. OGI S EST DEMANDE POURQUOI LA DEL S EST ADRESSEE A LUI, CAR IL N A RIEN A VOIR AVEC CALGARY ET AURAIT VOULU ORGNISER LES JEUX DANS L OBERLAND, EN QUEL CAS PERSONNE N AURAIT ETE LESE. COMME FILS DE GUIDE DE MONTAGNE, IL SAIT QUE LA POPULATION LOCALE AURAIT ADOPTE UNE POSITION POSITIVE. IL EST TRES FAVORABLE AU SPORT, C EST MEME SON GAGNE-PAIN. LES MINORITES SUISSE SONT PROTEGEES ET TEL DEVRAIT ETRE LE CAS PARTOUT. LES HOMME POLITIQUES VERTS, QUI ETAIENT CONTRE SON PROJET DE JEUX, NE LE CONSIDERENT PAS COMME VERT. IL AIMERAIT RECEVOIR ENCORE DES IFOS SUR LES LUBICONS. LENNARSON CONSTATA QUE LES HOMMES POLITIQUES SONT LES MEMES DANS LE MONDE ENTIER. PUIS LA DELEGATION SE RENDIT CHEZ MARC HODLER, PRESIDENT DE LA FED INTERNATL DE SKI ET MEMBRE DU COMITE OLYMPIQUE. M HODLER A EU UNE REACTION DEFENSIVE. IL FIT REMARQUER QU EN TANT QU EUROPEEN BLANC IL FAIT DEJA--CONTRAIREMENT A LENNARSON--CE QU IL PEUT FAIRE DE PLUS IMPORTANT POUR LES INDIENS, A SAVOIR VIVRE EN SUISSE ET NE PAS BOUSCULER LES INDIGENES ...3

BRN017

PAGE THREE ZNFC2204 UNCLASD

EN EMIGRANT AU CDA COMME DES MILLIONS D IMMIGRANTS ET LEURS DESCENDANTS L ONT FAIT. PUIS APRES CETTE CONSTATION, CERTES EXACTE EN THEORIE MAIS UTOPIQUE QUANT A SES CONSEQUENCES (LENNARSON DEVRAIT RETOURNER EN EUROPE), LA DISCUSSION GLISSA VERS DES QUESTIONS DE DETAIL CONCERNANT LA PRACTICABILITE DES DIFFERENTS LIEUX OU SE DEROULENT LES EPREUVES, PASSANT OUTRE LA QUESTION PRINCIPALE RELATIVE A LA TRIBU DES LUBICON, QUI VEULENT SOULIGNER LEUR ECHEC ET LE LIEN QUI EXISTE ENTRE LES ORGANISATEURS DES JEUX ET LES MAGNANTS DU PETROLE, AFIN D ETRE PROTEGES CONTRE LES INTERETS DE L INDUSTRIE DU PETROLE ET PRENDRE POSSESSION DES RESTES DE TERRITOIRES ENCORE INTACTS. L ON NE PEUT SE PRONONCER SUR LA QUESTION DE SAVOIR SI LES RENCONTRES AVEC MM OGI ET HOLDER APPORTERONT QUELQUE CHOSE DANS CE SENS. LE SCEPTICISME EST DE MISE UNQUOTE.

IN SUMMARY, DEL WAS NOT/NOT AT ALL SUCCESSFUL IN BRINGING ABOUT A BOYCOTT OF THE GAMES BY SWITZERLAND.

3. ANOTHER CHAPTER REPORTS ON VIENNA MTG. INSTRUCTIONS ARE GIVEN AS TO TACTIC TO BE USED ON COLUMBUS DAY. QUOTE ENTRE 9 ET 16 HEURES, LES MEMBRES D INCOMINDIOS DOIVENT TELEPHONER A L AMB DU CDA A BERNE A INTERVALLE REGULIER, POUR PROTESTER CONTRE LES JEUX OLYMPIQUES DE CALGARY. DE CETTE MANIERE NON SEULEMENT LES MEMBRES DE L AMB ENTENDENT NOTRE PROTESTATION, MAIS ILS LA SENTIRONT, CAR ILS N AURONT AUCUNE POSSIBILITE, EN RAISON DU-NOMBRE D APPELS QU ILS RECEVRONT, DE TELEPHONER EUX-MEMES A L EXTERIEUR. UNQUOTE.

INCIDENTALLY, WE ARE SUPPOSED TO BE CLOSED ON MON 12 OCT FOR THE THANKSGIVING DAY.. TAPE RECORDING SHOULD BE THE INTERLOCUTOR...

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ACTION
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P R O T E C T E D

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INFO PCOOTT/SERSON BH INAHULL/BOGDASAVICH/COULTER/WHITAKER DE OCI
JUSTICEOTT/FREEMAN DE OTT

DISTR MINA IMD BKC BKA RWR RWDN BFE JLO

REF YOURTEL IMH1174 04SEP

---LUBICON LAKE BANK:GLENBOW MUSEUM

CAMERON AND HARRISON WERE BOOKED AT HOTEL SARA SEP 13-15.WE HAVE
MADE BOOKING FOR 12-15 BUT THERE IS NO PROBLEM CANCELLING FINAL
NIGHT IF THEY LEAVE AS PLANNED ON 14SEP.

2.HAVE SPOKEN TO SECRETARY OF ETHNOGRAPHIC MUSEUM OXNES WHO CONFIRMS
THEIR MTG WITH CHAIRMAN OF BOARD,DR ALVE,DIRECTOR,DR SVENSEN AND
HIMSELF 14SEP.THEY ARE QUITE PREPARED TO LISTEN BUT IF AS CAMERON
MAINTAINS THEIR INFO IS INCORRECT BURDEN OF PROOF WILL DEFINITELY
BE UPON HIM.THEY HAVE JOINED BOYCOTT ON STRONG URGING OF IWGIA IN
COPEN WHICH THEY REGARD AS THOROUGHLY REPUTABLE AND RESPONSIBLE
ORGANIZATION.THEY CLAIM TO HAVE ALSO CHECKED WITH SOME BUT NOT/NOT
ALL OTHER MUSEUMS AND HAVE CONFIRMED WIDESPREAD BOYCOTT.

2.IN AMBS ABSENCE EMBASSY OFFICER WILL ACCOMPANY TO MEETING.

CCC/097 081040Z WGGR2907



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Accession/Référence

File/Dossier

45-CDP-13-1-3-1
Lubicon Lake
4 SEP 87 20 43z

Align first character of Security Classification under this arrow
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SECURITY / SÉCURITÉ
P R O T E C T E D

FM/DE

FM EXTOTT IMH1174 04SEP87

TO/À

TO BRU BERN OSLO LDN PARIS DELBY 070900

INFO

INFO BONN HAGUE VIENN COPEN STKLM GENEV WSHDC CNBRA ROME VATCN

DISTR

INAHULL/BOGDASAVICH/COULTER/WHITAKER PCOOTT/SERSON

REF

SUBJ/SUJ JUSTICEOTT/FREEMAN

DISTR MINA IMD BKC BKA RWR RWDN BFE JLO

REF OURTEL IMH1110 21AUG

---LUBICON LAKE BAN: GLENBOW MUSEUM

WE HAVE JUST RECEIVED DUNCAN CAMERONS SCHEDULE, WHICH WE PASS ON TO YOU IN FOLLOWING PARAS. AS CAMERON HAS ALREADY CONTACTED NUMBER OF POSTS AND MUSEUMS THROUGH HIS OWN CHANNELS, SCHEDULE IS MORE OR LESS FIRM, SUBJECT OF COURSE TO CHANGE IF NECESSARY. CAMERON HAS ASKED THAT HIGH COMMISSION IN LDN NOT/NOT CONTACT EITHER ROYAL MUSEUM OF SCOTLAND IN EDINBURGH OR MUSEUM OF MANKIND IN LDN, AS HE WILL ARRANGE THESE MEETINGS. CAMERON HAS ALSO ASKED THAT SCHEDULE BE TREATED AS PROTECTED INFORMATION (HENCE CLASSIFICATION), IN VIEW OF AMOUNT OF MEDIA INTEREST IN LUBICON LAKE BAND ISSUE HERE IN CDA. CAMERON WILL BE CARRYING WITH HIM CERTAIN AMOUNT OF INFORMATION WHICH HE HAS ACCUMULATED ON LUBICON ISSUE, AND WHICH HE WILL BE DISTRIBUTED TO KEY CONTACTS. AS OUR PACKAGES ARE NOT/NOT YET READY, WE HAVE SUGGESTED TO HIM THAT HE KEEP POSTS INFORMED OF ANYONE WISHING TO RECEIVE OUR PACKAGES, SO

...2

DRAFTER/RÉDACTEUR

DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

D. LIVERMORE lp

IMH

5-6960

FD. PILLARELLA

SIG

001693



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PAGE TWO IMH1174 P R O T E C T E D

12

10

THAT POSTS CAN DISTRIBUTE ^{Them} ~~PACKAGES~~ ONCE RECEIVED IN FEW WEEKS
TIME. GRATEFUL FOR YOUR FULL COLLABORATION WITH CAMERON. SHOULD
THERE BE MATTERS ON WHICH CAMERON WISHES TO REPORT TO US, WOULD
HOPE FOR FULL POST COOPERATION.

2.SCHEDULE: SEPT 4, DEPART CALGARY; SEPT 5, ARRIVE BRUSSELS;
SEPT 6, APPOINTMENTS IN BRUSSELS; DEPART BRUSSELS 19:48, ARRIVE
PARIS 22:06; SEPT 8, APPOINTMENTS IN PARIS; SEPT 9, DEPART PARIS
18:06, ARRIVE BERNE 22:38; SEPT 10 TO 12, APPOINTMENTS IN BERNE;
SEPT 12, ARRIVE OSLO (TRAVEL PLANS NOT/NOT DEFINITE); SEPT 13 AND
14, APPOINTMENTS IN OSLO; SEPT 15, DEPART OSLO 17:55, ARRIVE
EDINBURGH 17:20; SEPT. 16, APPOINTMENTS IN EDINBURGH; SEPT 17,
DEPART EDINBURGH 19:10, ARRIVE LDN 20:20; SEPT 18, APPOINTMENTS
IN LDN; SEPT 19, DEPART LDN 15:15.

3.FOR OSLO: GRATEFUL YOU CONFIRM RESERVATION AT HOTEL SARA OSLO
FOR 12 TO 14 SEPT.

**ACTION
SUITE A DONNER**

RECEIVED - REÇU

SEP 3 1987

Legal Operations Division (JLO)
Direction des Opérations juridiques

*PM
RFE*

BICO

UNCLASSIFIED

FM GENEV YTGR5467 03SEP87

TO EXTOTT JLO

INFO PRMNY JUSTOTT/WEISER/FREEMAN SECSTATEHULL/DADSON

INAHULL/WHITAKER

BH FPROOTT/CARON DE OPM

DISTR IMH JCD JFB MINA

REF YOURTEL JLO1122 19AUG

ACC	REF	DATE
FILE		
45-CDA-13-1-3-LUBICON		
DOSSIER		

LAKE BAND

---HUMAN RIGHTS CTTEE:COMMUNICATIONS 167/1984(LUBICON)

COMMENTING INFORMALLY ON OUR NOTIFICATION OF INTENTION TO REQUEST REVIEW OF ADMISSIBILITY DECISION(OUR NOTE 130 OF 24AUG, COPIED TO ALL ADDRESSEES), CENTRE FOR HUMAN RIGHTS CHIEF OF COMMUNICATION SECTION MOLLER HAS ENCOURAGED US TO SUBMIT SUBSTANTIVE ARGUMENTS ON THIS POINT ASAP AND, IN ANY EVENT, IN GOOD TIME FOR NEXT SESSION OF CTTEE(26OCT TO NOV13, WITH COMMUNICATIONS WG MTG 19-23OCT). THE REASONS FOR THIS SUGGESTION ARE SELF-EVIDENT: IF WE MAINTAIN DOMESTIC REMEDIES HAVE NOT/NOT BEEN EXHAUSTED, WE SHOULD BE ABLE TO DEMONSTRATE THIS WITHOUT DELAY, AND ANY UNDUE DELAY RISKS BEING PERCEIVED BY CTTEE AS STALLING TACTICS.

UUU/032 031533Z YTGR5467



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Align first character of Security Classification under this arrow
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Accession/Référence
File/Dossier 45-CDN-13- 13 2 SEP 87 00 032 Lubicon Lake Band

SECURITY
SÉCURITÉ

C O N F I D E N T I A L

FM/DE

FM EXTOTT IMH1170 01SEP87

TO/À

TO VIENN

INFO

INFO BONN BERN INAHULL/BOGDASAVICH/DOERR/WHITAKER/COULTER

DISTR

DIST MINA BKC BKA RWR RWP RWDN TADF IMD

REF

REF YOURTEL ULFC 5571 28 AUG (NOTAL)

SUBJ/SUJ

---LUBICON LAKE BAND

MOST INTERESTED IN LETTER CONTAINED IN REFTEL. AS YOU ARE AWARE, AUSTRIAN EMBASSY HERE HAS MADE SOME ENQUIRIES RE LUBICON LAKE BAND, AND BRIEFINGS PROVIDED TO AUSTRIAN COUNSELLOR BY INDIAN AFFAIRS AND NORTHERN DEVELOPMENT HAVE UNDOUBTEDLY HAD SOME IMPACT IN TONE OF LETTER (AMONG, OF COURSE, OTHER REASONS). WE WOULD APPRECIATE YOUR ON-GOING MONITORING OF SITUATION, PARTICULARLY LINK BETWEEN LUBICON LAKE BAND AND GREEN PARTY. BAND IS CURRENTLY MAKING ANOTHER TRIP TO WESTERN EUROPE TO DRUM UP SUPPORT FOR 12 OCT DEMONSTRATIONS, AND IN DUE COURSE WE WILL BE PREPARING AN ASSESSMENT OF IMPACT FOR INFO OF SEVERAL MINISTERS CONCERNED IN THIS AND RELATED ISSUES.

DRAFTER/RÉDACTEUR

D. LIVERMORE lp

DIVISION/DIRECTION

IMH

TELEPHONE

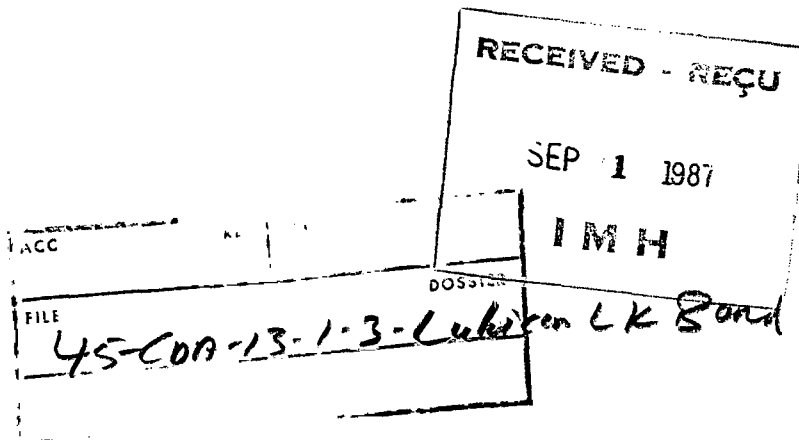
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APPROVED/APPROUVÉ

FD. PILLARELLA

SIG

001696



UNCLASSIFIED

FM BERN ZNFC2176 31AUG87

TO DUNCAN CAMERON DIRECTOR GLENBOW MUSEUM,CALGARY

TLX 03825571 GLENMUS CGY

INFO ROME MILAN EXTOTT/IMH INAHULL/COULTER

DISTR MINA IMD BKE RWR RWDN

---LUBICON LAKE BAND/GLENBOW/MEETING WITH SWISS MUSEUM(AND BERGAMO)

REPS

ALONG WITH MR KLAYS SECRETARY,WE ARE PRESENTLY CONTACTING ALL SWISS INSTITUTIONS AND SHOULD BE RECEIVING FINAL ANSWERS SHORTLY.

2.MR VIGORELLI,FROM BERGAMO,ACCEPTS TO COME TO BENRE ON 10SEP.

3.WILL IFORM YOU BEFORE YOUR DEP.

REGARDS

PATRICK BERGEN

CANADIAN EMBASSY

BERNE,SWITZERLAND

TLX 911308 DMCN CH.

UUU/205 311311Z ZNFC2176

External Affairs Canada Affaires extérieures Canada

MESSAGE

Accession/Référence
File/Dossier
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SECURITY SÉCURITÉ	C O N F I D E N T I A L
FM/DE	FM IMH EXTOTT IMH-1149 31 AUG 87
TO/À	TO VIENN
INFO	OSLO
DISTR	INFO BONN BERNE LDN PARIS OSLO COPEN STKLM HLSKI GENEV BRU HAGUE
REF	ROME VATCO ^N PCOOTT/SERSON/CARON JUSTICEOTT/FREMAN ^{BH} DE OTT
SUBJ/SUJ	^{BH} INAHULL/BOEDASAVICH/COULTER/DOERR/WHITAKER/ ^G DE OCI
	DISTR MINA IMD BKC BKA BFE RWR RWDN TADF
	REF VIENN TEL ULFC5570 26AUG
	---LUBICON LAKE:12 OCT DEMONSTRATION
	WE HAVE TAKEN LIBERTY OF COPYING YOUR TELEX TO OTHER POSTS IN WESTERN EUROPE LIKELY TO BE AFFECTED BY DEMONSTRATIONS ON 12 OCTOBER AND TO ADDITIONAL ADDRESSEES IN OTT INTERESTED IN THIS QUESTION.WE BELIEVE THAT FOLLOWING GUIDANCE IS IN ORDER WITH RESPECT TO LETTER YOU HAVE RECEIVED,AND THIS GUIDANCE SHOULD BE FOLLOWED BY OTHER POSTS WHICH HAVE SIMILAR EXPERIENCES.WE WOULD APPRECIATE ADVANCE READINGS FROM OTHER POSTS LIKELY TO BE AFFECTED,AS WELL AS REPORTS AFTER 12 OCT WHICH ASSESS DEMONSTRATIONS.
	2.WITH RESPECT TO IDEA OF MEETING WITH GROUP PLANNING DEMONSTRATIONS,WE BELIEVE THAT WE SHOULD MEET WITH THEM FOR VARIETY OF REASONS.FIRST,WE NEED TO HAVE MORE INFORMATION ON WHO THESE GROUPS ARE,WHAT THEIR LINKAGES ARE TO CDN SCENE AND HOW THEY PLUG INTO DOMESTIC EUROPEAN POLITICAL EQUATION.BEST WAY OF DOING
	.../2

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D. LEVERMORE SIG	IMH	5-6960	FD. PILLARELLA SIG

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THIS, IT SEEMS TO US, IS ESTABLISHING A DIALOGUE WHICH CAN BE
CONTINUED, EVEN IF IT IS NOT/NOT MEETING OF
MINDS. SECOND, NOTWITHSTANDING MISCONCEPTIONS WHICH EUROPEANS HAVE
RE CDN INDIAN SITUATION IN GENERAL, WE HAVE POSITIVE MESSAGE TO
CONVEY, AND CLEARLY BEST WAY OF ENDEAVOURING TO CONVEY THIS MESSAGE
IS TO START WITH THOSE WHO ARE ACTIVELY INTERESTED IN THIS
SITUATION, EVEN IF THEY CONSTITUTE OPPOSITION. THIRD, WE DEFINITELY
DO NOT/NOT WISH TO PLACE OURSELVES IN POSITION OF REFUSING
INVITATION TO MEET, AND HAVING GROUPS DENOUNCE US IN EUROPEAN AND
CDN MEDIA.

3. AS TO MEETING HOP, WE BELIEVE AMBASSADORS SHOULD NOT/NOT MEET
WITH INDIVIDUALS AND GROUPS WHOSE MINDS ARE ALREADY MADE UP AND
(UNLESS special circumstances warrant meeting.)
WHO INTEND TO PRESS AHEAD IRRESPECTIVE OF OUR VIEWS. IN THIS
CASE, BELIEVE THAT MTG SHOULD BE AT COUNSELLOR/FIRST SECRETARY
LEVEL. WHILE AMBASSADOR SHOULD BE FULLY BRIEFED ON ALL ASPECTS OF
SITU IN EVENT OF MEDIA ENQUIRIES, WE BELIEVE THAT WE SHOULD NOT/NOT
PLAY INTO HANDS OF THOSE WISHING TO ESCALATE WHAT MIGHT WELL TURN
OUT TO BE NON-EVENT. AS TO TIMING OF POTENTIAL FUTURE MTG, WE
BELIEVE THAT GROUPS SHOULD NOT/NOT BE ALLOWED TO SET ALL THE
RULES. FROM OUR POINT OF VIEW, IT WOULD BE PREFERABLE IF EMBASSY
SUGGESTED DATE EARLIER THAN PLANNED DEMONSTRATIONS, ROUGHLY TWO OR
THREE DAYS AHEAD. THIS MIGHT KNOCK SOME STEAM OUT OF

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DEMONSTRATION. MEETING ON DAY OF DEMONSTRATION ITSELF SHOULD BE
CONSIDERED OUT OF THE QUESTION, *UNLESS MEDIA EVENT CAN SUCCESSFULLY BE AVOIDED*
BUT, IF GROUPS WERE NOT/NOT
OTHERWISE AVAILABLE, COUPLE OF DAYS FOLLOWING DEMONSTRATION WOULD
BE ACCEPTABLE. EVEN IF YOU MEET GROUPS BEFORE DEMONSTRATION, IT
MIGHT BE NECESSARY TO HAVE ANOTHER SESSION FOLLOWING 12 OCT IN
ORDER TO RECEIVE PETITION. WE SEE NO/NO PARTICULAR OBJECTIONS IN
THIS, *AND IN FACT WE ENCOURAGE RECEIVING PETITION RATHER THAN OPENING OURSELVES
TO CHARGE OF REFUSAL TO MEET.*
4. WE WILL BE FORWARDING TO YOU AND OTHER POSTS ADDITIONAL INFO
MATERIAL RE LUBICON LAKE. IF THERE ARE OTHER ISSUES ON WHICH INFO
MATERIAL IS REQUIRED, FROM ANY OF POSTS ON INFO LINE, WE WOULD
APPRECIATE KNOWING ASAP SO THAT ARRANGEMENTS CAN BE MADE. OVERALL
APPROACH WHICH WE WANT TO TAKE ON GENERAL ABORIGINAL ISSUES CAN BE
DRAWN FROM RECENT SPEECH BY BRUCE RAWSON, FORMER DEPUTY MINISTER OF
INDIAN AFFAIRS AND NORTHERN DEVELOPMENT, WHICH CAN BE SUMMARIZED AS
FOLLOWS: CDN ABORIGINAL PEOPLES HAVE MADE SUBSTANTIAL PROGRESS IN
LAST TWENTY YEARS; WHILE PROBLEMS REMAIN, MECHANISMS ARE IN PLACE TO
DEAL WITH THOSE PROBLEMS IN A CONSTRUCTIVE FASHION; WORK IS WELL
ADVANCED ON A NUMBER OF FRONTS, DESPITE OUTCOME OF CONSTITUTIONAL
CONFERENCES, AND WHAT IS NEEDED IS BALANCED AND OBJECTIVE VIEW OF
SITUATION.

**ACTION
SUITE A DONNER**

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AUG 31 1987

IMH

C O N F I D E N T I E L

DE VNA ULFC5571 28AOU87

A EXTOTT IMH

INFO RONN BERN

BH INAHULL DE OCI

DISTR MINA PGP PSR BKR BKA RWR RWP RCR

---LUBICONS

VOUS TROUVEREZ CI-APRES TRADUCTION D UN ARTICLE PARU DANS EDITION
DU 27AOU DU QUOTIDIEN CIT WIENER ZEITUNG FINCIT.

2.TEXTE SUIT QUOTE VICE CHANCELLOR AND FOREIGN MINISTER MOCK REJECTS
A BOYCOTT OF THE 1988 CALGARY OLYMPIC GAMES IN REPLY TO A WRITTEN
ENQUIRY FROM MP KAREL SMOLE FROM THE GREEN-ALTERNATIVE PARTY,THE
FOREIGN MINISTER DECLARED,THAT AUSTRIA HAS ONLY JOINED INTERNATIONAL
BOYCOTT-MEASURES AND SANCTIONS IN DISPUTES,IN WHICH UN SECURITY
COUNCIL RESOLUTIONS HAD BEEN PASSED.THE FOREIGN MINISTER DESCRIBED
THE MEASURES CALLED FOR BY SMOLE AS QUOTE POINTLESS AND COUNTER-
PRODUCTIVE UNQUOTE.ACCORDING TO FOREIGN MINISTER MOCK A PUBLIC
CONDEMNATION TO THE SITUATION OF THE INDIANS IN CANADA WOULD BE AN
INTERFERENCE IN A NOT/NOT YET COMPLETED CANADIAN LAWSUIT.UNQUOTE.

3.COMMENTAIRES:IL S AGIT,A NOTRE CONNAISSANCE,DE LA PREMIERE FOIS
QUE LA QUESTION DU BOYCOTT DES JEUX DE CALGARY EST SOULEVEE
PUBLIQUEMENT PAR UN PARLEMENTAIRE AUTRICHIEN.LE DEPUTE VERT SMOLE,
QUI APPARTIENT LUI-MEME A LA MINORITE SLOVENE DE LA PROVINCE
AUTRICHIENNE DE CARINTHIE,EST LE PORTE-PAROLE DU PARTI VERT

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PAGE DEUX ULFC5571 CONFD

AUTRICHIEN SUR LES QUESTIONS DE MINORITIES NATIONALES, CE QUI POURRAIT
EXPLIQUER SON INTERET POUR LUBICONS.

4. BIEN QUE TENEUR DE REPONSE DU MINISTRE MOCK SOIT SATISFAISANTE DE
NOTRE POINT DE VUE, LE FAIT QUE QUESTION DU BOYCOTT AIT ETE SOULEVEE
POUR PREMIERE FOIS PAR UN PARLEMENTAIRE AUTRICHIEN ILLUSTRE IMPORTANCE
DE TENIR GOUVT AUTRICHIEN BIEN INFORME DE POSITION DU GOUVT CDN,
PARTICULIEREMENT DANS CONTEXTE DE INTERET PREVISIBLE DES MEDIAS
AUTRICHIENS POUR MANIFESTATION DEVANT AMPASSADE PREVUE POUR 12 OCT,
D OU NOTRE INTERET POUR DOCUS SUPPLEMENTAIRES PROMIS DANS VOTRE TEL
IMH111 DU 21 AOUT.

CCC/006 280800Z ULFC5571

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AUG 27 1987

IMH

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Lubicon Lk
Bond

UNCLASSIFIED

FM BRU ZVFC3237 27AUG87

TO DUNCAN CAMERON, DIRECTOR, GLENBOW MUSEUM, CALGARY ALTA

TELEX 03825571 GLENMUS CGY IMMED

INFO EXTOTT IMH

DISTR RWP

REF YOURTEL 24AUG, TEL IMH1110 25AUG

---VISIT TO BRUSSELS

HAVE CONTACTED MUSEUM WHO DID NOT YET RECEIVE YOUR LETTER.

APPOINTMENT IS CONFIRMED FOR MONDAY SEPT 7TH AT 14H. YOU WILL MEET
MRS HAMES VICE DIRECTOR AND MR SERGIO PURIN WHO IS CURATOR FOR
SECTION OF INDIAN ART.

2. I WOULD BE DELIGHTED TO MEET YOU (AND OFFER YOU DINNER) ON YOUR
ARRIVAL SUNDAY SEPT 6 OR ANYTIME DURING MONDAY 7. AS 7TH OF SEPT
IS CANADIAN LABOUR DAY EMBASSY WILL BE CLOSED BUT I CAN BE REACHED
AT HOME 649.07.85.

GEORGE COWLEY, CULTURAL COUNSELLOR,

CANADIAN EMBASSY, BRUSSELS. TELEX 21613 DOMCAN B.

UUU/186 270850Z ZVFC3237

Biew

**ACTION
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FM BONN ZQFC2738 25AUG87

TO EXTOTT/IMH

*45-COA-13-1-3- Lubicon
Lake Band*

INFO BRU BERN HAGUE VIENN COPEN OSLO STKLM GENEV LDN PARIS

DISTR MINA IMD BKC BKA RWR RWDN BFE JLO

REF YOURTELS IMH 1111 21 AUG, IMH1099 19AUG

---LUBICON LAKE:PAMPHLET CAMPAIGN

HAVE RECD COPY OF QUOTE THE LAST STAND UNQUOTE UNDER COVER OF LETTER FROM HUMAN RIGHTS WORKING GROUP OF SPD (SOCIAL DEMOCRATIC PARTY) WHICH RECEIVED PAMPHLET FROM QUOTE VEREIN ZUR UNTERSTUETZUNG NORDAMERIKANISCHER INDIANER (ASSOC FOR THE SUPPORT OF THE NORTH AMERICAN INDIANS). IN NAME OF WILLY BRANDT, WORKING GROUP REQUESTS US TO PROVIDE INFO ON HOW CDN GOVT PROPOSES TO HANDLE CLAIMS OF LUBICON LAKE BAND.

2. TRANSLATION OF PAMPHLET IS PRESENTLY UNDERWAY AND WE WILL FAX IT TO YOU 27AUG.

3. PAMPHLET STATES THAT LUBICONS HAVE BEEN DEPRIVED OF TRADITIONAL LIFESTYLE AND STATES HISTORY AS FOLLOWS:

1899: SIGNING OF TREATY NUMBER EIGHT QUOTE DEVISED TO DEPRIVE INDIANS OF RIGHTS UNQUOTE. LUBICONS DID NOT SIGN TREATY AS GOVT REPRESENTATIVES HAD QUOTE OVERLOOKED UNQUOTE LUPICON LAKE. IT FOLLOWS THAT LUBICONS ARE THUS RIGHTFUL OWNERS OF LAND ACCORDING TO 1763 ROYAL PROCLAMATION.

1939: LUBICONS, RECOGNIZED AS INDIAN BAND, CHOOSE RESERVATION SITE

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PAGE TWO ZQFC2738 UNCLAS

HOWEVER, THIS CLAIM WAS NOT RECOGNIZED BY EITHER FED OR PROV GOVT.

1954: ALBERTA S INTEREST IN RESOURCES CAUSED IT TO PUT PRESSURE ON
FED GOVT TO MAKE DECISION ON RESERVATION. NO DECISION WAS FORTHCOMING
AND CHOSEN RESERVATION SITE BECAME ALBERTA CROWN LAND. OTTAWA CHOSE
ALTERNATIVE SITE BUT AS LUBICONS REFUSED TO MOVE, THE FED AND PROV
GOVTS QUOTE TRIED TO DESTROY THE LUBICONS AS A PEOPLE UNQUOTE.

1973: LUBICONS CONFIRMED AS INDIAN BAND

1975: LUBICONS TRY TO PREVENT ECONOMIC DEVELOPMENT OF CHOSEN
RESERVATION SITE, AND APPEAL TO PROV GOVT. IN THE INTERIM NEW
LEGISLATION WAS INTRODUCED AND COURTS REJECTED LUBICON CLAIM.
PAMPHLET GOES ON TO STATE QUOTE THE AREA WAS THEN OVERRUN WITH
MUTINATIONAL OIL COMPANIES UNQUOTE.

1981: LITTLE BUFFALO BECOMES PROVINCIAL HAMLET AND IS DIVIDED INTO
2-ACRE PARCELS TO BE SOLD OR GIVEN TO INDIVIDUALS. LUBICONS REFUSED
TO ACCEPT OFFER AS IT WOULD JEOPARDIZE THEIR CLAIM. QUOTE PROV
ATTEMPTED TO TRICK PEOPLE WHO CAN NEITHER READ NOR WRITE ENGLISH INTO
SIGNING DOCUMENTS FOR LAND BY POSING AS CENSUS-TAKERS ETC. UNQUOTE.

1982: LUBICONS TAKE LEGAL ACTION AGAINST TEN OIL COMPANIES. IN COURT,
JUDGE REJECTS CASE WITH ARGUMENT THAT QUOTE TRADITIONAL LIFESTYLE OF
LUBICONS ALREADY DESTROYED AND COULD NO LONGER BE SAVED UNQUOTE.

QUOTE THE JUDGE WHO MADE DECISON WAS FORMERLY A LAWYER FOR THE NOVA
CORPORATION UNQUOTE

PAMPHLET GOES ON TO STATE THAT TWO FORMER MINISTERS OF INA HAD ...3

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PAGE THREE ZQFC2738 UNCLAS

ATTEMPTED TO SETTLE LAND CLAIM AND WORLD COUNCIL OF CHURCHES VIEWS
SERIES OF EVENTS AS QUOTE GENOCIDE UNQUOTE.

1985: DAVIE FULTON PUBLISHED DISCUSSION PAPER SUPPORTING LUBICON
CLAIMS FOLLOWING WHICH HE WAS QUOTE FIRED UNQUOTE BY GOVT AND BOTH
FED AND PROV GOVTS QUOTE KEPT REPORT UNDER WRAPS UNQUOTE.

4, PAMPHLET CALLS FOR SUPPORTERS OF LUBICONS TO WRITE TO LUBICON LAKE
LEGAL TRUST FUND, TO QUOTE VEREIN ZUR UNTERSTUTZUNG
NORDAMERIKANISCHER INDIANER, PM MULRONEY, PREMIER GETTY, WITH COPIES
TO LUBICON BAND IN PEACE RIVER ALTA, AND INCLUDES PREPARED PETITION
SHEETS ADDRESSED TO PM MULRONEY.

UUU/777 251600Z ZQFC2738



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

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FM EXTOTT IMH1125 25AUG87

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TO HAGUE

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INFO BH INAHULL/COULTER DE OCI

DISTR

DISTR MINA IMD BKC BFE BKA RWR RWDN

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SUBJ/SUJ

REF YOURTEL YWGR0607 24AUG87

---LUBICON LAKE BAND: GLENBOW MUSEUM

^D
WE WILL SEND YOU AND SOME OTHER SELECTED POSTS TELEX RE CAMERONS
EUROPEAN ITINERARY AS INFO ADDRESSEES, AS CAMERON DOES NOT/NOT,
AT PRESENT TIME, PLAN TO VISIT LEIDEN. (HE HAS HIS ^{PERSONAL} REASONS FOR
THIS, BUT HIS STAFF, OF COURSE, WILL BE IN ATTENDANCE.) HIS
STAFF, HOWEVER, WOULD PROBABLY WISH TO BE ON CONTACT WITH
EMBASSY, DEPENDING UPON THEIR REQUIREMENTS. WE ARE CURRENTLY
PREPARING NEW INFO MATERIALS RE LUBICONS AND INDIANS IN GENERAL,
AND WILL KEEP YOUR REQUIREMENTS IN MIND.

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AUG 26 1987

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D. LIVERMORE lp

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TELEPHONE

5-6960

APPROVED/APPROUVÉ

FD. PILLARELLA

SIG

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SECURITY / SÉCURITÉ **C O N F I D E N T I A L** 12 10

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FM EXTOTT IMH1120 24AUG87

TO MOSCO BERN

DELBY 60900

INFO SPORTCDA^{OTT} INAHULL/COULTER OLYMPOTT/BERGER

DISTR MINA BKA BKC JLO IMD BFE

---BRIEFING FOR MIN JELINEK

PLEASE PASS FOLLOWING TO MINDEL/JELINEK RE HIS FORTHCOMING MTG
WITH HEAD OF IOC SAMARANCH.

BRIEFING NOTE RE LUBICON LAKE BAND BOYCOTT CAMPAIGN
OVERVIEW

IN LIGHT OF THE CAMPAIGN BY THE LUBICON LAKE INDIAN BAND
(CONDUCTED ALMOST EXCLUSIVELY IN WESTERN EUROPE) TO OBTAIN A
BOYCOTT OF THE CALGARY OLYMPICS AND THE ASSOCIATED CHIEF CULTURAL
ACTIVITY, AN EXHIBITION BY THE GLENBOW MUSEUM OF CALGARY, IT
WOULD BE PRUDENT TO BRIEF THE HEAD OF THE IOC ON THIS ISSUE. THE
BRIEFING SHOULD BE FOR INFORMATION ONLY, AS IT WOULD NOT, AT THIS
POINT, BE ADVISABLE TO INVITE ANY ACTION ON THE PART OF THE IOC
WITH RESPECT TO THE BOYCOTT CAMPAIGN.

BACKGROUND:

SINCE 1986, THE LEADERS OF THE LUBICON LAKE INDIAN BAND IN
NORTHERN ALBERTA HAVE SOUGHT TO GAIN INTERNATIONAL ATTENTION FOR
THEIR DOMESTIC GRIEVANCES BY CALLING FOR A BOYCOTT OF THE CALGARY
GAMES AND THE CULTURAL ACTIVITIES ASSOCIATED WITH THE GAMES. THE

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D. LIVERMORE lp

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5-6960

FD. PILLARELLA

STG

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LUBICON LAKE BAND IS LOCATED SOME 90 KM EAST OF PEACE RIVER,
ALBERTA, SOME 500 KMS NORTH OF THE CALGARY OLYMPIC FACILITIES.
THERE IS NO INTRINSIC LINKAGE BETWEEN THE BANDS GRIEVANCES AND
THE OLYMPICS, OTHER THAN THE BANDS DESIRE TO ESTABLISH A LINKAGE
WHICH WILL EXERT PRESSURE ON THE GOVTS OF CANADA AND ALBERTA.
THE BANDS OUTSTANDING CLAIMS GO BACK TO THE 1930S, WHEN INDIANS
IN THE LUBICON LAKE AREA PETITIONED FOR THEIR OWN RESERVE OF
LAND. BECAUSE THE LAND TRANSFER NEVER TOOK PLACE, THE BAND
EVENTUALLY FILED A CLAIM IN THE FEDERAL COURT OF CANADA. IN 1985
THE GOVERNMENT OF CANADA APPOINTED THE HON. E. DAVIE FULTON TO
UNDERTAKE AN ENQUIRY INTO THE CLAIM, AND IN 1986 THE BAND AGREED
TO PARTICIPATE IN NEGOTIATIONS. ALTHOUGH NEGOTIATIONS BROKE OFF
ALMOST IMMEDIATELY, THE LUBICON LAKE BAND HAS NOW AGREED TO
RESUME NEGOTIATIONS, FOLLOWING AN INITIATIVE TAKEN BY THE HON
BILL MCKNIGHT, MIN OF INDIAN AND NORTHERN AFFAIRS. IT SHOULD BE
NOTED THAT THE CLAIM IS ESSENTIALLY DOMESTIC IN CHARACTER, THAT
IT IS PROCEEDING THROUGH ESTABLISHED NEGOTIATING FRAMEWORKS AND
CHANNELS, AND THAT THE BAND STILL HAS RECOURSE TO THE CANADIAN
COURT SYSTEM SHOULD IT FIND THE NEGOTIATING PROCESS
UNSATISFACTORY. NONE OF THE NORMAL DOMESTIC REMEDIES HAVE BEEN
EXHAUSTED.

ACTIVITIES OF THE BAND

THE BAND AND THEIR NON-NATIVE ADVISERS HAVE APPROACHED NATIONAL

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PAGE THREE IMH1120 C O N F I D E N T I A L

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OLYMPIC COMMITTEES IN W.EUR WITH THE REQUEST THAT THEY BOYCOTT THE CALGARY GAMES. THERE HAVE BEEN NO POSITIVE REACTIONS TO THIS IDEA, ALTHOUGH A FEW INDIVIDUALS, QUITE NATURALLY, EXPRESSED SOME SYMPATHY FOR THE PLIGHT OF THE BAND MEMBERS. THE BAND HAS ALSO APPROACHED MUSEUMS WHICH WERE TO HAVE PARTICIPATED IN THE GLENBOW EXHIBITION. TO DATE THREE MUSEUMS IN SWEDEN HAVE EXPRESSED THEIR CONCURRENCE IN THE IDEA OF A BOYCOTT. MORE RECENTLY, A GROUP OF SWISS MUSEUMS HAVE WRITTEN TO THE GLENBOW INDICATING AN INTENTION TO WITHDRAW FROM CONTRACTUAL COMMITMENTS. HOWEVER, FINAL DECISIONS HAVE NOT BEEN TAKEN. IT SHOULD BE NOTED THAT THE MOST RECENT WORRIES ON THE PART OF THE MUSEUM COMMUNITY HAVE NOT STEMMED FROM SYMPATHY WITH THE BANDS CIRCUMSTANCES. RATHER, RESERVATIONS HAVE BEEN EXPRESSED ABOUT THE POSSIBILITY OF SEIZURE OF ARTEFACTS OR TERRORIST ACTIVITIES DURING THE EXHIBITION. SUGGESTIONS TO THIS EFFECT HAVE BEEN RAISED BY NON-NATIVE AGENTS OF THE BAND (ALTHOUGH NOT, TO OUR KNOWLEDGE, BY THE BAND DIRECTLY). WE AND ALL POLICE AND INTELLIGENCE AGENCIES IN CANADA DISCOUNT THE POSSIBILITY OF ANY VIOLENT ACTIVITIES AT THE GLENBOW, AND WE REGARD THESE SUGGESTIONS AS IRRESPONSIBLE IN THE EXTREME. FINALLY, THE BAND HAS NOW DECIDED TO LAUNCH ANOTHER TOUR THROUGH EUROPE TO ATTEMPT INTER ALIA TO CONVINCE INDIVIDUAL ATHLETES TO JOIN THE BOYCOTT. WE BELIEVE THAT THIS ATTEMPT WILL BE UNSUCCESSFUL, DUE TO THE COMMITMENTS ALREADY UNDERTAKEN ON THE

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PART OF ATHLETES, AND THEIR UNDERSTANDABLE RELUCTANCE TO
JEOPARDIZE THEIR CHANCE TO SHOW-CASE THEIR TALENTS FOR THE SAKE
OF A PROBLEMATIC POLITICAL CAUSE. NEVERTHELESS, THERE IS A
POSSIBILITY THAT SOME ATHLETES WILL DECIDE TO EXPRESS SOME
STATEMENT OF SOLIDARITY WITH THE BAND, OR WILL BOYCOTT THE
OPENING CEREMONIES AS AN EXPRESSION OF SYMPATHY.

POINTS TO REGISTER

1.THE CALGARY OLYMPIC GAMES ARE IN NO DANGER AS A RESULT OF THE
LUBICON LAKE BOYCOTT CAMPAIGN. THERE IS NO EVIDENCE IN THE
SPORTING FIELD OF ANY DEGREE OF SUPPORT. ALTHOUGH THE CULTURAL
ACTIVITIES HAVE BEEN AFFECTED IN A MARGINAL WAY TO DATE, THEY
WILL PROCEED ALONG PROJECTED LINES, WITH THE FULL PARTICIPATION
OF NATIVE GROUPS. THE GLENBOW HAS RECEIVED CONSIDERABLE
FINANCIAL SUPPORT BY THE FEDERAL GOVT, AND IS INTENDED TO BE A
SHOWCASE NOT ONLY IN CALGARY BUT ALSO IN OTTAWA. CANADIAN
ABORIGINAL GROUPS WILL ALSO PARTICIPATE IN THE OPENING CEREMONIES
AND IN THE ECONOMIC ACTIVITIES FUNDED BY OCO AND THE FED GOVT.

2.THERE IS NO EVIDENCE OF ANY VIOLENT ACTIVITIES ASSOCIATED WITH
THE GAMES OR THE GLENBOW EXHIBITION. ALTHOUGH EUROPEAN AUDIENCES
HAVE GROWN ACCUSTOMED TO A DEGREE OF DOMESTIC TERRORIST ACTIVITY
IN THEIR OWN COUNTRIES WHICH WOULD MAKE THESE CLAIMS SOUND
PLAUSIBLE, THIS IS VIRTUALLY UNKNOWN IN CANADA AND HIGHLY ALIEN
TO THE GENERAL TONE OF INDIAN/WHITE RELATIONS IN CANADA. WHILE

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PAGE FIVE IMH1120 C O N F I D E N T I A L

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THE POLICE AUTHORITIES EXPECT SOME PEACEFUL DEMONSTRATIONS OVER PARTICULAR ISSUES, THIS IS A NORMAL PHENOMENON TO WHICH WE CANNOT TAKE EXCEPTION.

3. THE IOC SHOULD BE REASSURED ABOUT THE POSSIBLE NEGATIVE IMPACT OF THE LUBICON LAKE BAND ON THE GAMES. IT IS BEING HANDLED THROUGH NORMAL DOMESTIC CHANNELS AVAILABLE TO THE GOVT OF CDA, AND WE WOULD PREFER THAT CANADIAN AUTHORITIES DEAL WITH IT EXCLUSIVELY, BOTH IN ITS DOMESTIC AND IN ITS INTERNATIONAL RAMFICATIONS. NEVERTHELESS, WE WOULD CONTINUE TO CONSULT CLOSELY WITH THE IOC AND ANY NATIONAL OLYMPIC COMMITTEES, AND GOVT OFFICIALS WILL BE ON SITE IN CALGARY TO ASSIST IN ANY INFORMATION EFFORTS REQUIRED DURING THE GAMES.

Handwritten signature/initials

RECEIVED
AUG 24 1987
IMH

**ACTION
SUITE A DONNER**

R E S T R I C T E D

FM HAGUE YWGR0607 24AUG87

TO EXTOTT IMH

INFO BH INAHULL/COULTER DE OCI

DISTR MINA IMD BKC BFE BKA RWR RWDN

REF YOURTEL TO BERN IMH1110 21AUG

---LUBICON LAKE BAND:GLENBOW MUSEUM

ACC	FILE	DOSSIER
	45-001-13-1-3-Lubicon Lake Band	

WE NOTE FROM PARA 4 OF REFTTEL THAT THIS POST APPARENTLY NOT/NOT TO
RECEIVE FOLLOW-UP TEL ON CAMERONS ACTIVITIES.DOES THIS MEAN THAT
WHILE HE IS AT MUSEOLOGY CONF IN LEIDEN,HE WILL NOT/NOT WISH TO
CONTACT EMB,OR IS IT JUST OVERSIGHT?

2.IF ASSISTANCE NEEDED,WILL OF COURSE BE PLEASED TO PROVIDE,
ALTHOUGH HOM NOT/NOT AVAILABLE WEEK OF 07SEP.

3.PLS REMEMBER TO INCLUDE US AS RECIPIENT OF ANY INFO MATERIAL ON
LUBICON BAND AND INDIAN CLAIMS IN GENERAL WHICH MIGHT BE SENT TO
SELECTED POSTS IN EUROPE.

CCC/014 241221Z YWGR0607

BICO
Lubicon

Canadian Embassy



Ambassade du Canada

Sophialaan 7
P.O. Box 30820
2500 GV The Hague

August 24, 1987

Mr. Wim Kok,
Leader of the Labour Party,
Second Chamber of States General,
Binnenhof 1a,
P.O. Box 20018,
2500 EA The Hague

ACC	DATE
FILE	DOSSIER
45-CD A-13-1-3-Lubicon	
LIC Band	

Dear Mr. Kok,

The International Secretary of the Dutch Labour Party in the name of the Party's Executive wrote on May 4, 1987 to the Prime Minister of Canada, the Right Honourable Brian Mulroney, concerning the land claim of the Lubicon Lake Indian Band of Northern Alberta. Such a letter was naturally assumed in Canada to reflect the official position of the Dutch Labour Party on a matter which is of great immediacy and sensitivity in Canada. Since the Dutch Labour Party has such political importance in the Netherlands, which is one of the closest friends and allies of Canada, the contents of your letter were obviously examined very closely by those in the Prime Minister's Office and Foreign Ministry.

The Prime Minister of Canada has now asked me to reply to your letter. It contained a number of errors and misunderstandings and it is hoped that the following information will help the Dutch Labour Party to obtain a fuller appreciation of the facts and circumstances.

The Lubicon Lake Band claim is an issue which has had a particularly long and difficult history in Canada. It is therefore not surprising that many people have misconceptions about the nature of the land claims process and about the measures of redress available to the band at the present time. The band itself feels a deep sense of grievance, and representatives or spokespersons of the band have travelled throughout Canada, the United States and Western Europe in search of publicity for their cause. It is important to point out that the Government of Canada recognizes that the band has legitimate grievances, and is fully prepared to negotiate a fair and equitable resolution of them.

.../2

- 2 -

In 1985, the Government of Canada appointed the Honourable E. Davie Fulton, a former Minister of Justice to Canada, to undertake an enquiry into this claim and submit a report on his findings. Subsequent to the presentation of an interim report by Mr. Fulton, Canada made a payment of \$1.5 million to help the Lubicon Lake Band defray legal costs and other expenses which were associated with the preparation of its claim. In March 1986, the Government of Canada appointed Mr. Roger Tasse as the Canadian negotiator, and both the band and Mr. Tasse agreed to use the Fulton report as the basis for negotiations.

These steps set the stage for negotiations between the band and the Government of Canada, in association with the Government of Alberta, as the provincial government must (given the nature of Canada's constitution) be involved in the negotiations leading to a final settlement. Furthermore, these measures did not preclude other steps, which the band is pursuing concurrently, through the Canadian court system. While it would be inappropriate for me to comment on the court case, I understand that it is still proceeding.

Unfortunately, for reasons which the band is best positioned to explain, the Lubicon Lake Band withdrew from the negotiations in July 1986, after only one and a half days of discussion. Efforts by Mr. Tasse, in which he explicitly reaffirmed his willingness to be flexible on many of the points under dispute, were not successful. Following these events, the Minister of Indian and Northern Affairs, the Honourable Bill McNight, wrote to the chief of the band, urging him to resume negotiations, and reaffirming the Canadian Government's flexibility. At the present time the band has agreed to return to the negotiating table. It is my understanding that the two sides hope to resume negotiations shortly. It would certainly be our hope that these negotiations will lead to an equitable settlement.

The letter to the Prime Minister contains a number of references to points under discussion. These points are not straightforward matters of fact, as they might appear. Rather, issues such as the number of persons entitled to participate in the band claim are difficult questions, to which research and negotiation offer the best hope for resolution. Moreover, there are many implications which flow from this question, such as the global land entitlement of the band.

The last paragraph of the letter urges the Prime Minister to take all action necessary to ensure a just settlement of the long-standing claim of the band. Indeed, this is exactly what the Government of Canada has been endeavouring to do over the course of the last few years. We initiated negotiations

.../3

- 3 -

and have called for a resumption of negotiations and, as I have indicated, our hope is that these negotiations can begin shortly. We have indicated flexibility in approaching various points included in the negotiations. We are prepared to take a pragmatic approach, and have offered a settlement which included an excess of 10,000 hectares of land with full mineral rights, housing, community infrastructure, educational facilities, cash compensation and a commitment to pursue band participation in off-reserve wildlife management programs and other activities designed to encourage economic development. As you will readily see, the package of benefits offered is substantial.

We appreciate that there are many persons outside Canada who are interested in the Lubicon Lake Band claim. This reflects an interest in current aboriginal issues in Canada and of the approaches taken by the Government of Canada in moving towards greater self-government and autonomy for Canadian native groups. Indeed, if one requires a sign of commitment on the part of the Government of Canada to make progress in this regard, it is the level at which these types of constitutional discussions are carried out, which is in direct negotiations between the Prime Minister and representatives of Canada's four national aboriginal organizations.

If you require additional information on the Lubicon Lake Band claim or on other similar issues, I would ask you to keep in touch with the Embassy. We could certainly obtain further briefing material from Canada. While I would personally be pleased to review these topics with you or members of the Party Executive, so that we can enhance understanding of one of the most complicated domestic issues currently confronting the Government of Canada, I will be leaving the Netherlands shortly. Pending the arrival of my successor, the Counsellor of the Embassy, Mr. R.G. Seaborn, would be available.

Yours sincerely,



L.A.H. Smith,
Ambassador

ACC	RE	DATE
FILE	DOSSIER	
45-CDA-13-13-Lubicon		
LK Bond		

P R O T E G E E

DE BERN ZNGR0703 IMMED

INFO OSLO ROME STKHM HSNKI GENEV BONN LDN PARIS WSHDC CNBRA MOSCO/

MIN JELINEK

PM INAHULL/CLOUTIER DE OCI

VALISE MLBRG DE CBA

DISTR MINA IMD BKC BFE BKA RWR RWDN

REF VOTRETEL IMH1099 19A0U87

---LUBICON LAKE BAND/GLENBOW MUSEUM

D CAMERON ET MRS HARRISON ONT RENCONTRE HIER A BERNE LES DIRECTEURS DE LA PLUPART DES MUSEES SUISSSES IMPLIQUES DANS L EXPOSITION:ETAIT EGALEMENT PRESENT LE DIRECTEUR DU MUSEE DE BERGAMO.EN ITALIE.ONT OBTENU EN L OCCURENCE LE MAXIMUM.A SAVOIR L ENGAGEMENT DE LA PART DES MUSEES A FAIRE RE-EXAMINER LA DECISION PAR LEURS CONSEILS D ADMINISTRATION.

2.CAMERON ET HARRISON QUI SE SONT DITS TRES SATISFAITS DE CETTE DECISION JUGENT QUE LES CHANCES D EXPOSER LES OBJETS SUISSSES ET ITALIENS SONT DE 8 SUR 10.LA PRINCIPALE PREOCCUPATION SUISSE RELEVAIT DE LA SECURITE.LA RESOLUTION 11 DE L ASSOCIATION INNATLE DES MUSEES N A PAS RETENU L ATTN.NEGOCIATEURS CDNS ONT ACCEPTE D INCLURE DANS LE PROGRAMME UNE MENTION A L EFFET QUE LE MUSEE DE GLENBOW ET AUTRES PRETEURS ETAIENT EN FAVEUR D UNE CIT SOLUTION JUSTE FINCIT AU PROBLEME DES LUBICONS.

...2

PAGE DEUX ZNGR0703 PROTEGEE

3. POUR ROME: CONTRAIREMENT AUX MUSEES SUISSES QUI ONT DES CONSEILS D ADMINISTRATION, LE MUSEE DE BERGAMO DOIT DEMANDER A ROME D INVERSER LA DECISION. IL EST DONC POSSIBLE QUE VOUS EN ENTENDIEZ PARLER. SOIT DIT EN PASSANT, LE DIR DU MUSEE DE GERBAMO ETAIT UN DES PLUS FERVENTS PARTISANTS D UNE TOTALE SEPARATION ENTRE POLITIQUE ET MUSEOLOGIE. IL EST DONC PERSONNELLEMENT TRES EN FAVEUR DU PRET DE SES ARTEFACTS AU MUSEE DE GLENBOW.

CCC/205 1110202 ZNGR0703



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Accession/Référence
File/Dossier
45-009-13-1- Lube 700 LUC Band RECEIVED - REGU 19 AUG 87 20 1 03Z

Align first character of Security Classification under this arrow
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SECURITY SÉCURITÉ	UNCLASSIFIED	12	10
FM/DE	FM EXTOTT IMH-1099 19AUG87	AUG 20 1987	
TO/À	TO BERN [DELBY 200900]	IMH	
INFO	INFO OSLO ROME STKHM HSNKI GENEV BONN LDN PARIS WSHDC ML BRN CNBRA		
DISTR	INAHULL/COULTER		
REF			
SUBJ/SUJ	DISTR MINA IMD BKC BFE BKA RWR RWDN ---LUBICON LAKE BAND/GLENBOW MUSEUM WE HAVE NOW TOUCHED BASE WITH DUNCAN CAMERON OF GLENBOW RE LUBICON LAKE BAND BOYCOTT ISSUE, AND HE WILL BE COMING TO OTT THIS FRIDAY TO DISCUSS WITH INTERESTED DEPTS LONGER-TERM STRATEGY FOR COMING TO GRIPS WITH THIS ISSUE. WE WILL THEREFORE NOTIFY POSTS CONCERNED ABOUT THIS STRATEGY WITHIN COUPLE OF DAYS. WE ANTICIPATE THAT, AS A RESULT OF STEPPED-UP ACTIVITIES THIS SUMMER ON PART OF BAND, OF WHICH WE HAVE PROBABLY ONLY SEEN TIP OF ICEBERG, COOPERATION OF EMBASSIES WILL BE ESSENTIAL TOWARDS BEATING BACK BOYCOTT AND PRESERVING GLENBOW EXHIBIT IN ITS ESSENTIALS. REFUSAL OF SWISS MUSEUMS TO PARTICIPATE IN EXHIBIT HAS NOW BEEN MADE PUBLIC IN CDA, POSSIBLY AS RESULT OF LUBICON LAKE BAND ACTION, AND IT WILL THEREFORE BE ALL THE MORE DIFFICULT TO TAKE REMEDIAL STEPS. 2.ON RELATED POINT, MIN OF FITNESS AND AMATEUR SPORT JELINEK WILL BE IN LAUSANNE NEXT WEEK TO MEET WITH HEAD OF OLYMPIC MOVEMENT, AND WE UNDERSTAND THAT LUBICON LAKE BAND BOYCOTT WILL		

...2

DRAFTER/RÉDACTEUR	DIVISION/DIRECTION	TELEPHONE	APPROVED/APPROUVÉ
D. LIVERMORE lp SIG	IMH	5-6960	FD. PILLARELLA SIG



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✓ PAGE TWO IMH-1099 UNCLASS

12

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BE ONE OF NUMBER OF ITEMS ON AGENDA. WE WOULD HOPE TO SEND YOU
BY TEL A BRIEF FOR MIN ON THIS ISSUE, SO THAT IT CAN BE PASSED TO
MINDEL ON ARRIVAL. IT WILL CONTAIN INFORMATION MATERIALS WHICH
CAN BE USED BY OTHER POSTS IF APPROACHED FOR INFO ON LUBICON LAKE
BAND.

3. BOYCOTT CAMPAIGN IS NOW REACHING CRUCIAL PHASE OF ACTIVITY. WE
UNDERSTAND THAT BAND AND SUPPORT GROUPS HAVE BEEN ESPECIALLY
ACTIVE IN NETHERLANDS, AUSTRIA, GERMANY AND SWITZERLAND, AND THAT
THEY HAVE MADE WIDE DISTRIBUTION OF PAMPHLETS AND INFORMATION
MATERIALS ALLEGING GENOCIDE ON PART OF CDN AND ALBERTA GOVTS AND
CALLING FOR ACTION AGAINST CDA. WE THEREFORE HOPE TO HAVE FRESH
INFO MATERIAL ON ISSUE PREPARED SHORTLY, TO BE SEND TO POSTS FOR
THEIR USE. IF POSTS HAVE RECENT INFO ON LUBICON LAKE BAND
ACTIVITIES, APPRECIATE REPORTS ASAP FOR PURPOSES OF ASSISTING IN
PREPARING INFO MATERIALS.

AUG 18 1987 13:57 CANADIAN CONSULATE GENERAL, CHCGO
Canada Canada

MGTC/JOURNAL/CIRC/DOF. 1/2

MESSAGE

Accession/Référence

File/Dossier

Align first character of Security Classification under this arrow
Alignez le premier caractère de la Sécurité sous cette flèche

ACTION

CGO UFAX 002/18 OTT

12

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SECURITY
SÉCURITÉ

UNCLASSIFIED

SUITE A DONNER

FM/DE

FM/DE CHCGO YFGR3128 18AUG87

TO/A

TO/A EXTOTT IMH

INFO

INFO PCOOTT/OACA/CARON JUSTICEOTT/FREEMAN DE CGO

DISTR

DISTR URR MINA BKC BFE INAHULL/RAWSON/FLEMING/DOERR/WHITAKER DE

REF

REF OURFAX YFGR1855 09JUL87

SUBJ/SUJ

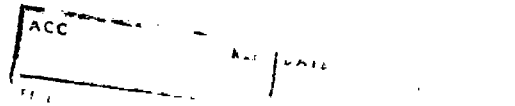
SUBJ/SUJ---LUBICON LAKE BAND

ATTACHED IS A QUOTE REBUTTAL UNQUOTE TO THE JULY 5 ARTICLE BY

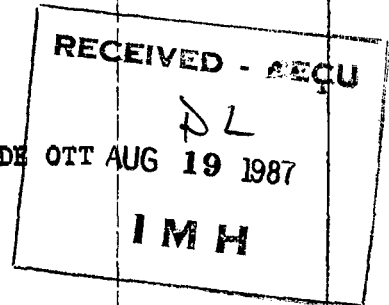
CHCGO TRIBUNE CDN CORRESPONDENT HOWARD WITT QUOTE TINY BAND OF

INDIANS FIGHTS FOR LAND, SURVIVAL UNQUOTE.

UNCLASSIFIED
NON CLASSIFIE



45-COA-13-1-3-Lubicon Lk Band



DRAFTER/RÉDACTEUR

DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

B. Degroat
SIG B. DEGROAT

David Lysne
SIG DAVID LYSNE

001721

2/2

UNCLASSIFIED

NON CLASSIFIE

Voice of the people

Canada has plan to aid Indian band

OTTAWA—Your recent article "Tiny band of Indians fights for land, survival" (July 5) reflected considerable research by your recently appointed Canadian correspondent, Howard Witt. While the reported facts on the Lubicon Lake Band's land claim were generally accurate, it is regrettable that Mr. Witt chose to consistently slant his commentary about those facts in a way that reflects negatively on the actions of the government of Canada and on its relationship with Canada's native peoples.

Had Mr. Witt chosen to raise this land claim in detail during the extensive discussions he recently held with the deputy minister and three other senior officials of the Department of Indian Affairs and Northern Development, he might have gained a fairer appreciation of our position towards this claim. Instead, he chose to allege that senior officials of my department refused repeated requests for an interview despite the fact that this issue was raised in general terms during discussions with my officials. Mr. Witt could have ascertained our position on this matter at additional meetings with my senior officials, which he subsequently canceled.

In light of Mr. Witt's failure to report the government of Canada's position, it must be stated that the government of Canada recognizes

this band has a legitimate outstanding land claim. As such, we are fully prepared to seek a fair and equitable resolution to it through negotiation with the band and (given the nature of the Canadian constitution) with the government of the Province of Alberta, the present owner of lands sought by the band.

Through negotiations, we have made a very substantial offer to the Lubicon Lake Band in an effort to resolve this dispute, a fact that was ignored by Mr. Witt. Among other things, this offer provided for a reserve of about 25,000 acres with full mineral rights (the area is thought to contain significant oil and gas deposits), housing, community infrastructure and educational facilities for band members, a commitment to pursue economic development opportunities for band members, a commitment to pursue band participation in wildlife management over a large area, and cash compensation.

I trust your newly appointed Canadian correspondent will enjoy his tenure in Canada. I also trust that in the future he will afford your readers all points of view on important, complex issues within Canada.

Bill McKnight

Minister of Indian Affairs and Northern Development
Government of Canada



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Align first character of Security Classification under this arrow
Alignez le premier caractère de la Sécurité sous cette flèche

Accession/Référence
File/Dossier
45-CD-13-1-3-Lubicon Lc Bonn 11 AUG 87 21 28Z

SECURITY SÉCURITÉ	UNCLASSIFIED
FM/DE	FM EXTOTT IMH-1053 11AUG87
TO/À	TO BERN
INFO	INFO OSLO ROME STKHM HSNKI GENEV BONN LDN PARIS WSHDC
DISTR	INAHULL/COULTER
REF	
SUBJ/SUJ	DISTR MINA IMD BKE BKA RWR RWDN REF YOURTEL ZNFC2127 07AUG87 ---LUBICON LAKE BAND/GLENBOW MUSEUM NEEDLESS TO SAY, WE ARE DEEPLY DISTURBED AT NEWS CONVEYED IN TWO REFTELS, WHICH POINTS TO ADDITIONAL PROBLEMS FOR GLENBOW EXHIBIT. WE HAVE TOUCHED BASE WITH GLENBOW DEPUTY DIRECTOR, AND WE UNDERSTAND THAT GLENBOW HAS BEEN IN TOUCH WITH PRINCIPALS IN SWITZERLAND TO SEE IF SITUATION CAN BE RESOLVED. EARLY NEXT WEEK GLENBOW DIRECTOR, DUNCAN CAMERON, RETURNS FROM TRIP, AND STRATEGY WILL BE DEVELOPED IN CONSULTATION WITH EXTAFF FOR MEETING THIS PARTICULAR PROBLEM. WE WOULD ASK YOU TO STAND BY AND KEEP US INFORMED OF ANY NEW INFORMATION. IT IS LIKELY THAT WE WILL ASK YOU TO INTERVENE WITH MUSEUM COMMUNITY, GIVEN MISCONCEPTIONS CONTAINED IN CORRESPONDENCE AND GRAVITY OF THEIR DECIDING TO BREAK ALREADY-AGREED CONTRACTUAL ARRANGEMENTS.

RECEIVED - REQU
AUG 14 1987
IMH

DRAFTER/RÉDACTEUR	DIVISION/DIRECTION	TELEPHONE	APPROVED/APPROUVÉ
D LIVERMORE lp <i>[Signature]</i>	IMH	5-6960	FD PILLARELLA SIG <i>[Signature]</i>

P R O T E C T E D

FM GENEV YTGR4970 11AUG87

TO EXTOTT JLO

INFO BH JUSTOTT/LOW/FREEMAN DE OTT FPROOTT/CARON DE OPM

SECTATEHULL/DADSON INAHULL/WHITAKER DE OCI

DISTR IMH JCD

REF OURTEL YTGR4708 28JUL, YTGR4815 31JUL

---HUMAN RIGHTS CTTEE: COMMUNICATIONS 205/1986 (DENNY) AND

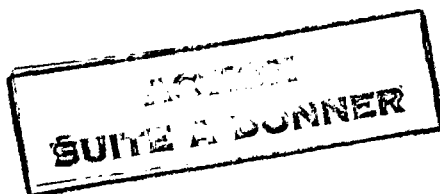
167/1984 (LUBICON)

OFFICIAL CENTRE NOTIFICATIONS OF CTTEE DECISIONS REFERRED TO IN
REFTELS GOING FORWARD TO JLO BY BAG DEPARTING 11AUG. DEADLINE FOR
RESPONSE ON DENNY IS 17SEP. DEADLINE FOR RESPONSE ON LUBICON IS
6FEB.

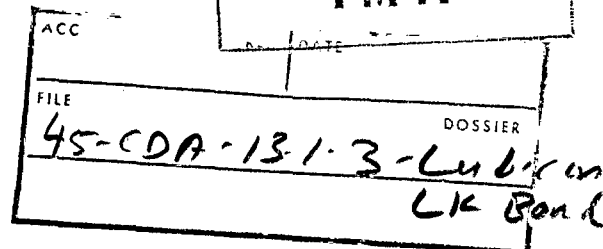
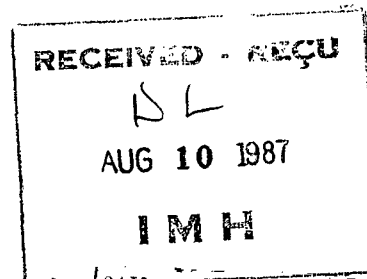
2. WITH REF TO LUBICON CASE, SHOULD ADD THAT OUR DISCUSSIONS WITH
CENTRE CONTACTS SUGGEST THAT IT IS OPEN TO CDN GOVT TO REQUEST
REVIEW OF ADMISSIBILITY DECISION. UNDERSTAND THIS HAS BEEN SUCCESS-
FULLY DONE IN PREVIOUS CASE INVOLVING CDA.

CCC/034 111244Z YTGR4970

ACC	REF	DATE
FILE	DOSSIER	
45-CDA-13-1-3- DENNY, A		
45-CDA-13-1-3- LUBICON LAKE BAND		



B/C
pl



UNCLASSIFIED

FM BERN ZNFC2127 07AUG87

TO EXTOTT IMH IMMED

INFO OSLO ROME STHEM HSNKI GENEV BONN LDN PARIS WSHDC

INAHULL/COULTER

DISTR MINA IMD BKE BKA RWR RWDN

REF OURTEL 2123 06AUG YOURTEL IMH1023 31JUL TO OSLO

---LUBICON LAKE BAND/GLENBOW MUSEUM

HAVE JUST RECEIVED, IN ADDITION TO LETTER OF JACQUES HAINARD MENTIONED IN OURTEL 2123, A SIMILAR LETTER FROM MR ERNST KLAY, DIRECTOR OF HISTORY MUSEUM IN BERNE. THIS LETTER, WHICH ACTUALLY REPEATS SAME CONTENTS AS HAINARD'S LETTER IS ALL THE MORE IMPORTANT, AS KLAY HAS ALWAYS ACTED AS COORDINATOR FOR ALL 4/4 SWISS MUSEUMS. PLEASE NOTICE HE ALSO MENTIONS MUSEUM OF BERGAMO, ITALY, AND THAT COPIES ARE SENT TO SEVERAL ORGANISATIONS.

2. LETTER READS QUOTE

DEAR MR CAMERON:

LIKE MANY OTHER MUSEUMS IN EUROPE WHICH HAD BASICALLY AGREED TO LEND ETHNOGRAPHIC OBJECTS FOR THE PROPOSED HISTORIC EXHIBITION (ORIGINALLY ENTITLED QUOTE FORGET NOT/NOT MY WORLD UNQUOTE) AT THE GLENBOR MUSEUM IN CALGARY DURING THE WINTER OLYMPICS OF 1988, WE ARE ALSO COMPELLED TO WITHDRAW OUR AGREEMENT FOR A LOAN.

SINCE QUITE SOME TIME WE HAVE BEEN FEELING UNEASY ABOUT THE PLANNED BOYCOTT OF YOUR EXHIBIT BY A STEADILY AND RAPIDLY GROWING

PAGE TWO ZNFC2127 UNCLAS

NUMBER OF BOTH INSTITUTIONS AND INDIVIDUALS ALL OVER THE WORLD AND THE LUBICON LAKE BANDS MOUNTING ACTIVITIES. THE LATTER MAY BE JUSTIFIED OR NOT/NOT, THEY ARE THREATENING THE SAFETY OF THE AGREED LOAN OF OUR PRECIOUS OBJECTS FROM HISTORICALLY IMPORTANT COLLECTIONS SUCH AS THE WABER-COOK OR THE BISCHOFF COLLECTION.

THE CHANGE OF THE EXHIBITIONS TITLE AS WELL AS THE PROPOSED CHANGES OF THE ITINERARY BETRAY THE IMPORTANT OF THE BOYCOTT MOVEMENT. WE DEPLOR THE FACT THAT YOU HAVE OMITTED INFORMING US ADEQUATELY ABOUT THE SERIOUSNESS OF THE BOYCOTT AND THE GRIEVANCES AIRED BY THE LUBICON BAND OVER OTHER NATIVE CANADIAN GROUPS, AS WELL AS ABOUT THE GROWING KOF WORLDWIDE SUPPORT FOR THE BOYCOTT.

HAVEING CONTACTED COLLEAGUES FROM LENDING INSTITUTIONS IN SWITZERLAND AND ITALY WE TAKE THE LIBERTY OF INFORMING YOU THAT THE LOAN OF OBJECTS FROM THE MUSEE D ETHNOGRAPHIE DE GENEVE (WHICH ARE ALREADY IN BERNE) HAS BEEN REVOKED BY THE CURATOR IN CHARGE, DANIEL SCHOEPP, BERGAMO (ITALY) AND NEUCHATEL (KAHR/HAINARD) HAVE, TO OUR KNOWLEDGE, ALREADY SENT WORD REFUSING TO LOAN AND WINTERTHUR (MR. SCHMUTZ) WILL SHORTLY FOLLOW. NO/NO DECISION HAS YET TO BEEN TAKEN BY YVERDON.

WE ARE SORRY TO HAVE HAD TO COME TO THIS NEGATIVE FINAL DECISION, AND REMAIN,

SINCERELY YOURS,

...3

001726

PAGE THREE ZNFC2127 UNCLAS

BERN HISTORICAL MUSEUM

DR GEORG GERMANN

DIRECTOR

DR ERNST J KLAY

HEAD OF ETHNOGRAPHY DEPT

CC: SCHMUTZ WINTERTHUR

HAINARD/KAHR, NEUCHÂTEL

SCHOEPP, GENEVE

GERBER, ZURICH

FRED LENNARSON, THE MIMIR CORP

CHIEF B OMINAYAK, LUBICON LAKE BAND

CANADIAN EMBASSY, BERNE

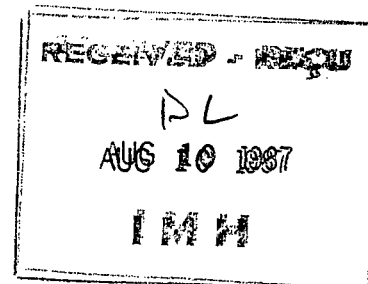
GRAND COUNCIL OF THE CREES (OF QUEBEC)

WITAG-SCHENKER JET CARGO AG, ZURICH

UNITED NATIVE NATIONS, VANCOUVER

UNQUOTE

UUU/006 071223Z ZNFC2127



UNCLASSIFIED

FM BERN ZNFC2127 07AUG87

TO EXTOTT IMH IMMED

INFO OSLO ROME STKHM HSNKI GENEV BONN LDN PARIS WSHDC

INAHULL/COULTER

DISTR MINA IMD BKE BKA RWR RWDN

REF OURTEL 2123 06AUG YOURTEL IMH1023 31JUL TO OSLO

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...2

PAGE TWO ZNFC2127 UNCLAS

NUMBER OF BOTH INSTITUTIONS AND INDIVIDUALS ALL OVER THE WORLD AND THE LUBICON LAKE BANDS MOUNTING ACTIVITIES. THE LATTER MAY BE JUSTIFIED OR NOT/NOT, THEY ARE THREATENING THE SAFETY OF THE AGREED LOAN OF OUR PRECIOUS OBJECTS FROM HISTORICALLY IMPORTANT COLLECTIONS SUCH AS THE WABER-COOK OR THE BISCHOFF COLLECTION.

THE CHANGE OF THE EXHIBITIONS TITLE AS WELL AS THE PROPOSED CHANGES OF THE ITINERARY BETRAY THE IMPORTANT OF THE BOYCOTT MOVEMENT. WE DEPLOR THE FACT THAT YOU HAVE OMITTED INFORMING US ADEQUATELY ABOUT THE SERIOUSNESS OF THE BOYCOTT AND THE GRIEVANCES AIRED BY THE LUBICON BAND OVER OTHER NATIVE CANADIAN GROUPS, AS WELL AS ABOUT THE GROWING KOF WORLDWIDE SUPPORT FOR THE BOYCOTT.

HAVEING CONTACTED COLLEAGUES FROM LENDING INSTITUTIONS IN SWITZERLAND AND ITALY WE TAKE THE LIBERTY OF INFORMING YOU THAT THE LOAN OF OBJECTS FROM THE MUSEE D ETHNOGRAPHIE DE GENEVE (WHICH ARE ALREADY IN BERNE) HAS BEEN REVOKED BY THE CURATOR IN CHARGE, DANIEL SCHOEPF, BERGAMO (ITALY) AND NEUCHATEL (KAHR/HAINARD) HAVE, TO OUR KNOWLEDGE, ALREADY SENT WORD REFUSING TO LOAN AND WINTERTHUR (MR. SCHMUTZ) WILL SHORTLY FOLLOW. NO/NO DECISION HAS YET TO BEEN TAKEN BY YVERDON.

WE ARE SORRY TO HAVE HAD TO COME TO THIS NEGATIVE FINAL DECISION, AND REMAIN,

SINCERELY YOURS,

...3

001729

PAGE THREE ZNFC2127 UNCLAS

BERN HISTORICAL MUSEUM

DR GEORG GERMANN

DIRECTOR

DR ERNST J KLAY

HEAD OF ETHNOGRAPHY DEPT

CC: SCHMUTZ WINTERTHUR

HAINARD/KAEHR, NEUCHÂTEL

SCHOEPF, GENEVE

GERBER, ZURICH

FRED LENNARSON, THE MIMIR CORP

CHIEF B OMINAYAK, LUBICON LAKE BAND

CANADIAN EMBASSY, BERNE

GRAND COUNCIL OF THE CREES (OF QUEBEC)

WITAG-SCHENKER JET CARGO AG, ZURICH

UNITED NATIVE NATIONS, VANCOUVER

UNQUOTE

UUU/006 071223Z ZNFC2127

RECEIVED - REÇU

AUG 7 1987

IMH

SUITE A 1001 R

FILE

45-CDN-18-1-3- Lubican
LK Bond

UNCLASSIFIED

FM BERN ZNFC2123 06AUG87

TO EXTOTT/IMH

INFO OSLO

REF YOURTEL IMH1023 31JUL TO OSLO

---LUBICON LAKE BAN/GLENBOW MUSEUM.

WOULD LIKE TO INFORM YOU OF 2 NEW DEVELOPMENTS IN SWITZ REGARDING
ISSUE.

A) EMB HAS RECEIVED COPY OF A LET DATED 29JUL SENT TO MR DUNCAN
CAMERON, GLENBOW, BY NEUCHATEL ETHNOGRAPHY MUSEUM DIRECTOR M
JACQUES HAINARD, WHO ANNOUNCES HIS DECISION TO CANCEL LOAN AGREE-
MENT REGARDING 2 ARTIFACTS. MAIN REASON GIVEN IS QUOTE SOLIDARITY
WITH NUMEROUS COLLEAGUES WHO HAVE DECIDED TO RECONSIDER THEIR
POSITION IN COMPLIANCE WITH RESOLUTION VOTED BY THE LAST GENERAL
ASSEMBLY OF ICOM UNQUOTE AND BECAUSE QUOTE THE RISKS WHICH APPEAR
IN THIS NEW CONTEXT UNQUOTE. COPIES HAVE ALSO BEEN SENT TO MR FRED
LENNARSON, EDMONTON, ERNST KLAY, HISTORICAL MUSEUM BERNE AND
SCHENKER TRANSPORTATION COMPANY IN ZURICH.

B) SMALL ITEM IN QUOTE LEBEN UND GLAUBEN UNQUOTE, GERMAN-SPEAKING
WEEKLY, DESCRIBED AS FAMILY MAGAZINE, WITH CIRCULATION OF 82000
(TITLE IN ENGLISH QUOTE LIFE AND FAITH UNQUOTE) STATES QUOTE POPE
TO HELP INDIANS UNQUOTE. THE ITEM REPORTS THAT CDN INDIANS OF THE
UNITED NATIVE NATIONS HAVE ASKED THE POPE NOT/NOT TO SUPPORT THE

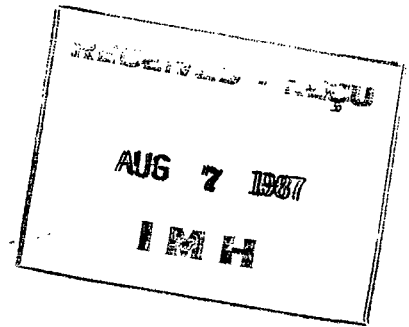
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PAGE TWO ZNFC2123 UNCLAS

EXHIBIT IN CALGARY BY REFUSING TO SEND ITEMS FROM VATICAN MUSEUMS.
THE ITEM BRIEFLY EXPLAINS THE SITUATION AND QUOTES CHIEF OMINAYAK
DURING A EUROPEAN TOUR.

2. APART FROM ABOVE-MENTIONED ITEM, USEFUL TO NOTE THAT UNTIL NOW,
SWISS PRESS HAS NOT/NOT BROUGHT UP LUBICON ISSUE VERY SUBSTANTIALLY
IN ITS RECENT VERY ABUNDENT REPORTS ON CALGARY OLYMPICS. WILL KEEP
YOU INFORMED ON ANY FURTHER DEVELOPMENTS.

UUU/205 061156Z ZNFC2123



UNCLASSIFIED

FM BERN ZNFC2123 06AUG87

TO EXTOTT/IMH

INFO OSLO

REF YOURTEL IMH1023 31JUL TO OSLO

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ASSEMBLY OF ICOM UNQUOTE AND BECAUSE QUOTE THE RISKS WHICH APPEAR
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UUU/205 061156Z ZNFC2123

External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Accession/Référence	
File/Dossier	
45-CD-13-1-3-	
21 AUG 87	21 30z

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SECURITY
SÉCURITÉ

P R O T E C T E D

AUG 24 1987

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FM/DE

FM EXTOTT IMH1111 21AUG87

TO/À

TO BONN

Deliver by 24 0900

IMH

INFO

INFO BRU BERNE HAGUE VIENN COPEN OSLO STKLM GENEV LDN PARIS ROME

DISTR

HSNKI WSHDC

REF

SUBJ/SUJ

INAHULL/DRUMMIE/BOGDASAVITCH/COULTER/MCGREGOR/WHITAKER DE OCI

DE OTT

JUSTOTT/FREEMAN PCOOTT/CARON

DIST MINA IMD BKC BKA RWR RWDN BFE JLO

---LUBICON LAKE: PAMPHLET CAMPAIGN

FRG CONSUL GENERAL ^{IN} EDMONTON HAS PASSED TO US (VIA INA) LETTER

AND PAMPHLET ON LUBICON LAKE INDIAN BAND. LETTERS HAVE

APPARENTLY BEEN SENT BY PERSON NAMED JOHN SHREVE, ON BEHALF OF

QUOTE VEREIN ZUR UNTERSTUTZUNG NORDAMERIKANISCHER INDIANER

UNQUOTE OR ASSOCIATION FOR THE SUPPORT OF THE NORTH AMERICAN

INDIANS, TO ALL POLITICAL PARTIES IN FRG. LETTER ENCLOSES A

PAMPHLET IN GERMAN WHICH IS TITLED IN ENGLISH QUOTE LAST STAND OF

THE LUBICON UNQUOTE.

2. IF LETTER AND PAMPHLET ARE KNOWN TO YOU, GRATEFUL IF YOU COULD

SEND US ASAP ENGLISH TRANSLATION OF BOTH, AS WE REQUIRE ENGLISH

TEXT ON URGENT BASIS IN ORDER TO PREPARE PAPER OF REFUTATION. IF

THESE ITEMS NOT KNOWN TO YOU, SUGGEST YOU TOUCH BASE DISCREETLY

WITH FRG MFA IN ORDER TO OBTAIN COPIES. FOR YOUR INFO AND INFO

OF OTHER POSTS ON DIST, WE ARE ENDEAVOURING TO PUT TOGETHER

...2

DRAFTER/RÉDACTEUR

D. LIVERMORE lp

DIVISION/DIRECTION

IMH

TELEPHONE

5-6960

APPROVED/APPROUVÉ

FD. PILLARELLA

SIG

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PAGE TWO IMH1111 R E S T R I C T E D

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BETTER PACKAGE OF MATERIALS ON CDN ABORIGINALS AND ON SPECIFIC
CASE OF LUBICON LAKE BAND FOR VARIETY OF PURPOSES, INCLUDING
GLENBOW BOYCOTT CAMPAIGN AND OCT 12 DEMONSTRATIONS OUTSIDE CDN
EMBASSY. AS OUR EXTREMELY ROUGH READING OF LETTER AND PAMPHLET
LEAD US TO BELIEVE THAT THESE ARE MOST EXTREME ACCUSATIONS MADE
TO DATE AGAINST CDN GOVT (AND ALBERTA GOVT), WE BELIEVE IT
INCUMBENT TO ESTABLISH BETTER CDN CASE AND ^{TO} UP-DATE INFO MATERIAL
SENT TO YOU IN LATE 1986.

3- GRATEFUL Preliminary reply by Wednesday 26, 0900h.

External Affairs Canada Affaires extérieures Canada

MESSAGE

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Accession/Référence	RECEIVED - REÇU
File/Dossier	45-CDR-13-1-3 AUG 24 1987 10z Lubicon Lake 15 on 1
	12 10

SECURITY
SÉCURITÉ

P R O T E C T E D

FM/DE
TO/À
INFO
DISTR
REF
SUBJ/SUJ

FM EXTOTT IMH1110 21AUG87

TO BERN

INFO OSLO ROME STKHM HSNKI GENEV BONN LDN BRU PARIS HAGUE WSHDC COPEN

CNBRA MOSCO/MIN JELINEK

PM INAHULL/COULTER DE OCI

SAC MLBRN DE CBA

DISTR MINA IMD BKC BFE BKA RWR RWDN

REF YOURTEL ZNGR0691 21AUG, ZNFC2123 AUG ~~21~~ ZNFC2127 07AUG

(NOTAL)

---SUBJECT LUBICON LAKE BAND: GLENBOW MUSEUM

DUNCAN CAMERON BRIEFED MEMBERS OF INTER-DEPTAL COMMUNITY THIS AM RE HIS RECENT EFFORTS TO REVERSE DECISIONS OF SOME SWISS MUSEUMS TO PARTICIPATE IN GLENBOW MUSEUM EXHIBITION. IN ESSENCE, CAMERON AND TWO OTHERS WILL TRAVEL TO EUROPE BETWEEN 07 AND 21 SEPTEMBER, FOLLOWING MUSEOLOGY CONF IN LEIDEN, NETHERLANDS, AT WHICH LUBICON LAKE BOYCOTT CAMPAIGN WILL ALSO BE ISSUE. TEAM WILL TRAVEL TO BRUSSELS, PARIS, BERNE, OSLO, EDINBURGH AND LDN, STOPPING AT MUSEUMS WHICH HAVE ALREADY AGREED TO PARTICIPATION, BUT WHERE FURTHER CONVERSATIONS ARE WARRANTED.

2.WE DISCUSSED EXTENT TO WHICH EMBASSIES AT EACH STOP WILL BE IMPORTANT TO HIS CENTRAL OBJECTIVE. IN ESSENCE, CAMERON WISHES TO TOUCH BASE WITH EMBASSY PERSONNEL PRIOR TO MTGS IN EACH CITY

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DRAFTER/RÉDACTEUR

DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

D. LIVERMORE lp

IMH

5-6960

FD. PILLARELLA

SIG

SIG

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✓PAGE TWO IMH1110 P R O T E C T E D

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(OBVIOUSLY, WHERE PRACTICABLE), AND WANTS TO BE ABLE TO SOLICIT ASSISTANCE OF EMBASSY IN ANY FOLLOW-UP EFFORTS WHICH MIGHT BE NECESSARY. GIVEN IMPORTANCE OF THIS EXHIBITION AS FLAG-SHIP OF CALGARY OLYMPICS, WE CONCURRED THAT EVERY ASSISTANCE, UP TO AND INCLUDING HEADS OF MISSION, WOULD BE MADE AVAILABLE TO HIM AT EACH STOP. WHETHER MISSION PERSONNEL (INCLUDING HOMES) SHOULD ACCOMPANY HIS TEAM TO APPOINTMENTS WILL DEPEND ON CIRCUMSTANCES, AND CAMERON WILL BE RESPONSIBLE FOR ADVISING POSTS OF HIS REQUIREMENTS. CAMERON'S EXACT ITINERARY IS STILL IN PROCESS OF DEVELOPMENT, AND WE EXPECT TO BE ABLE TO TELEX IT TO ALL CONCERNED POSTS SOMETIME DURING WEEK OF 24 AUG. CAMERON WILL CARRY WITH HIM, OR WE WILL SEND TO POSTS, RELEVANT INFORMATION RE LUBICON LAKE BAND GRIEVANCES AND ANY OTHER INFO MATERIAL JUDGED USEFUL.

3. IT IS CLEAR THAT LUBICON LAKE ISSUE IS NOW HEADING TOWARDS ANOTHER PHASE. FOR GLENBOW, NEXT FEW WEEKS ARE CRUCIAL, AS CONTRACTS NEED TO BE SIGNED AND SHIPPING DATES MUST BE FIRMED UP. WE UNDERSTAND THAT LUBICON LAKE BAND CHIEF AND HIS NON-NATIVE ADVISERS WILL BE LEAVING SHORTLY FOR WESTERN EUROPE, IN PART TO ATTEMPT TO SECURE NEW ADHERENTS TO BOYCOTT CAMPAIGN, IN PART TO HELP TO ORGANIZE DEMONSTRATIONS AROUND CDN EMBASSIES FOR OCT 12. WE ARE CONSCIOUS OF POINTS RAISED IN YOURTEL ZNGR 0691 OF 21 AUG ABOUT INDEPENDENCE OF MUSEUM COMMUNITY AND NEED TO RESPECT -- --

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✓ PAGE THREE IMH1110 P R O T E C T E D

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DISTANCE WHICH SOME OF THESE INSTITUTIONS ENJOY FROM GOVTS. ON
OTHER HAND, POSTS CAN APPRECIATE IMPORTANCE WE ATTACH TO
SUCCESSFUL OLYMPIC CELEBRATIONS, AND NEED TO COUNTERACT WHAT WE
CONSIDER TO BE UNFAIR, INACCURATE, MISLEADING AND MALEVOLENT
CAMPAIGN WHICH HAS LONGER-TERM IMPLICATIONS FOR CDN IMAGE IN KEY
PART OF THE WORLD.

4.TEL TO FOLLOW ASAP FOR BRU, PARIS, BERNE, OSLO AND LDN ONCE
CAMERON ITINERARY FIRMED UP. OTHER RELATED ITEMS TOUCHING
DIRECTLY ON LUBICON WILL BE SENT SHORTLY TO POSTS MOST DIRECTLY
CONCERNED.



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Accession/Référence
File/Dossier 45-CD4-13-1-3-LUBI COU
20 Aug 87 11 11z LAKE BAND
12 10

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Alignez le premier caractère de la Sécurité sous cette flèche

SECURITY SÉCURITÉ	UNCLASSIFIED
FM/DE	FM EXTOTT JLO 1122 19AUG87
TO/À	TO GENEV
INFO	INFO PRMNY JUSTOTT/WEISER/FREEMAN FPROTT/CARON
DISTR	SECSTATEHULL/DADSON INAHULL/WHITAKER
REF	DIST IMH JCD JFB MINA
SUBJ/SUJ	REF YOURTEL YTGR 4970 11AUG
	--HUMAN RIGHTS CTTEE: COMMUNICATIONS 167/1984 (LUBICON)
	IT HAS BEEN AGREED INTERDEPARTMENTALLY THAT CDN GOVT WILL
	FORMALLY REQUEST HUMAN RIGHTS CTTEE TO RECONSIDER ITS
	DECISION ON ADMISSIBILITY OF LUBICON LAKE COMMUNICATION.
	YOU SHOULD THEREFORE RESPOND TO SEC GEN'S NOTE (G/SO 215/51
	CANA(38) 167/1984 OF 6AUG1987) AS FOLLOWS: QUOTE THE GOVT
	OF CANADA WISHES TO INFORM THE COMMITTEE OF ITS INTENTION
	TO REQUEST THE COMMITTEE TO REVIEW ITS DECISION ON THE
	ADMISSIBILITY OF COMMUNICATION NO. 167/1984 SUBMITTED BY
	CHIEF BERNARD OMINAYAK ON BEHALF OF THE LUBICON LAKE BAND.
	IN ACCORDANCE WITH RULE 93(4) OF THE COMMITTEE'S RULES
	OF PROCEDURE, THE GOVERNMENT OF CANADA WILL, IN DUE COURSE,
	TRANSMIT TO THE COMMITTEE APPROPRIATE EXPLANATIONS AND
	STATEMENTS FOR THE PURPOSE OF SEEKING CLARIFICATION AND
	RECONSIDERATION OF ITS DECISION UNQUOTE.

DRAFTER/RÉDACTEUR	DIVISION/DIRECTION	TELEPHONE	APPROVED/APPROUVÉ
P. McRae / jk	JLO	992-2002	P. McRae
SIG			SIG

001740

A3

ACTION
SUITE A DONNER

P R O T E G E

DE BERN ZNGR0691 21A0U87

A EXTOTT IMH LIVRAISON 211203

BRU. HAGUE

INFO OSLO ROME STKHM HSNKI GENEV BONN LDN/PARIS WSHDC CNBRA

MOSCO/MIN JELINEK

PM INAHULL/COULTER DE OCI

SAC MLBRN DE CBA

DISTR MINA IMD BKC BFE BKA RWR RWDN

REF VOTRETEL IMH1299 19A0U

ACC	AGE
FILE	DOSSIER
45-CA-13-1-3	
LOC	
C7-C	

Lubicon
Lake
Rend

---LUBIKON LAKE BAND/GLENBOW MUSEUM

SOMMES EN EFFET IMPATIENTS DE CONNAITRE LES TENANTS ET ABOUTISSANTS
D UNE STRATEGIE QUI NOUS PERMETTRA DE MIEUX DEFENDRE LES INTERETS
CANADIENS. EN CETTE MATIERE. ESPERONS EN CONNAITRE LES ELEMENTS AVANT
LA RECONTRE DU MINISTRE JELINEK AVEC MEMBRES DU CIO. NOUS VOUS
ASSURONS DE TOUTE NOTRE COLLABORATION BIEN QUE NOUS SOUHAITIONS DES
MAINTENANT ILLUSTRER QUE NOUS AVONS PEU DE MOYENS D INFLUENCER L
ISSU DU DEBAT.

2. AVONS UN MOMENT SONGE A INVITER PERSONNALITES FEDERALES AU
DEJEUNER QUE L AMBASSADEUR DONNERA LE 26 A L OCCASION DU PASSAGE
DE MINISTRE JELINEK. TOUTEFOIS, APRES MURE REFLEXION, AVONS ABANDONNE
CETTE IDEE. MUSEES SUISSES SONT EN EFFET DES INSTITUTIONS AUTONOMES
DE DROIT PRIVE. ILS RELEVANT SOIT DES CANTONS, SOIT DES COMMUNES, SOIT
D ASSOCIATIONS PRIVEES MAIS EN AUCUN CAS DU GOUVERNEMENT CONFEDERAL
AVEC LEQUEL ELLES N ONT AUCUN LIEN JURIDIQUE OU ORGANIQUE. MUSEE D

...2

PAGE DEUX ZNGR0691 PROTEGE

HISTOIRE DE BERNE EST GERE PAR UNE FONDATION COMPOSEE DE REPRESENTANTS DU CANTON POUR UN PREMIER TIERS, DE REPRESENTANTS DE LA COMMUNE DE BERNE POUR UN SECOND TIERS ET DE LA COMMUNE BOURGEOISE POUR LE DERNIER TIERS. LES DEUX SEULS INTERLOCUTEURS HABILITES A PARLER EN SON NOM SONT LE DIRECTEUR DE LA FONDATION ET LE DIRECTEUR DU MUSEE. CETTE AMBASSADE A DEJA FAIT L EXPERIENCE DE L ESPRIT D INDEPENDANCE TOTALE DES MUSEES SUISSES ET NOUS SOMMES PEU OPTIMISTES QUANT A LA POSSIBILITE D INFLECHIR UNE DECISION QUI, COMME VOUS LE SOULIGNEZ VOUS-MEMES, A DEJA ETE RENDUE PUBLIQUE ET D AUTANT PLUS DIFFICILE A RENSERER.

3. PRESUMONS QUE LA STRUCTURE ORGANIQUE DE MUSEE D HISTOIRE DE BERNE N EST EN RIEN ORIGINALE ET QUE NOUS LA RETROUVERONS AILLEURS. IL FAUDRA DONC TENIR COMPTE DE L INDEPENDANCE DES MUSEES ET DE LA VOLONTE QU ILS ONT DE LA CONSERVER DANS TOUTE STRATEGIE VISANT A DEFENDRE NOS INTERETS. RISQUE D ENVENIMER LA SITUATION OU DE DURCIR POSITIONS DEJA FERMES EST BIEN REEL.

CCC/006 211222Z ZNGR0691

OFFICE DES NATIONS UNIES A GENÈVE



UNITED NATIONS OFFICE AT GENEVA

CENTRE POUR LES DROITS DE L'HOMME

CENTRE FOR HUMAN RIGHTS

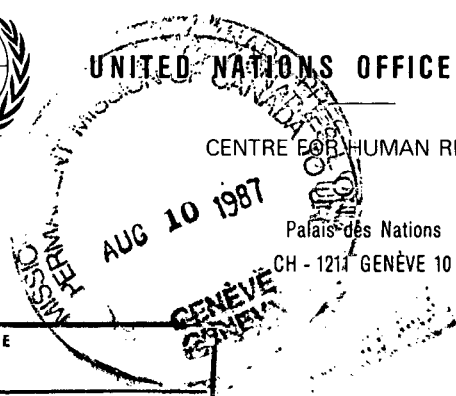
Télégrammes : UNATIONS, GENÈVE

Télex : 28 96 96

Téléphone : 34 60 11 31 02 11

RÉF. N°: G/SO 215/51 CANA (38)
(à rappeler dans la réponse) 167/1984

ACC	REF	DATE
516074		
FILE	DOSSIER	
45-CDA-13-1-3-LUBICON LAKE BAND		



The Secretary-General of the United Nations presents its compliments to the Permanent Representative of Canada to the United Nations Office at Geneva and has the honour to transmit herewith the English and French texts of a decision on admissibility, adopted by the Human Rights Committee on 22 July 1987, concerning communication No. 167/1984, submitted to the Human Rights Committee under the Optional Protocol to the International Covenant on Civil and Political Rights by Chief Bernard Ominayak on behalf of the Lubicon Lake Band.

In accordance with article 4 (2) of the Optional Protocol, His Excellency's Government is requested to submit its written explanations or statements on the substance of the matter under consideration, in so far as the communication may raise issues under article 27 or other articles of the Covenant.

In conformity with operative paragraph 2 of the Committee's decision, the Secretary-General also has the honour to draw attention to the Committee's request, under rule 86 of the Committee's provisional rules of procedure, that the State party take interim measures to avoid irreparable damage to Chief Ominayak and other members of the Lubicon Lake Band. The Committee's expression of its views on the desirability of interim measures does not imply a determination on the merits of the communication.

The State party's explanations or statements on the substance of the matter under consideration should reach the Human Rights Committee (in care of the Centre for Human Rights, United Nations Office at Geneva) within six months of the date of this note, that is not later than 6 February 1988.

6 August 1987

TRANSMITTAL AND RECEIPT NOTE -- NOTE D'ENVOI ET DE RÉCEPTION

TO
À

EXTOTT JLO

PROTECTED

WITHOUT ATTACHMENT(S) / SANS ANNEXE(S)

PROTECTED

NO. 4969

DATE 11AUG87

QUANTITY
QUANTITÉ

DESCRIPTION - DESCRIPTION

REFERENCE - RÉFÉRENCE

Subject : Human Rights Committee : Lubicon Lake Band

Further to our telegram YTGR4708 of July 28,
attached is Note from Centre for Human Rights
requesting further government input by
February 6, 1988.

Distribution faite à

JUSTOTT/LOW/FREEMAN
SECSTATEHULL/DADSON
INAHULL/WHITAKER/COULTER
FPROOTT/OACA/CARON

EXTOTT / IMH JCD 26/08

RECEIVED - REÇU

AUG 18 1987

Legal Operations Division (JLO)
Direction des Opérations juridiques

RECEIPT ACKNOWLEDGED / ACCUSER RÉCEPTION

RETURN TO / RETOURNER À

The Permanent Mission of Canada
Geneva

DATE

SIGNATURE



**INTERNATIONAL
COVENANT
ON CIVIL AND
POLITICAL RIGHTS**



Distr.
RESTRICTED */

CCPR/C/30/D/167/1984
27 July 1987

Original: ENGLISH

HUMAN RIGHTS COMMITTEE
Thirtieth session

DECISIONS

Communication No. 167/1984

Submitted by: Bernard Ominayak, Chief of the Lubicon Lake Band
(represented by counsel)

Alleged victims: The Lubicon Lake Band

State party concerned: Canada

Date of communication: 14 February 1984

Documentation references: Prior decisions - CCPR/C/WG/23/D/167/1984 (rule 91
decision, 9 November 1984)
- CCPR/C/27/D/167/1984 (interim
decision, 10 April 1986)

Date of present decision: 22 July 1987

Decision on admissibility

*/ All persons handling this document are requested to respect and observe its confidential nature.

1. The author of the communication (initial letter dated 14 February 198 and subsequent letters and legal memoranda dated 23 January, 27 March, 8 July and 31 July 1985, 9 April and 30 June 1986, 25 February, 19 March and 12 June 1987) is Chief Bernard Ominayak (hereinafter referred to as the author) of the Lubicon Lake Band, Canada. He is represented by counsel.

2.1 The author alleges violations by the Government of Canada of the Lubicon Lake Band's right of self-determination and by virtue of that right to freely determine its political status and pursue its economic, social and cultural development, as well as the right to freely dispose of its natural wealth and resources and not to be deprived of its own means of subsistence. These violations allegedly contravene Canada's obligations under articles 1 (1), 1 (2) and 1 (3) of the International Covenant on Civil and Political Rights.

2.2 Chief Ominayak is leader and representative of the Lubicon Lake Band, who are Cree Indians living within the borders of Canada, in the Province of Alberta. They are subject to the jurisdiction of the Federal Government of Canada allegedly in accordance with a fiduciary relationship assumed by the Canadian Government with respect to Indian Peoples and their lands located within Canada's national borders. The Lubicon Lake Band is a self-identified, relatively autonomous, socio-cultural and economic group. They have continuously inhabited, hunted, trapped and fished a 25,000 square mile area in Northern Alberta since time immemorial. Since their territory is relatively inaccessible, they have, until recently, had little contact with non-Indian society. Band members speak Cree as their primary language. Many do not speak, read or write English. The Band continues to maintain its traditional culture, religion, political structure and subsistence economy.

2.3 It is claimed that the Canadian Government, through the Indian Act of 1970 and Treaty 8 of 21 June 1899 (concerning aboriginal land rights in Northern Alberta) recognized the right of the original inhabitants of that area to continue their traditional way of life. Despite these laws and agreements, the Canadian Government has allowed the Provincial Government of Alberta to expropriate the territory of the Lubicon Lake Band for the benefit of private corporate interests (e.g. leases for oil and gas exploration). In so doing Canada is accused of violating the Band's right to freely determine its political status and to pursue its economic, social and cultural development, as guaranteed by article 1 (1) of the Covenant. Furthermore, energy exploration in the Band's territory allegedly entails a violation of article 1 (2) which grants all peoples the right to dispose of their natural wealth and resources. In destroying the environment and undermining the Band's economic base, the Band is allegedly being deprived of its means to subsist and of the enjoyment of the right of self-determination guaranteed in article 1.

3.1 The author states that the same matter has not been submitted for examination under another procedure of international investigation or settlement.

3.2 With respect to the exhaustion of domestic remedies, it is stated that the Lubicon Lake Band has been pursuing its claims through domestic political and legal avenues. It is alleged that the domestic political and legal

process in Canada is being used by Government officials and energy corporation representatives to thwart and delay the Band's actions until, ultimately, the Band becomes incapable of pursuing them, because industrial development at the current rate in the area, accompanied by the destruction of the environmental and economic base of the Band, would make it impossible for the Band to survive as a people for many more years.

3.3 On 27 October 1975, representatives of the Lubicon Lake Band filed with the Registrar of the Alberta (Provincial) Land Registration District, a request for a caveat which would give notice to all parties dealing with the caveated land of their assertion of aboriginal title, a procedure foreseen in the Provincial Land Title Act. The Supreme Court of Alberta received arguments on behalf of the Provincial Government, contesting the caveat, and on behalf of the Lubicon Lake Band. On 7 September 1976, the Provincial Attorney General filed an application for a postponement, pending resolution of a similar case; the application was granted. But on 25 March 1977 the Attorney General introduced in the Provincial Legislature an amendment to the Land Title Act precluding the filing of caveats; the amendment was passed and made retroactive to 13 January 1975, thus predating the filing of the caveat involving the Lubicon Lake Band. Consequently, the Supreme Court hearings were dismissed as moot.

3.4 On 25 April 1980 the Band filed an action in the Federal Court of Canada, requesting a declaratory judgement concerning their rights to their land, its use, and the benefits of its natural resources. The claim was dismissed on jurisdictional grounds against the Provincial Government and all energy corporations except one (Petro-Canada). The claim with the Federal Government and Petro-Canada as defendants was allowed to stand, but is still pending.

3.5 On 16 February 1982 an action was filed in the Court of Queen's Bench of Alberta, requesting an interim injunction to halt development in the area until issues raised by the Band's land and natural resource claims were settled. The main purpose of the interim injunction, the author states, was to prevent the Alberta Government and the oil companies ("Defendants") from further destroying the traditional hunting and trapping territory of the Lubicon Lake people. This would have permitted the Cree Aboriginal People of Lubicon Lake to continue to hunt and trap for their livelihood and subsistence and as a part of their aboriginal way of life. As stated in the communication, the Provincial Court did not render its decision for almost two years, during which time oil and gas development continued, along with gross and unnecessary destruction of the Band's economic base. On 17 November 1983, the request for an interim injunction was denied and the Band, though financially destitute, was subsequently held liable for all court costs and attorneys' fees associated with the action.

3.6 The decision of the Court of Queen's Bench was appealed to the Court of Appeal of Alberta. It was dismissed by the Court of Appeal on 11 January 1985. In reaching its decision, the Court of Appeal agreed with the lower court's finding that the Band's claim of aboriginal title to the land presents a serious question of law to be decided at trial. None the less, the Court of Appeal found that the Aboriginal People of Lubicon Lake would suffer no irreparable harm if resource development continued fully and that the balance of convenience, therefore, favoured denial of the injunction.

3.7 The author states that the Defendants attempted to convince the Court that the Aboriginal Peoples of Lubicon Lake have no right to any possession of any sort in any part of the subject lands, which, logically, included even their homes. In response, the Court pointed out that any attempt to force the Lubicon People from their dwellings might indeed prompt interim relief, as would attempts to deny them access to traditional burial grounds or other special places, or to hunting and trapping areas. In its complaint, the Band alleged denial of access to all of these areas, supporting its allegations with photographs of damage and with several uncontested affidavits. Yet, the Court overlooked the Band's evidence and concluded that the Band had failed to demonstrate that such action had been taken or indeed threatened by the Defendants.

3.8 The author further states that the legal basis for the Court of Appeal's decision was its own definition of irreparable injury. This test was: injury which is of such a nature that no fair and reasonable redress may be had in a court of law and that to refuse the injunction would be a denial of justice. The author submits that the People of Lubicon Lake clearly met this test by demonstrating, with uncontested proof, injury to their livelihood, to their subsistence economy, to their culture and to their way of life as a social and political entity. Yet, the Court found that the Band had not demonstrated irreparable harm.

3.9 On 18 February 1985, the Aboriginal Peoples of Lubicon Lake presented arguments to a panel of three (3) judges of the Supreme Court of Canada, requesting leave to appeal from the judgement of the Alberta Court of Appeal. By a judgement without opinion, rendered on 14 March 1985, the Supreme Court of Canada dismissed the application for leave to appeal with costs. Generally, the author states, the criteria for granting leave to appeal are: whether the questions presented are of public importance, whether the case contains important issues of law, or whether the proceedings are for any reason of such a nature or significance as to warrant a decision by the Supreme Court of Canada. He states that the issues presented by the Lubicon Lake Band involved such questions as: the interpretation of the constitutional rights of Aboriginal Peoples, the existence of which was recently confirmed by the Constitution Act, 1982; the remedies available to Aboriginal Peoples; the rights of Aboriginal Peoples to carry out traditional subsistence activities in traditional hunting and trapping grounds; the legal régime applicable to a large area of land in Northern Alberta; conflicts between Canada's traditional, land-based societies and its industrial society; public interests and minority interests; the competing rights of public authorities and individuals; considerations of fundamental and equitable justice; equality before the law; and the right to equal protection and benefit of the law. The author submits that at least the first four questions have not yet been adjudicated by the Supreme Court of Canada and that they incontrovertibly fall within the criteria set out for granting leave to appeal.

4. By its decision of 16 October 1984, the Working Group of the Human Rights Committee transmitted the communication under rule 91 of the provisional rules of procedure, to the State party concerned, requesting information and observations relevant to the question of admissibility of the communication. The main points reflected in the information and observations received from the State party are set out in paragraphs 5.1 to 5.7 and 6.1 to 6.4 below:

5.1 Exhaustion of domestic remedies: In its submission dated 31 May 1985, the State party contends, first of all, that the Lubicon Lake Band has not pursued to completion domestic remedies commenced by it and that responsibility for any delays in the application of such remedies does not lie with the Government of Canada. The State party recalls that the Lubicon Lake Band suing in its own legal right, and Chief Bernard Ominayak suing in his personal capacity, and with other Band Councillors in a representative capacity, have initiated three different legal procedures and points out that only the litigation concerning the caveat filed by the Band has been finally determined. Two other legal actions, one in the Federal Court of Canada and one in the Alberta Court of Queen's Bench, are said to be still pending.

5.2 With regard to the Federal Court action referred to in the communication, the State party recalls that the Band and its legal advisors in April 1980, sought to sue the Province of Alberta and private corporations in proceedings in the Federal Court of Canada. It is submitted that in the circumstances of this case, neither the Province nor private entities could have been sued as defendants in the Federal Court of Canada ... Rather than reconstitute the proceedings in the proper forum, the State party submits, the Band contested interlocutory proceedings brought by these defendants concerning the issue of jurisdiction. These interlocutory proceedings resulted in a determination against the Band in November 1980. An appeal by the Band from the decision of the Federal Court was dismissed by the Federal Court of Appeal in May 1981.

5.3 Following the interlocutory proceedings relating to the jurisdiction of the Federal court, a new action was instituted on 21 February 1982, against the Province and certain corporate defendants in the Court of Queen's Bench of Alberta. As indicated in the communication, the Band sought an interim injunction. In November 1983, after extensive proceedings, the Band's interim application was dismissed by the Court of Queen's Bench based on the case of Erickson v. Wiggins Adjustments Ltd., [1980] 6 W.R.R. 188 which set out the criteria that must be present for a court to grant an interim injunction. Pursuant to that case, an applicant for an interim injunction must establish:

- (1) that there exists a serious issue to be tried,
- (2) that irreparable harm will be suffered prior to trial if no injunction is granted, and
- (3) that the balance of convenience between the parties favours relief to the applicant.

The State party points out that the Alberta Court denied the Band's application on the grounds that the Band had failed to prove irreparable harm and that it could be adequately compensated in damages if it was ultimately successful at trial.

5.4 Rather than proceed with a trial on the merits, the Band appealed against the dismissal of the interim application. Its appeal was dismissed by the Alberta Court of Appeal of 11 January 1985. The Band's application for leave to appeal the dismissal of the interim injunction to the Supreme Court of Canada was refused on 14 March 1985. Almost two months later, on 13 May 1985, the State party adds, the Supreme Court of Canada denied another

request by the Band that the court bends its own rules to rehear the application. Thus, the State party states, the Court upheld its well-established rule prohibiting the rehearing of applications for leave to appeal.

5.5 The State party submits that after such extensive delays caused by interim proceedings and the contesting of clearly-settled procedural matters of law the author's claim that the application of domestic remedies is being unreasonably prolonged has no merit. It submits that it has been open to the Band as plaintiff to press on with the substantive steps in either of its legal actions so as to bring the matters to trial. It is the position of the Government of Canada that the author cannot rely on the plaintiff's own inaction to claim that the application of remedies have been unreasonably prolonged.

5.6 Additional Remedies: The State party submits that the term "domestic remedies", in accordance with the prevailing doctrine of international law, should be understood as applying broadly to all established municipal procedures of redress. Article 2 (3)(b) of the Covenant, it states, recognizes that in addition to judicial remedies, a State party to the Covenant can also provide administrative and other remedies. Following the filing of its defence in the Federal Court action, the Federal Government proposed late in 1981 that the claim be settled by providing the Band with reserve land pursuant to a treaty concluded in 1899. The conditions proposed by the Province (which holds legal title to the lands) were not acceptable to the Band and it accordingly rejected the proposed resolution to the dispute.

5.7 The Lubicon Lake Band's claim to certain lands in Northern Alberta, the State party submits, is part of an extremely complex situation, that involves competing claims from several other native communities in the area. In June 1980, approximately two months after the Band commenced its action in the Trial Division of the Federal Court, six other native communities filed with the Department of Indian Affairs a separate land claim asserting aboriginal title to lands which overlap with the property sought by the Lubicon Lake Band's claim. Subsequently, in June 1983, the Big Stone Cree Band filed a claim with the Department of Indian Affairs - this time claiming treaty entitlement - to an area which also overlaps with land claimed by the Lubicon Lake Band. The Big Stone Cree Band allegedly represents five of the native communities that filed the June 1980 claim based on aboriginal title. To deal with this very complex situation, in March 1985 the Minister of Indian and Northern Affairs appointed a former judge of the British Columbia Supreme Court as a special envoy of the Minister to meet with representatives from the Band, other native communities and the Province, review the entire situation and formulate recommendations. The State party submits that consideration of the Lubicon Lake Band's claim in isolation from the competing claims of the other native communities would jeopardize the domestic remedy of negotiated settlement selected by the latter.

6.1 Right of Self-Determination: The Government of Canada submits that the communication, as it pertains to the right of self-determination, is inadmissible for two reasons. Firstly, the right of self-determination applies to a "people" and it is the position of the Government of Canada that the Lubicon Lake Band is not a people within the meaning of article 1 of the Covenant. It is therefore submitted that the communication is incompatible

with the provisions of the Covenant and as such, should be found inadmissible under article 3 of the Protocol. Secondly, communications under the Optional Protocol can only be made by individuals and must relate to the breach of a right conferred on individuals. The present communication, the State party submits, relates to a collective right and the author therefore lacks standing to bring a communication pursuant to articles 1 and 2 of the Optional Protocol.

6.2 The Government of Canada submits that the Lubicon Lake Band does not constitute a people for the purposes of article 1 of the Covenant and it therefore is not entitled to assert under the Protocol the right of self-determination. It points out that the Lubicon Lake Band comprises only one of 582 Indian Bands in Canada and a small portion of a larger group of Cree Indians residing in Northern Alberta. It is therefore the position of the Government of Canada that the Lubicon Lake Indians are not a "people" within the meaning of article 1 of the Covenant.

6.3 The Government of Canada submits that self-determination as contained in article 1 of the Covenant is not an individual right, but rather provides the necessary contextual background for the exercise of individual human rights. This view, it contends, is supported by the following phrase from the Committee's General Comments on article 1 (CCPR/C/21/Add.3, 5 October 1984) which provides that the realization of self-determination is:

an essential condition for the effective guarantee and observance of individual human rights and for the promotion and strengthening of those rights. (emphasis added)

The General Comment, the State party adds, goes on to recognize that the rights embodied in article 1 are set apart from, and before, all the other rights in the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights. The rights in article 1, which are contained in Part I of the Covenant are, in the submission of Canada, different in nature and kind from the rights in Part III. The former are collective, the latter individual. Thus, the structure of the Covenant, when viewed as a whole, further supports the argument that the right of self-determination is a collective one available to peoples. As such, the State party argues, it cannot be invoked by an individual under the Optional Protocol.

6.4 The Government of Canada contends that the Committee's jurisdiction, as defined by the Optional Protocol, cannot be invoked by an individual when the alleged violation concerns a collective right. It therefore contends that the present communications pertaining to self-determination for the Lubicon Lake Band should be dismissed.

7. In response to the State party's submission on the question of admissibility, the author submitted on 8 July 1985 a detailed legal memorandum, addressing all the objections raised by the Government of Canada. The author summarizes his arguments as follows: The Government of Canada offers three principal allegations in its response. It alleges, first, that the Lubicon Lake Band has not exhausted domestic remedies. However, the Band has, in fact, exhausted these remedies to the extent that they offer any meaningful redress of its claims concerning the destruction of its means of livelihood. Secondly, the Government of Canada alleges that the

concept of self-determination is not applicable to the Lubicon Lake Band. The Lubicon Lake Band is an indigenous people who have maintained their traditional economy and way of life, and have occupied their traditional territory since time immemorial. At a minimum, the concept of self-determination should be held to be applicable to these people as it concerns the right of a people to their means of subsistence. Finally, the Government of Canada makes allegations concerning the identity and status of the communicant ... The "communicant" is identified in the Band's original communication. The "victims" are the members of the Lubicon Lake Band, who are represented by their unanimously elected leader, Chief Bernard Ominayak.

8.1 By its interim decision of 10 April 1986, the Committee, recalling that the State party had informed it that the Minister of Indian and Northern Affairs had appointed a special envoy and given him the task to review the situation, requested the State party to furnish the Committee with the special envoy's report and with any information as to recommendations as well as measures which the State party had taken or intended to take in that connection.

8.2 In this same decision the Committee requested the author to inform it of any developments in the legal actions pending in the Canadian courts.

9.1 In his reply, dated 30 June 1986, to the Committee's interim decision, the author claims that there has been no substantive progress in any of the pending court proceedings. He reiterates his argument that "the Band's request for an interim injunction to halt the oil development which has destroyed the subsistence livelihood of its people, was denied and the Supreme Court of Canada refused to grant leave to appeal the denial ... The development and the destruction, therefore, continue unabated. The Band's attorney is continuing to pursue the claims through the courts despite the fact that the Band is unable to provide financial support for the effort and that there is no possible hope of resolution for the next several years. Therefore, the Band has no basis for altering its previous conclusion that, for all practical purposes, its domestic judicial remedies have been exhausted".

9.2 The Band also points out that the Federal Government's special envoy, Mr. E. Davie Fulton, had been relieved of his responsibilities following the submission of his "Discussion Paper" to the Federal Government of Canada. "In the Discussion Paper ... Mr. Fulton reached much the same conclusion as the Band itself; that the Canadian Government must bear the blame for the situation at Lubicon Lake and that the resolution of the problem is up to the Federal Government. His report also suggested a land settlement based on the Band's current population and recognized the importance of providing the Band with wildlife management authority throughout its hunting and trapping territory. The land settlement proposed by Mr. Fulton, which would result in a reserve significantly larger than the 25 square mile reserve the Band was promised in 1940, is consistent with the position of the Band with regard to this issue ... Mr. Fulton also recommended that Alberta compensate the Band for damage caused by the unrestricted oil and gas development for which it has issued leases within the Band's territory. In addition to relieving Mr. Fulton of his responsibility in the matter, the Federal Government, to date, has refused to make his Discussion Paper public."

10.1 In its reply to the Committee's interim decision, dated 23 June 1986, the State party forwarded the text of Mr. Fulton's report and noted that it had appointed Mr. Roger Tassé to act as negotiator. Furthermore, it informed the Committee that on 8 January 1986 the Canadian Government had paid to the Band 1.5 million dollars to cover legal and other related costs.

10.2 In its comments of 20 January 1987 to the author's submission of 30 June 1986, the State party argues that following the rejection of the Band's application for an interim injunction, "the Band should then have taken steps with all due speed to seek its permanent injunction before seeking international recourse. The Band alleges in its submission ... that the delay in the litigation will cause it irreparable harm. Its action for a permanent injunction would, if successful, permanently prevent that harm".

11.1 On 23 and 25 February 1987 the author submitted two very extensive supplements to the communication, discussing inter alia matters of substance, such as the Fulton Discussion Paper, and arguing that "Canada has abandoned key recommendations contained in the Fulton Discussion Paper," and that "Canada is attempting retroactively to subject the Band to a law which this Committee has held to be in violation of article 27 of the International Covenant on Civil and Political Rights and which Canada amended in accordance with the findings of this Committee".

11.2 With regard to the pending litigation proceedings, the Band contends that a permanent injunction would not constitute an effective remedy because it would come too late, explaining that "the recognition of aboriginal rights or even treaty rights by a final determination of the courts will not undo the irreparable damage to the society of the Lubicon Lake Band, will not bring back the animals, will not restore the environment, will not restore the Band's traditional economy, will not replace the destruction of their traditional way of life, and will not repair the damages to the spiritual and cultural ties to the land. The consequence is that all domestic remedies have indeed been exhausted with respect to the protection of the Band's economy as well as its unique, valuable and deeply cherished way of life".

12. In a further submission, dated 12 June 1987, the author states: that "the Lubicon Lake Band is not requesting a territorial rights decision. Rather, the Band requests only that the Human Rights Committee assist it in attempting to convince the Government of Canada that: (1) the Band's existence is seriously threatened by the oil and gas development which has been allowed to proceed unchecked on their traditional hunting grounds and in complete disregard for the human community inhabiting the area; and (2) that Canada is responsible for the current state of affairs and for co-operating in their resolution in accordance with Article 1 of the Optional Protocol".

13. In its submission of 26 June 1987 the State party observes: "The Government of Canada wishes to assist the Human Rights Committee in resolving this matter without further delay, and in recognition of the Committee's onerous workload, does not wish to add unnecessarily to the already large quantity of material before the Committee. It is the position of the Government of Canada that the Human Rights Committee has sufficient information before it to make a decision on the issue of admissibility".

14.1 Before considering a communication on the merits, the Committee must ascertain whether it fulfils all conditions relating to its admissibility under the Optional Protocol. With regard to article 5 (2)(a) of the Optional Protocol, the Committee has not received any information that the subject-matter has been submitted to another procedure of international investigation or settlement. Accordingly, the Committee finds that the communication is not inadmissible under article 5 (2)(a) of the Optional Protocol.

14.2 With regard to the requirement in article 5 (2)(b) of the Optional Protocol that authors must exhaust domestic remedies before submitting a communication to the Human Rights Committee, the author of the present communication invoked the provision in said article that this requirement should be waived "where the application of the remedies is unreasonably prolonged". The author has further argued that the only effective remedy in the circumstances of the case was to seek an interim injunction, because "without the preservation of the status quo, a final judgement on the merits, even if favourable to the Band, would be rendered ineffectual", in so far as "any final judgement recognizing aboriginal rights, or alternatively treaty rights, [could] never restore the way of life, livelihood and means of subsistence of the Band". In previous decisions on admissibility, the Committee has already clarified the meaning of article 5 (2)(b), explaining that "exhaustion of domestic remedies can be required only to the extent that these remedies are effective and available". Accordingly, in the circumstances of this case, the Committee finds that there are no effective remedies still available to the Lubicon Band and finds that the communication is not inadmissible under article 5 (2)(b) of the Optional Protocol.

14.3 With regard to the State party's contention that the author's communication pertaining to self-determination should be declared inadmissible because "the Committee's jurisdiction, as defined by the Optional Protocol, cannot be invoked by an individual when the alleged violation concerns a collective right", the Committee reaffirms that the Covenant recognizes and protects in most resolute terms a people's right of self-determination and its right to dispose of its natural resources, as an essential condition for the effective guarantee and observance of individual human rights and for the promotion and strengthening of those rights. However, the Committee observes (as it has already done with regard to communication No. 197/1985) that the author, as an individual, cannot claim under the Optional Protocol to be a victim of a violation of the right of self-determination enshrined in article 1 of the Covenant, which deals with rights conferred upon peoples, as such.

14.4 The Committee notes, however, that the facts as submitted may raise issues under other articles of the Covenant, including article 27. Thus, in so far as the author and other members of the Lubicon Lake Band are affected by the events which the author has described, these issues could be examined on the merits, in order to determine whether they reveal violations of article 27 or other articles of the Covenant.

14.5 The Human Rights Committee therefore decides:

1. That the communication is admissible, in so far as it may raise issues under article 27 or other articles of the Covenant;
 2. That the State party be requested, under rule 86 of the Committee's provisional rules of procedure, to take interim measures to avoid irreparable damage to Chief Ominayak and other members of the Lubicon Lake Band;
 3. That the State party be informed that the Committee's expression of its views on the desirability of interim measures does not imply a determination on the merits of the communication;
 4. That, in accordance with article 4 (2) of the Optional Protocol, the State party shall be requested to submit to the Committee, within six months of the date of transmittal to it of this decision, written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by it;
 5. That any explanations or statements received from the State party shall be communicated by the Secretary-General to the author, under rule 93 (3) of the provisional rules of procedure of the Committee, with the request that any comments which the author may wish to submit thereon should reach the Human Rights Committee in care of the Centre for Human Rights, United Nations Office at Geneva, within six weeks of the date of transmittal;
 6. That this decision be communicated to the State party and to the author of the communication.
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**PACTE
INTERNATIONAL
RELATIF AUX
DROITS CIVILS
ET POLITIQUES**



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27 juillet 1987

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COMITE DES DROITS DE L'HOMME
Trentième session

DECISIONS

Communication No 167/1984

Présentée par : Bernard Ominayak, chef de la bande du lac Lubicon
(représenté par un avocat)

Victimes présumées : La bande du lac Lubicon

Etat partie concerné : Canada

Date de la communication : 14 février 1984

Références : Décisions antérieures - CCPR/C/WG/23/D/167/1984 (décision prise en application de l'article 91 le 9 novembre 1984)
- CCPR/C/27/D/167/1984 (décision provisoire prise le 10 avril 1986)

Date de la présente décision : 22 juillet 1987

*/ Chacun est prié de respecter strictement le caractère confidentiel du présent document.

GE.87-16881/5182m

Décision sur la recevabilité

1. L'auteur de la communication (première lettre datée du 14 février 1984, lettres postérieures et mémoires datés des 23 janvier, 27 mars, 8 juillet et 31 juillet 1985, 9 avril et 30 juin 1986, 25 février, 19 mars et 12 juin 1987) est le chef Bernard Ominayak (ci-après appelé l'auteur), de la bande du lac Lubicon (Canada). Il est représenté par un avocat.

2.1 L'auteur fait état de violations, par le Gouvernement canadien, du droit que possède la bande du lac Lubicon de disposer d'elle-même et, en vertu de ce droit, de déterminer librement son statut politique et poursuivre son développement économique, social et culturel, ainsi que de son droit de disposer de ses richesses et ressources naturelles et de ne pas être privée de ses propres moyens de subsistance. Ces violations seraient contraires aux obligations contractées par le Canada aux termes des paragraphes 1, 2 et 3 de l'article premier du Pacte international relatif aux droits civils et politiques.

2.2 Le chef Ominayak dirige et représente la bande du lac Lubicon, qui regroupe des Indiens cree vivant à l'intérieur des frontières du Canada, dans la province de l'Alberta. Ceux-ci sont soumis à la juridiction du Gouvernement fédéral du Canada, prétendument en vertu de la tutelle exercée par le Gouvernement canadien sur les nations indiennes et leurs terres situées en territoire canadien. La bande du lac Lubicon, qui a conscience de son identité, constitue un groupe économique et socio-culturel relativement autonome. Depuis des temps immémoriaux, elle habite, chasse, pêche et pratique le commerce des fourrures sur un territoire de 64 000 km² en Alberta du Nord. Comme son territoire est difficile d'accès, jusqu'à une date récente elle a eu peu de contacts avec des non-Indiens. Les membres de la bande parlent essentiellement le cree. Nombreux sont ceux qui ne savent ni parler, ni lire, ni écrire l'anglais. La bande conserve sa culture, sa religion, sa structure politique traditionnelles et son économie de subsistance.

2.3 Par la loi sur les Indiens de 1970 et le Traité No 8 du 21 juin 1899 (concernant les droits fonciers des aborigènes en Alberta du Nord), le Gouvernement canadien aurait reconnu le droit des habitants originels de cette région à poursuivre leur mode de vie traditionnel. Malgré ces lois et accords, le Gouvernement canadien a autorisé le Gouvernement de la province de l'Alberta à exproprier le territoire de la bande du lac Lubicon au profit d'intérêts de sociétés privées (octroi de concessions pour la prospection de pétrole et de gaz). Le Canada est accusé d'avoir ainsi violé le droit de la bande à déterminer librement son statut politique et à poursuivre son développement économique, social et culturel comme le garantit le paragraphe 1 de l'article premier du Pacte. Qui plus est, les activités de prospection de ressources énergétiques sur le territoire de la bande violeraient le paragraphe 2 de l'article premier du Pacte, qui accorde à tous les peuples le droit de disposer de leurs richesses et ressources naturelles. En détruisant l'environnement et en sapant l'assise économique de la bande, elles priveraient la bande de ses moyens de subsistance et de la jouissance du droit à l'autodétermination garantie par l'article premier du Pacte.

3.1 L'auteur déclare qu'il n'a été recouru pour cette même affaire à aucune autre procédure d'enquête internationale ou de règlement international.

3.2 Pour ce qui est de l'épuisement des recours internes, il est déclaré que la bande du lac Lubicon continue de faire valoir ses revendications par les voies politiques et juridiques internes. L'administration et les représentants des sociétés pétrolières se serviraient des moyens politiques et juridiques disponibles au Canada pour empêcher et retarder les actions en justice de la bande jusqu'à ce que celle-ci finisse par ne plus pouvoir défendre sa cause, parce que si le développement industriel de la région, qui s'accompagne de la destruction du milieu écologique et de l'assise économique de la bande se poursuit au rythme actuel, celle-ci ne pourra pas survivre longtemps en tant que nation.

3.3 Le 27 octobre 1975, des représentants de la bande du lac Lubicon ont déposé auprès du Secrétaire de district chargé du cadastre de la province de l'Alberta une demande de notification d'opposition (caveat) qui informerait toutes les parties intéressées par les terres en question que la bande revendique un titre de propriété aborigène sur ces terres, comme le prévoit la loi sur les titres fonciers provinciaux. La Cour suprême de l'Alberta a reçu les conclusions présentées au nom du gouvernement provincial, qui vont à l'encontre de la notification d'opposition, et celles présentées au nom de la bande du lac Lubicon. Le 7 septembre 1976, le Procureur général de la province a déposé une demande d'ajournement, dans l'attente du règlement d'une affaire similaire. Il a été fait droit à ladite requête. Mais le 25 mars 1977, le Procureur général a présenté à la législature provinciale un amendement à la loi sur les titres fonciers visant à empêcher le dépôt de notifications d'opposition; l'amendement a été adopté avec effet rétroactif au 13 janvier 1975, soit une date antérieure au dépôt de la notification d'opposition par la bande du lac Lubicon. Dans ces conditions, la procédure suivie à la Cour suprême a été réputée contestable.

3.4 Le 25 avril 1980, la bande a introduit une action auprès de la Cour fédérale du Canada lui demandant de déclarer son droit sur ses terres, à leur utilisation et au produit de leurs ressources naturelles. L'action contre le gouvernement provincial et toutes les sociétés pétrolières à l'exception d'une seule (Pétro-Canada) a été rejetée pour une question de conflit d'attribution. L'action assignant en justice le gouvernement fédéral et Pétro-Canada a été déclarée recevable mais est toujours pendante.

3.5 Le 16 février 1982, une action a été introduite auprès du Court of Queen's Bench de l'Alberta, demandant l'adoption d'une ordonnance provisoire pour arrêter la mise en valeur de la zone jusqu'à ce que les questions relatives au droit revendiqué par la bande à ses terres et à ses ressources naturelles aient été réglées. Le but principal de l'ordonnance provisoire, déclare l'auteur, était d'empêcher le Gouvernement de l'Alberta et les sociétés pétrolières (c'est-à-dire les défendeurs) de continuer à détruire le territoire traditionnel de chasse ordinaire et de piégeage de la nation du lac Lubicon. Cela aurait permis aux populations aborigènes cree du lac Lubicon de continuer à gagner leur vie et assurer leur subsistance en chassant dans le cadre de leur genre de vie traditionnel. Selon la communication, la Cour provinciale s'est abstenue de rendre sa décision durant près de deux ans, cependant que les prospections de pétrole et de gaz se poursuivaient, en même temps que la destruction flagrante et superflue de l'assise économique de la bande. Le 17 novembre 1983, la demande d'ordonnance provisoire a été rejetée et la bande, bien que sans ressources financières, a été ultérieurement condamnée à payer tous les frais de justice et honoraires d'avocats afférents à l'action.

3.6 La décision du Court of Queen's Bench a fait l'objet d'un recours devant la Cour d'appel de l'Alberta. La Cour d'appel a rejeté ce recours le 11 janvier 1985. Dans son arrêt, la Cour d'appel a admis avec la juridiction inférieure que la revendication de la bande tendant à obtenir un titre de propriété aborigène sur ces terres soulevait une importante question de droit qui devait être tranchée par un jugement. Elle a néanmoins estimé que la nation aborigène du lac Lubicon ne subirait aucun dommage irréparable si la mise en valeur des ressources se poursuivait intégralement et que, tout pris en considération, il y avait donc lieu de refuser l'ordonnance.

3.7 Les défendeurs, déclare l'auteur, se sont efforcés de convaincre la Cour que les populations aborigènes du lac Lubicon n'ont strictement aucun droit de possession au regard de l'une quelconque des terres dont il s'agit, c'est-à-dire en toute logique, au regard de leurs habitations mêmes. Sur ce point, la Cour a déclaré que toute tentative d'expulser la nation du Lubicon de ses résidences pourrait effectivement donner lieu à des mesures provisoires d'urgence, tout comme une tentative visant à lui interdire d'accéder à ses cimetières traditionnels ou autres lieux communautaires, ou à ses zones de chasse. Dans sa requête, la bande du lac Lubicon, alléguant l'interdiction d'accès à toutes ces zones, a étayé ses dires par des photographies qui illustrent l'étendue des dommages et par plusieurs affidavits non contestés. Mais la Cour, négligeant les preuves fournies par les demandeurs, a conclu que ceux-ci n'avaient pas démontré que les défendeurs aient pris, ni même menacé de prendre, les mesures dont il s'agit.

3.8 L'auteur déclare que la Cour d'appel a, en droit, fondé sa décision sur sa propre définition du dommage irréparable. Le critère retenu est que le dommage doit être tel qu'il ne prête pas à un recours équitable et raisonnable devant un tribunal et qu'il y aurait déni de justice à refuser de procéder à l'injonction. L'auteur estime que la nation du lac Lubicon a manifestement satisfait à ce critère en produisant des preuves non contestées concernant les atteintes portées à ses moyens d'existence, à son économie de subsistance, à sa culture et au mode de vie lié à sa personnalité tant sociale que politique. Et pourtant, la Cour a conclu que la bande du lac Lubicon n'avait pas démontré l'existence d'un dommage irréparable.

3.9 Le 18 février 1985, les populations aborigènes du lac Lubicon ont présenté leurs arguments à une chambre composée de trois juges de la Cour suprême, pour demander l'autorisation d'interjeter appel contre l'arrêt de la Cour d'appel de l'Alberta. Par arrêt, non assorti d'opinions, rendu le 14 mars 1985, la Cour suprême canadienne a rejeté la demande d'autorisation d'interjeter appel et condamné le demandeur aux dépens. D'une manière générale, déclare l'auteur, l'autorisation d'interjeter appel est accordée en fonction des critères suivants : les questions soulevées doivent être d'ordre public, l'affaire doit porter sur des questions de droit importantes, ou bien, à un titre ou à un autre, le dossier est d'une telle nature ou d'une telle portée qu'il justifie une décision au niveau de la Cour suprême canadienne. L'auteur déclare que les questions soulevées par la bande du lac Lubicon portaient notamment sur l'interprétation des droits constitutionnels des nations aborigènes, droits dont l'existence a été récemment confirmée par la loi constitutionnelle de 1982 sur les recours ouverts aux nations aborigènes, sur les droits de ces populations concernant la poursuite de leurs activités de subsistance traditionnelles dans leurs territoires de chasse traditionnels, sur le régime juridique applicable à une vaste partie de l'Alberta du Nord,

sur les conflits qui opposent les sociétés terriennes traditionnelles du Canada et la société industrielle de ce pays, sur l'intérêt général et les intérêts des minorités, sur la délimitation des droits des autorités par rapport aux droits des individus, sur des considérations de justice fondamentale et d'équité, sur l'égalité devant la loi et sur le droit à une protection et à une application égales de la loi. Les quatre premières de ces questions, pour le moins, estime l'auteur, n'ont pas encore été tranchées par la Cour suprême canadienne, et elles relèvent indiscutablement des critères applicables au regard de l'autorisation d'interjeter appel.

4. Par sa décision du 16 octobre 1984, le Groupe de travail du Comité des droits de l'homme a transmis la communication à l'Etat partie concerné, en vertu de l'article 91 du règlement intérieur provisoire, et l'a prié de soumettre des renseignements et des observations se rapportant à la question de la recevabilité de la communication. Les principaux points qui ressortent des renseignements et observations reçus de l'Etat partie sont repris ci-après dans les paragraphes 5.1 à 5.7 et 6.1 à 6.4 :

5.1 Epuisement des recours internes : Dans sa communication datée du 31 mai 1985, l'Etat partie soutient, tout d'abord, que la bande du lac Lubicon n'a pas mené à leur terme tous les recours internes qu'elle a intentés et que la responsabilité des retards ayant pu survenir dans les procédures de recours n'incombe pas au Gouvernement canadien. L'Etat partie rappelle que la bande du lac Lubicon, agissant en vertu de son droit légal propre, et le chef Bernard Ominayak, agissant à titre personnel, ainsi que conjointement avec d'autres conseillers de la bande pour compte d'autrui, ont engagé trois procédures différentes, et il fait observer que seul le litige concernant la demande de notifications d'opposition (caveat) déposée par la bande a été tranché. Deux autres actions intentées, l'une devant la Cour fédérale du Canada et l'autre devant la Cour provinciale (Court of Queen's Bench) de la province de l'Alberta, seraient pendantes.

5.2 S'agissant de l'action intentée devant la Cour fédérale, mentionnée dans la communication, l'Etat partie rappelle que la bande et ses conseils juridiques ont, en avril 1980, tenté d'engager contre la province de l'Alberta et des sociétés privées des poursuites devant la Cour fédérale du Canada. Or, estime l'Etat partie, ni la province de l'Alberta, ni des entités privées n'auraient pu être assignées comme défendeurs devant la Cour fédérale du Canada. ... Au lieu de reprendre la procédure devant la juridiction compétente, déclare l'Etat partie, la bande a contesté l'exception préjudicielle soulevée par les défendeurs concernant la question de la compétence. Cette procédure a abouti, en novembre 1980, à une décision juridique défavorable à la bande. Ayant fait appel de cette décision devant la Cour fédérale d'appel, la bande a été déboutée en mai 1981.

5.3 Après la procédure concernant la question préjudicielle de la compétence de la Cour fédérale, une nouvelle action a été intentée, le 21 février 1982, devant la Cour provinciale de l'Alberta, contre la province et certaines personnes morales défenderesses. Comme il ressort de la communication, la bande demandait que soit rendue une injonction provisoire. En novembre 1983, à l'issue d'une longue procédure, la Cour provinciale a rejeté la demande de la bande en se fondant sur l'affaire Erickson c. Wiggins Adjustments Ltd. [1980] 6 W.R.R. 188, où étaient exposés les critères sur la base desquels un tribunal était habilité à rendre une injonction provisoire. Selon ce qui a été jugé dans cette dernière affaire, tout demandeur qui sollicite une injonction provisoire est tenu d'établir :

- 1) qu'il existe une question grave qui doit être tranchée par un jugement,
- 2) qu'un préjudice irréparable serait causé avant que ce jugement soit rendu si aucune injonction n'était émise, et
- 3) que le principe de l'équilibre des avantages milite en faveur de l'octroi d'une réparation au demandeur.

L'Etat partie fait observer que la Cour provinciale de l'Alberta a rejeté la demande de la bande au motif que les demandeurs n'avaient pas prouvé qu'il y aurait préjudice irréparable et qu'une réparation suffisante leur serait accordée si, en fin de compte, ils gagnaient leur procès.

5.4 Au lieu d'engager un procès sur le fond, la bande a fait appel du rejet de sa demande d'injonction provisoire. La Cour d'appel de l'Alberta l'a déboutée de cet appel le 11 janvier 1985. La demande d'autorisation, présentée par la bande, de faire appel à la Cour suprême du Canada de la décision rejetant sa demande d'injonction provisoire a été rejetée le 14 mars 1985. Près de deux mois plus tard, le 13 mai 1985, ajoute l'Etat partie, la Cour suprême du Canada a refusé d'accéder à une autre demande de la bande tendant à ce que la Cour déroge à ses propres règles et réexamine la demande d'autorisation. Ainsi, déclare l'Etat partie, la Cour a maintenu sa règle bien établie, qui interdit le réexamen des demandes d'autorisation de faire appel.

5.5 L'Etat partie estime qu'après des retards aussi importants causés par la procédure préliminaire et la contestation de règles de procédure bien établies, l'auteur n'est pas fondé à se plaindre que les procédures de recours internes excèdent des délais raisonnables. Il estime que la bande, en sa qualité de demanderesse, au eu la possibilité d'accélérer, dans le cadre de l'une ou l'autre de ses actions, l'accomplissement des actes de procédure nécessaires pour que la cause soit en état. Le Gouvernement canadien considère que l'auteur ne saurait invoquer la propre inaction des demandeurs comme preuve que les procédures de recours internes ont excédé des délais raisonnables.

5.6 Recours supplémentaires : L'Etat partie déclare qu'en vertu de la doctrine dominante en droit international, l'expression "recours interne" est censée s'appliquer, d'une façon générale, à toutes les procédures internes établies de réparation. L'alinéa b) du paragraphe 3 de l'article 2 du Pacte, déclare-t-il, reconnaît qu'outre les recours juridictionnels, un Etat partie au Pacte peut garantir des recours administratifs et autres. Après avoir déposé ses conclusions dans la procédure engagée devant la Cour fédérale, le Gouvernement fédéral a proposé, à la fin de 1981, de régler la question en offrant à la bande des terres de réserve en application d'un traité conclu en 1899. Les conditions proposées par la Province (qui détient un titre de propriété sur les terres) n'ayant pas rencontré l'agrément de la bande, celle-ci a rejeté la solution envisagée pour ce conflit.

5.7 L'Etat partie estime que la revendication, par la bande du lac Lubicon, de certaines terres situées dans la partie septentrionale de l'Alberta n'est qu'un élément d'une situation qui est extrêmement complexe, du fait des revendications concurrentes de plusieurs autres communautés autochtones

de la région. En juin 1980, environ deux mois après que la bande avait engagé son action devant la Division de première instance de la Cour fédérale, six autres communautés indiennes ont saisi le Ministère des affaires indiennes d'une demande distincte faisant valoir un titre de propriété aborigène sur des terres qui chevauchent celles revendiquées par la bande du lac Lubicon. Ultérieurement, en juin 1983, la bande crie de Big Stone a revendiqué auprès du Ministère des affaires indiennes - en invoquant en l'occurrence un traité - un droit de propriété sur une région chevauchant également des terres revendiquées par la bande du lac Lubicon. La bande crie de Big Stone représenterait cinq des communautés autochtones ayant déposé en juin 1980 une demande tendant à faire valoir un titre de propriété aborigène. Face à cette situation extrêmement complexe, le Ministre des affaires indiennes et septentrionales a, en mars 1985, désigné un ancien juge de la Cour suprême de la Colombie britannique pour exercer les fonctions de délégué spécial du Ministre chargé de prendre contact avec des représentants de la bande, d'autres communautés autochtones et de la province, d'examiner avec eux l'ensemble de la situation et de formuler des recommandations. L'Etat partie estime qu'un examen des revendications de la bande du lac Lubicon qui ne prendrait pas en considération, simultanément, les revendications concurrentes des autres communautés autochtones compromettrait le recours interne du règlement négocié retenu par celles-ci.

6.1 Droit d'autodétermination : Le Gouvernement canadien soutient que la communication, dans la mesure où elle vise le droit à l'autodétermination, est irrecevable pour deux motifs. Premièrement, le droit à l'autodétermination s'applique à un "peuple", et le Gouvernement canadien considère que la bande du lac Lubicon n'est pas un peuple au sens de l'article premier du Pacte. Le Gouvernement canadien estime donc que la communication est incompatible avec les dispositions du Pacte et devrait, en tant que telle, être jugée irrecevable en vertu de l'article 3 du Protocole. Deuxièmement, les communications soumises au titre du Protocole facultatif ne peuvent émaner que de particuliers et doivent concerner la violation d'un droit conféré à des particuliers. La présente communication, estime l'Etat partie, concerne un droit collectif, et son auteur n'a par conséquent pas qualité pour présenter une communication en application des articles premier et 2 du Protocole facultatif.

6.2 Le Gouvernement canadien soutient que la bande du lac Lubicon ne constitue pas un peuple aux fins de l'article premier du Pacte et qu'elle n'est par conséquent pas en droit de revendiquer, en vertu du Protocole, le droit de disposer d'elle-même. Il fait observer que la bande du lac Lubicon n'est qu'une seule des 582 bandes indiennes du Canada et qu'une faible fraction d'un groupe plus important d'Indiens crie, résidant dans la partie septentrionale de la province de l'Alberta. Le Gouvernement canadien considère par conséquent que les Indiens du lac Lubicon ne constituent pas un "peuple" au sens de l'article premier du Pacte.

6.3 Le Gouvernement canadien soutient que le droit à l'autodétermination, tel qu'il est défini à l'article premier du Pacte, n'est pas un droit individuel; il offre plutôt le cadre nécessaire à l'exercice de droits individuels. Cet avis, affirme-t-il, est étayé par un membre de phrase extrait des Observations générales formulées sur l'article premier par le Comité (doc. CCPR/C/21/Add.3, du 5 octobre 1984), et aux termes duquel la réalisation du droit de tous les peuples de disposer d'eux-mêmes est :

"une condition essentielle de la garantie et du respect effectif des droits individuels de l'homme ainsi que de la promotion et du renforcement de ces droits" (non souligné dans le texte).

Le Comité, ajoute l'Etat partie, reconnaît ensuite que les droits consacrés par l'article premier sont placés séparément et en tête de tous les autres droits énoncés dans le Pacte international relatif aux droits civils et politiques et dans le Pacte international relatif aux droits économiques, sociaux et culturels. De l'avis du Canada les droits qui sont énoncés à l'article premier, et donc dans la première partie du Pacte, sont d'une autre nature et d'une autre espèce que ceux qui sont énoncés dans la troisième partie. Les premiers sont collectifs, les deuxièmes individuels. Ainsi la structure du Pacte, considéré dans son ensemble, corrobore à son tour l'argument selon lequel le droit à l'autodétermination est un droit collectif reconnu aux peuples. En tant que tel, affirme l'Etat partie, il ne saurait être invoqué par un particulier en vertu du Protocole facultatif.

6.4 Le Gouvernement canadien affirme que la juridiction du Comité, telle qu'elle est définie dans le Protocole facultatif, ne saurait être invoquée par un particulier dès lors que la violation présumée concerne un droit collectif. Il soutient, en conséquence, que les communications considérées, qui concernent l'autodétermination de la bande du lac Lubicon, devraient être déclarées irrecevables.

7. En réponse à la communication faite par l'Etat partie au sujet de la recevabilité, l'auteur a présenté le 8 juillet 1985 un mémoire détaillé portant sur toutes les objections soulevées par le Gouvernement canadien. L'auteur récapitule ses arguments comme suit : dans sa réponse, le Gouvernement canadien avance trois arguments principaux. Il affirme tout d'abord que la bande du lac Lubicon n'a pas épuisé les recours internes disponibles. Or, la bande a en fait épuisé ces recours dans la mesure où ceux-ci lui permettraient effectivement d'obtenir justice et d'empêcher la destruction de ses moyens de subsistance. Deuxièmement, le Gouvernement canadien prétend que le droit à l'autodétermination ne peut pas être revendiqué par la bande du lac Lubicon. Or, il s'agit d'un peuple autochtone qui a conservé son économie et son style de vie traditionnel et qui occupe ses propres terres depuis des temps immémoriaux. Il doit pour le moins être en mesure d'exercer son droit à l'autodétermination puisqu'il s'agit du droit d'un peuple à ses propres moyens d'existence. Enfin, le Gouvernement canadien formule certaines allégations au sujet de l'identité et de la qualité de l'auteur.... Or, "l'auteur" est identifié dans la première communication de la bande. Les "victimes" sont les membres de la bande du lac Lubicon, qui sont représentés par Bernard Ominayak, leur chef élu à l'unanimité.

8.1 Par sa décision provisoire du 10 avril 1986, le Comité, rappelant que l'Etat partie l'avait informé que le Ministère des affaires indiennes et des affaires des territoires septentrionaux avait désigné un envoyé spécial et l'avait chargé d'étudier la situation, a prié l'Etat partie de lui communiquer le rapport de l'envoyé spécial et tous renseignements sur ses recommandations et sur les mesures que l'Etat partie avait prises ou envisageait de prendre à cet égard.

8.2 Dans la même décision, le Comité a prié l'auteur de l'informer de tout fait nouveau touchant les actions en justice pendantes devant les tribunaux canadiens.

9.1 Dans sa réponse, datée du 30 juin 1986, à la décision provisoire du Comité, l'auteur affirme qu'il n'y a guère eu de progrès en ce qui concerne aucune des actions engagées devant les tribunaux. Il réitère son argument selon lequel "la demande d'ordonnance provisoire que la bande avait présentée pour que l'exploitation des ressources pétrolières qui a détruit les moyens de subsistance de ses membres soit arrêtée, a été rejetée, et la Cour suprême du Canada lui a refusé le droit d'interjeter appel... Les activités d'exploitation et la destruction se poursuivent donc sans répit. L'avocat de la bande tente toujours de faire valoir les droits de celle-ci devant les tribunaux bien que la bande ne dispose pas des ressources financières à cette fin et qu'il n'y ait aucun espoir de solution avant plusieurs années. La bande n'a donc aucune raison de modifier sa conclusion antérieure, à savoir qu'en pratique, les recours judiciaires internes ont été épuisés."

9.2 La bande signale aussi que l'enquêteur spécial du Gouvernement fédéral, M. E. Davie Fulton, a été déchargé de ses responsabilités à la suite de la présentation de son "document de travail" au Gouvernement fédéral du Canada. "Dans le document de travail ..., M. Fulton parvenait pratiquement à la même conclusion que la bande elle-même, à savoir que le Gouvernement canadien doit porter le blâme pour la situation existant au lac Lubicon et que c'est au Gouvernement fédéral qu'il appartient de régler le problème. Dans son rapport, M. Fulton proposait également un arrangement foncier basé sur la population actuelle de la bande, et il reconnaissait l'importance de donner à la bande qualité pour gérer les ressources en faune et en flore sauvages sur toute l'étendue de son territoire de chasse et de piégeage. L'arrangement foncier proposé par M. Fulton, en vertu duquel la bande se serait vu assigner une réserve sensiblement plus grande que la réserve de 25 miles carrés qui lui avait été promise en 1940, est compatible avec la position de la bande sur cette question... M. Fulton a également recommandé que l'Alberta indemnise la bande pour le préjudice causé par l'exploitation intensive des ressources de pétrole et de gaz pour laquelle cette province a accordé des concessions sur le territoire de la bande. Indépendamment du fait qu'il a déchargé M. Fulton de ses responsabilités en la matière, le Gouvernement fédéral, à ce jour, a refusé de rendre public le document de travail que celui-ci avait établi."

10.1 Dans sa réponse à la décision provisoire du Comité, datée du 23 juin 1986, l'Etat partie a fait parvenir le texte du rapport de M. Fulton et a indiqué qu'il avait désigné M. Roger Tassé pour agir en qualité de négociateur. Il a en outre informé le Comité que, le 8 janvier 1986, le Gouvernement canadien avait versé à la bande 1,5 million de dollars pour financer les frais de justice et autres frais connexes.

10.2 Dans ses observations du 20 janvier 1987 sur la communication de l'auteur du 30 juin 1986, l'Etat partie soutient qu'à la suite du rejet de la demande d'injonction intérimaire de la bande, "la bande aurait alors dû faire diligence pour demander son injonction permanente avant de former un recours devant les instances internationales. Dans le mémoire qu'elle a présenté ..., la bande allègue que la lenteur des procédures lui causera un préjudice irréparable. Or une injonction permanente, si elle était accordée, aurait pour effet d'éviter ce préjudice de façon permanente."

11.1 Les 23 et 25 février 1987, l'auteur a présenté deux suppléments très complets à sa communication, examinant notamment les questions de fond, telles que le document de travail Fulton, et soutenant que "le Canada n'[avait] pas

retenu les principales recommandations du document de travail Fulton" et que "le Canada [tentait] d'appliquer rétroactivement à la bande une loi que le Comité [avait] jugée contraire à l'article 27 du Pacte international relatif aux droits civils et politiques et que le Canada [avait] modifiée conformément aux conclusions du Comité".

11.2 Au sujet des actions en justice pendantes devant les tribunaux, la bande réaffirme qu'une injonction permanente ne constituerait pas un remède efficace car elle arriverait trop tard, expliquant ce qui suit : "La reconnaissance de droits aborigènes ou même de droits conventionnels par une décision définitive des tribunaux ne remédiera pas au préjudice irréparable causé à la société de la bande du lac Lubicon, ne ramènera pas les animaux, ne restaurera pas l'environnement, ne rétablira pas l'économie traditionnelle de la bande, ne remplacera pas le mode de vie traditionnel détruit et ne réparera pas les atteintes portées aux liens spirituels et culturels qui l'attachent à la terre. Ainsi, tous les recours internes ont été effectivement épuisés pour ce qui est de la protection de la bande, ainsi que de son mode de vie unique en son genre et auquel elle est profondément attachée."

12. Dans une communication additionnelle, datée du 12 juin 1987, l'auteur déclare : "la bande du lac Lubicon ne demande pas une décision sur des droits territoriaux mais seulement que le Comité des droits de l'homme l'aide à tenter de convaincre le Gouvernement canadien que : 1) l'existence de la bande est gravement menacée par la prospection pétrolière et gazière qu'on a laissé se poursuivre sans aucun contrôle dans ses territoires de chasse traditionnels et sans aucun égard pour la communauté humaine vivant dans la région, et que 2) le Canada est responsable de la situation actuelle et doit contribuer à y remédier, conformément à l'article premier du Protocole facultatif se rapportant au Pacte international relatif aux droits civils et politiques."

13. Dans sa communication du 26 juin 1987, l'Etat partie observe : "Le Gouvernement canadien est soucieux d'aider le Comité des droits de l'homme à régler cette affaire sans plus attendre, et, considérant la lourde charge de travail qui incombe au Comité, ne souhaite pas augmenter sans nécessité la documentation déjà volumineuse dont le Comité est saisi. Le Gouvernement canadien estime que le Comité des droits de l'homme dispose d'informations suffisantes pour se prononcer sur la question de la recevabilité."

14.1 Avant d'examiner une communication quant au fond, le Comité doit s'assurer qu'elle répond à toutes les conditions de recevabilité prévues par le Protocole facultatif. En ce qui concerne l'alinéa a) du paragraphe 2 de l'article 5 du Protocole facultatif, le Comité n'a reçu aucun renseignement indiquant que l'affaire est en cours d'examen devant un autre organe international d'enquête ou de règlement. Le Comité estime donc que la communication n'est pas irrecevable au regard de l'alinéa a) du paragraphe 2 de l'article 5 du Protocole facultatif.

14.2 En ce qui concerne la règle, énoncée à de l'alinéa b) du paragraphe 2 de l'article 5 du Protocole facultatif, selon laquelle les auteurs doivent épuiser les recours internes avant de présenter une communication au Comité des droits de l'homme, l'auteur de la présente communication a invoqué la disposition dudit article selon laquelle cette règle ne s'applique pas "si les procédures de recours excèdent des délais raisonnables". L'auteur a en outre soutenu que le seul recours efficace en l'espèce était une requête en injonction provisoire car, a-t-il dit, "si le statu quo n'est pas maintenu,

tout jugement définitif quant au fond, même s'il était en faveur de la bande resterait sans effet", dans la mesure où "même s'il reconnaissait les droits aborigènes ou les droits conventionnels, le jugement définitif ne pourrait jamais restituer à la bande son mode de vie, ses traditions et ses moyens d'existence". Dans des décisions antérieures sur la recevabilité, le Comité a déjà précisé le sens de l'alinéa b) du paragraphe 2 de l'article 5, expliquant que "la règle qui impose d'épuiser tous les recours internes ne s'applique que si ces recours sont disponibles et efficaces". Par conséquent, en l'espèce, le Comité estime qu'il n'y a pas de remède efficace encore ouvert à la bande du lac Lubicon et que la communication n'est pas irrecevable au regard de l'alinéa b) du paragraphe 2 de l'article 5 du Protocole facultatif.

14.3 En ce qui concerne l'affirmation de l'Etat partie selon laquelle la communication de l'auteur, qui concerne l'autodétermination, devrait être déclarée irrecevable car "la juridiction du Comité, telle qu'elle est définie dans le Protocole facultatif, ne saurait être invoquée par un particulier dès lors que la violation présumée concerne un droit collectif", le Comité réaffirme que le Pacte reconnaît et protège dans les termes les plus nets le droit d'un peuple à l'autodétermination et son droit de disposer de ses ressources naturelles en tant que condition essentielle de la garantie et du respect effectif des droits individuels de l'homme ainsi que de la promotion et du renforcement de ces droits. Cependant, le Comité fait observer (comme il l'a déjà fait à propos de la communication No 197/1985), que l'auteur, en tant que particulier, ne peut se prétendre en vertu du Protocole facultatif victime d'une violation du droit à l'autodétermination consacré par l'article premier du Pacte, qui traite des droits conférés aux peuples en tant que tels.

14.4 Le Comité note cependant que les faits présentés peuvent soulever des questions au regard d'autres articles du Pacte, y compris l'article 27. Ainsi, dans la mesure où les événements que l'auteur a décrits portent préjudice à l'auteur et aux autres membres de la bande du lac Lubicon, ces questions pourraient être examinées quant au fond afin de déterminer si elles révèlent des violations de l'article 27 ou d'autres articles du Pacte.

14.5 En conséquence, le Comité des droits de l'homme décide :

1. Que la communication est recevable dans la mesure où elle peut soulever des questions au regard de l'article 27 ou d'autres articles du Pacte;

2. Que l'Etat partie sera prié, conformément à l'article 86 du règlement intérieur provisoire du Comité, de prendre des mesures provisoires pour éviter qu'un préjudice irréparable ne soit causé au chef Ominayak et aux autres membres de la bande du lac Lubicon;

3. Que l'Etat partie sera informé que l'expression des vues du Comité sur l'adoption desdites mesures provisoires n'implique aucune décision sur la communication quant au fond;

4. Que, conformément au paragraphe 2 de l'article 4 du Protocole facultatif, l'Etat partie sera prié de lui soumettre par écrit, dans les six mois suivant la date où la présente décision lui aura été transmise, des explications ou des déclarations éclaircissant la question et indiquant, le cas échéant, les mesures qu'il pourrait avoir prises;

CCPR/C/30/D/167/1984
page 12

5. Que le Secrétaire général communiquera à l'auteur, conformément au paragraphe 3 de l'article 93 du règlement intérieur provisoire du Comité, toutes les explications ou déclarations reçues de l'Etat partie, l'auteur étant prié de faire en sorte que tous commentaires qu'il pourrait souhaiter présenter à ce sujet parviennent au Comité des droits de l'homme, par l'entremise du Centre pour les droits de l'homme (Office des Nations Unies à Genève), dans les six semaines qui suivront la date de la transmission;

6. Que la présente décision sera communiquée à l'Etat partie et à l'auteur de la communication.

file primary/circ/div

JLO/P. McRae/992-2002/sl

Canada Canada

TO/À JLE
FROM/DE JLO

REFERENCE •
RÉFÉRENCE

SUBJECT • Decision of the Human Rights Committee
SUJET on the Lubicon Lake Band Complaint:
Exhaustion of Local Remedies

Security/Sécurité CONFIDENTIAL
Accession/Référence
File/Dossier 45-CPA-13-1-3-LUBICON LAKE BAND
Date August 4, 1987
Number/Numéro JLO-1067

ENCLOSURES
ANNEXES

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Attached is a draft copy of the decision of the Human Rights Committee on the admissibility of the complaint of the Lubicon Lake Band. The Committee ruled the complaint admissible but on grounds other than those alleged by the band. As a result it was agreed interdepartmentally that we would go back to the Committee to seek clarification. At the same time we will be asking the Committee for its reasons for ruling that the band had exhausted local remedies, a precondition which must be met before a complaint can be submitted to the Committee under the terms of the Optional Protocol to the Covenant on Civil and Political Rights. The passages of the decision related to the exhaustion of local remedies are to be found in paragraphs 5.1 to 5.5 and 14.2. Although the band has several court actions pending, it chose to initiate interim proceedings by way of applications for injunctions to stop certain activities (oil exploration) on lands claimed by the band. These applications were unsuccessful and it was on this basis that the Committee ruled that local remedies were exhausted.

2. While it may appear irregular to go back to the Committee on the admissibility question (particularly if we were to compare its proceedings to those of a domestic court) the interdepartmental group felt justified in doing so because of the highly unsatisfactory nature of the decision. Furthermore, the Committee's procedures are anything but fine-tuned and there are no strict rules on how often and on what grounds communications may be submitted.

...2

-2-

CONFIDENTIAL

3. With respect to the issue of the exhaustion of local remedies, we would be grateful if you could provide us with a statement of the generally accepted understanding of this term as applied by states and international tribunals in the claims context. Does the fact, for example, that the decision of the domestic tribunals went against the claimant mean he automatically has a valid claim at the international level? Does the final disposition of interim or interlocutory applications meet the test of the exhaustion of local remedies before there has been an adjudication on the merits? In this case, it was the band itself which has delayed the hearing of its case and which has also refused offers from the Federal Government to negotiate. In addition, its various Court actions have an impact on the rights of third parties, in particular the Province of Alberta as well as other native groups.

4. We would be grateful for your views on how the foregoing questions related to the rule on the exhaustion of local remedies as it would apply to the Lubicon case. We would also be interested in any additional considerations you could bring to this question.



Peter McRae
Acting Director
Legal Operations Division



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Accession/Référence

File/Dossier

45-CDA-13-1-3-LUBICON

LAKE BAND

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---HUMAN RIGHTS CTTEE:LUBICON LAKE DECISION:PRESS LINE

NO/NO.

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DIVISION/DIRECTION

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MESSAGE

Accession/Référence
File/Dossier 45-COA-13-1-3- 31 JUL 87 22 16Z

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AUG 4 1987

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---LUBICON LAKE BAND -- GLENBOW EXHIBIT

LET FORWARDED BY LUBICON LAKE BAND TO SVENSSON SEEMS AT OUTSET
LIKE A CRAFTY CONTINUATION OF BAND INTIMIDATION STRATEGY TO
DISCOURAGE LENDING MUSEUMS FROM COMPLYING WITH GLENBOW ARTEFACT
LOAN AGREEMENT.

2.IN RELATION TO POSITION OF WORLD COUNCIL OF INDIGENOUS
PEOPLES(WCIP)WE WERE INFORMED RECENTLY BY CONF ORGANIZER,RODRIGO
CONTRERAS(ALSO ADVISER TO THE ASSEMBLY OF FIRST NATIONS-AFN)THAT
WCIP HAD INDEED DISCUSSED ISSUE OF LUBICON LAKE BAND LAND
CLAIM,HOWEVER HE REMAINED UNCLEAR AS TO WHETHER OR NOT AN
EXPRESSION OF SUPPORT HAD BEEN FORMALLY GIVEN TO LUBICON BAND AT
THEIR RECENT GENERAL ASSEMBLY IN LIMA,PERU.

3.WE HOPE TO BE ABLE TO PROVIDE YOU WITH MORE HARD INFO ON ISSUE
ON RETURN OF CANDEL ATTENDING NOW IN GENEVA MEETING OF UN WORKING
GROUP ON INDIGENOUS POPULATIONS(WGIP).AN ADDITIONAL ELEMENT TO
THIS WHOLE ISSUE IS RECENT DECISION OF UN HUMAN RIGHTS COMMITTEE

.../2

DRAFTER/RÉDACTEUR	DIVISION/DIRECTION	TELEPHONE	APPROVED/APPROUVÉ
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PAGE TWO IMH1023 CONFD

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TO HEAR CASE OF LUBICON LAKE BAND, BASED ON ART 27(MINORITY RIGHTS,AS OPPOSED TO ART 1.WHICH DEALS WITH SELF-DETERMINATION)OF INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS(ICCPR).IN RELATION TO OVERALL LUBICON CAMPAIGN,THIS DECISION CAN ONLY FUEL MORE LOBBYING ACTIVITY FOR SUPPORT AT WGIP MEETING WHICH IS FOCAL POINT FOR DISCUSSIONS ON INDIGENOUS ISSUES AT UN LEVEL.

4.WITH REGARD TO ALLEGATIONS OF SUPPORT FROM MAJOR CONTRIBUTING INSTITUTIONS IE.GERMANY,SWITZERLAND,UK,AND USA,IT APPEARS TO BE NO MORE AT THIS POINT THAN WISHFUL THINKING.GLENBOW MUSEUM REP.JULIA HARRISSON HAS INFORMED US THAT SO FAR THERE ARE NO INDICATIONS ON PART OF THOSE MUSEUMS THAT THEY WILL SUDDENLY SUPPORT LUBICON LAKE CAMPAIGN AND WITHDRAW FROM EXHIBIT.

5.IN RELATION TO STATE OF PLAY IN NEGOTIATIONS,DEPARTMENT OF INDIAN AND NORTHERN AFFAIRS(DINA)HAS INFORMED US THAT FEDERAL GOVERNMENT NEGOTIATOR,ROGER TASSE HAS WITHDRAWN FROM TALKS WITH LUBICON BAND AS OF MID-JUNE.A NEW APPOINTMENT WILL BE MADE WITHIN NEXT MONTH,AS SERIOUS CANDIDATES ARE NOW BEING CONSIDERED BY DINA.ALTHOUGH NEGOTIATIONS WITH LUBICON BAND HAVE BROKEN DOWN SINCE FALL OF 1986,DINA MAINTAINS POSITIVE FEELING THAT LAND CLAIM DISCUSSIONS WILL RESUME WITH BAND IN NEAR FUTURE WITH APPOINTMENT OF NEW NEGOTIATOR.

6.GRATEFUL YOU CONTINUE MONITORING OF ISSUE AND IN MEANWHILE WILL

.../3



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PAGE THREE IMH1023 CONFD

12

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MAKE SURE THAT YOU ARE PROVIDED WITH LATEST INFO BEFORE YOUR NEXT
MEETING WITH SVENSSON ON HIS RETURN FROM VACATION 17AUG.

1987-07-31 15:48 PERMIS_GENEVE

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File/Dossier	45-13-2-LUBICON
PAGE 1 OF 3	

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INTER ALIA ON PRODUCTION, IN CALGARY COURT BY FEDERAL
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54 CALGARY HERALD

Thurs., June 25, 1987

P.02

022 34 79 19

Lubicons using court as weapon, says Crow

By Mark Lowey

The Lubicon Lake Indian band is using the Alberta court as a political weapon to avoid a trial on a long-disputed land claim, a federal lawyer told a Calgary court Wednesday.

But the band's lawyer — in an angry exchange between the two men — accused Ottawa of being racist and deliberately trying to crush the tiny Cree band in northern Alberta.

In a surprise move on the last day of a three-day court

action, federal lawyer Ivan Whitehall produced a copy of a written complaint the Lubicons have made to the United Nations.

The complaint, which mentions several Alberta judges who have been involved in the dispute and who have worked as oil company lawyers, offends the court's dignity, Whitehall said.

He claimed the Lubicons are only interested in using the court as a "blunt, political weapon" for ulterior motives.

The band is urging a boycott of the 1988 Winter Olympics because of a 47-year disputed land claim east of Peace River.

Whitehall asked Chief Justice Ken Moore not to grant the band's request to include the federal Crown in a Court of Queen's Bench lawsuit against the province.

The band contends that Ottawa, which set aside a reserve for the Lubicons in 1940, still has a legal and historical obligation to ensure the band gets land and full treaty rights.

Whitehall, however, said that including Ottawa in the lawsuit "will play into the (band's) hands" by giving Ottawa in the lawsuit a trial.

But band lawyer James O'Reilly countered angrily that the federal government — not

the Lubicons — have been trying since 1962 to avoid a trial because Ottawa is afraid of losing.

Moore urged that the trial begin as soon as possible.

O'Reilly and Whitehall said they would be ready for trial

Proposed school act under fire

By Roman Cooney

The province's proposed school act gives Education Minister Nancy Bethkowski "sweeping powers," says a spokesman for the 1,000-member Alberta School Trustees' Association.

The act gives the minister "carte blanche" to make literally all the decisions on education in Alberta, says association executive director Larry Ferguson.

Tabled in the Alberta legislature.

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2, JAN 25, 1987

s using court as weapon, says Crown lawyer

022 34 79 19 P.01

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the Lubicon — have been trying since 1982 to avoid a trial because Ottawa is afraid of losing.

Moore urged that the trial begin as soon as possible.

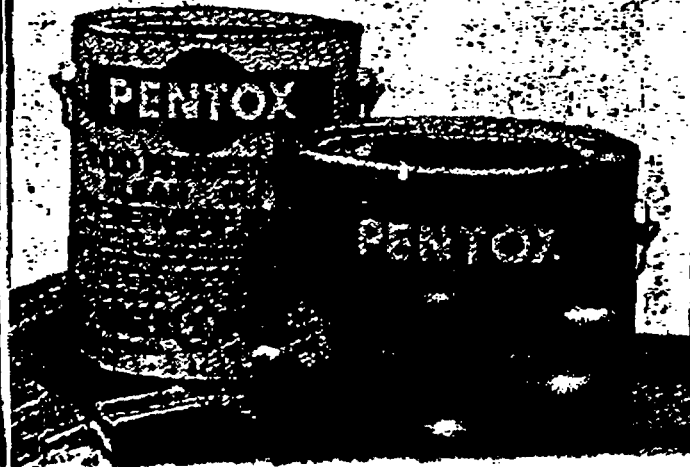
O'Reilly and Whitehall said they would be ready for trial

next May, but a further delay is likely as both sides indicate they would appeal Moore's decision on whether to include Ottawa in the lawsuit.

This decision isn't expected until the late fall.

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Don Stolt - 49ers
Edi Mitchell - 49ers
Karen Scott - Mississauga Flyers
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Queen's University - Mississauga
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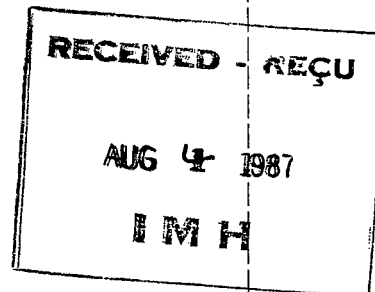
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---LUBICON LAKE BAND BOYCOTT

LUBICON LAKE BAND HAS BEEN LOBBYING OVER PAST SEVERAL MONTHS IN EUROPE IN SUPPORT OF THEIR OUTSTANDING CLAIM. CAMPAIGN HAS GENERATED A NUMBER OF LETS, OF THE KIND YOU HAVE RECEIVED. THEY MOSTLY CONTAIN INACCURATE INFO, SUCH AS THAT ^{IN} A LET FROM SWEDISH GROUP. IN LIGHT OF RECENT DECISION OF UN COMMITTEE ON HUMAN RIGHTS WHICH HAS AGREED TO HEAR LUBICON CASE, BASED ON ART27 (MINORITY RIGHTS, AS OPPOSED TO ART1, WHICH DEALS WITH SELF-DETERMINATION) OF INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR), WE CAN EXPECT SUSTAINED INTEREST IN THIS ISSUE FM VARIOUS EUROPEAN NGO SUPPORT GROUPS. WHILE CLAIM NEGOTIATIONS MAY BE RESUMED SOON, WE DO NOT/NOT ANTICIPATE THAT BAND WILL CEASE ITS CAMPAIGNING IN EUROPE. IF ANYTHING, UN COMM DECISION WILL ONLY REKINDLE BOYCOTT ACTIVITY IN EUROPE.

2. IN RELATION TO CORRESPONDENCE RECEIVED FM SWEDISH SUPPORT GROUP, OR OTHER QUERIES YOU MAY RECEIVE IN FUTURE YOU SHOULD REFER TO FOLLOWING INFORMATION TO REFUTE ALLEGATIONS.

.../2

DRAFTER/RÉDACTEUR J. SIMPSON SIG	DIVISION/DIRECTION IMH	TELEPHONE 2-6664	APPROVED/APPROUVÉ F.D. PILLARELLA SIG
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PAGE TWO EXTOTT IMH 28JUL87 C O N F I D E N T I A L 12

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I)THE 1988 WINTER OLYMPICS WILL BE HELD IN CALGARY,WHICH IS
LOCATED IN SOUTHERN NOT NORTHERN PART OF ALBERTA(SOME 500KMS FROM
LUBICON LAKE)AND ON SITES WHICH ARE NOT/NOT CONSIDERED AS BEING
HOLY OR SACRED BY SURROUNDING ABORIGINAL BANDS.

II)OLYMPIC ORGANIZING COMMITTEE(OCO) IN ALTA IS COMPRISED OF
MEMBERS FM PRIVATE AND PUBLIC SECTORS EACH CONTRIBUTING HIS/HER
PARTICULAR EXPERTISE IN VARIOUS AREAS RANGING FM MARKETING TO GOOD
PUBLIC RELATIONS.OIL COMPANY'S REPS ARE BUT ONE SEGMENT OF PRIVATE
SECTOR REPRESENTED ON OCO.

III)WITH REGARD TO NEGOTIATIONS BETWEEN LUBICON BAND AND FEDERAL
GOVERNMENT,LATTER HAS CONTINUOUSLY REITERATED ITS WILLINGNESS TO
RETURN TO NEGOTIATING TABLE,SINCE THE BAND'S WITHDRAWAL IN FALL OF
1986.GOV'T MAINTAINS POSITION THAT PRESENT LAND CLAIM POLICY IS
ADEQUATE AND FAIR AND PROVIDES AN APPROPRIATE FRAMEWORK TO
ACCOMMODATE LUBICON LAKE BAND LAND CLAIM.WE WERE RECENTLY INFORMED
BY DEPARTMENT OF INDIAN AND NORTHERN AFFAIRS(DINA) THAT LUBICON
BAND HAS INDICATED A WILLINGNESS TO RESUME DISCUSSIONS WITH GOV'T
IN NEAR FUTURE.

3.FOLLOWING IS A DRAFT RESPONSE YOU MAY WISH TO USE IN REPLY TO
SWEDISH SUPPORT GROUP'S LETTER.QUOTE THANK YOU FOR YOUR LET OF
JULY14,1987 CONCERNING LUBICON LAKE BAND.WITH REGARD TO A VARIETY
OF ALLEGATIONS YOU HAVE RAISED,THEY STRIKE US AS SIGNIFICANTLY

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PAGE THREE EXTOTT IMH 28JUL87 C O N F I D E N T I A L¹²¹

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ILLFOUNDED AND INACCURATE. IT IS THEREFORE OF UTMOST IMPORTANCE TO THE GOVERNMENT OF CANADA THAT YOU BE APPRISED OF THE FACTS SURROUNDING THE OUTSTANDING CLAIM OF THE LUBICON LAKE BAND AND ITS CAMPAIGN IN RELATION TO THE 1988 CALGARY WINTER GAMES. FIRST, MAY WE CLARIFY THAT THE GAMES WILL BE HELD IN CALGARY, A CDN CITY WHICH IS LOCATED IN THE SOUTHERN PART OF THE PROVINCE OF ALBERTA, NOWHERE NEAR LUBICON LAKE. IN FACT THEY ARE SOME 500 KMS APART. WITH REGARD TO THE SITES CHOSEN FOR THE VARIOUS OLYMPIC ACTIVITIES, WE CAN ASSURE YOU THAT THERE ARE NO HOLY OR SACRED GROUNDS IN THE VICINITY WHICH COULD BE VIOLATED. THE ABORIGINAL GROUPS WHICH LIVE NEAR THE SITES HAVE BEEN INVITED TO PARTICIPATE IN THE PLANNING OF THE OLYMPIC GAMES. IN ADDITION TO OPENING THE OLYMPIC CEREMONIES, VARIOUS SURROUNDING BANDS WILL BENEFIT FROM THE ECONOMIC OPPORTUNITIES GENERATED BY THE GAMES. WE SHOULD NOTE THAT THESE BANDS HAVE REFRAINED FROM ANY ACTIVE SUPPORT OF THE LUBICON LAKE BAND PROTEST ACTIVITIES.

IN RELATION TO YOUR ENQUIRY REGARDING THE OLYMPIC ORGANIZING COMMITTEE, (OCO) IN ALBERTA, IT IS COMPRISED OF SEVERAL MEMBERS FROM THE PRIVATE AND PUBLIC SECTORS, COVERING A BROAD RANGE OF INTERESTS AND EXPERTISE. IT IS ONLY NORMAL THAT OIL COMPANY BUSINESS PERSONS PARTICIPATE, AS CALGARY IS CDAS MAJOR OIL CENTRE. AS YOU MAY BE AWARE, THE PROVINCE OF ALTA HAS MADE REASONABLE EFFORTS TO INCLUDE

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PAGE FOUR EXTOTT IMH 28JUL87 C O N F I D E N T I A L 12

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A WIDE RANGE OF PEOPLE IN THE PLANNING AND MANAGEMENT OF THIS
HISTORICAL EVENT.

WITH REGARD TO THE CDN GOVT'S POSITION ON THE LUBICON LAKE BAND
LAND CLAIM, THE FEDERAL GOVT, THROUGH THE AUSPICES OF THE MINISTER
OF INDIAN AND NORTHERN AFFAIRS, THE HONOURABLE BILL MCKNIGHT, HAS
CONTINUOUSLY REITERATED ITS WILLINGNESS TO NEGOTIATE WITH THE
LUBICON LAKE BAND, IN ORDER TO SETTLE THEIR OUTSTANDING CLAIM IN A
FAIR AND JUST MANNER.

AS YOU MAY KNOW, THE CDN GOVT HAS SETTLED SEVERAL LAND CLAIMS, OVER
PREVIOUS YEARS IN GOOD FAITH AND FAIRNESS. MAY WE REASSURE YOU
THEREFORE, OF OUR INTENT TO ACHIEVE SIMILAR RESULTS FOR THE
LUBICON LAKE BAND. IT IS OUR HOPE THAT NEGOTIATIONS BETWEEN THE
GOVT AND THE BAND WILL BE SETTLED IN THE NEAR FUTURE AND IN THE
BEST INTEREST OF ALL CDNS.

I'M NOT AWARE OF WHERE YOU ACQUIRED THE INACCURATE
INFORMATION, CONTAINED IN YOUR LETTER, BUT I CAN ONLY REGRET THAT
YOU SEE FIT TO DISTRIBUTE IT PRIOR TO VERIFYING IT'S SUBSTANCE
THROUGH RELIABLE CHANNELS. THIS IS ALL THE MORE REGRETABLE IN OUR
VIEW, BECAUSE THE MINORITY RIGHTS GROUP IS CONSIDERED TO BE A
NON-GOVERNMENTAL ORGANIZATION WITH A NORMALLY DISTINGUISHED RECORD
OF INVESTIGATION AND RESEARCH. I WOULD APPRECIATE THEREFORE YOUR
REVIEWING YOUR INFORMATION ON THIS PARTICULAR CASE AND

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↓ PAGE FIVE EXTOTT IMH 28JUL87 C O N F I D E N T I A L ¹²

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ENDEAVOURING TO SEEK A BALANCE VIEW ON THIS COMPLEX ISSUE. YOU
SHOULD BEAR IN MIND THAT THE LUBICON LAKE BAND LAND CLAIM IS ALSO
A PARTICULARLY THORNY ISSUE AND IS BY NO MEANS RELATED TO THE
SITUATION OF OTHER CREE INDIAN GROUPS IN CDA.

IN CLOSING, I WISH TO INFORM YOU THAT I OR ANY MEMBER OF OUR
EMBASSY STAFF WOULD BE MORE THAN PLEASED TO DISCUSS THIS CASE WITH
YOU OR ANY OTHER PERTINENT TO CDA. UNQUOTE

4. GRATEFUL YOU FORWARD A COPY OF OUR RESPONSE TO SWEDISH SUPPORT
GROUP AND CONTINUE MONITORING OF LUBICON LAKE BAND CAMPAIGN.



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

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Accession/Référence
File/Dossier
45-CPA-13-1-3-LUBICON LAKE BAUD
30 JUL 87 18 51Z
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SECURITY SÉCURITÉ	C O N F I D E N T I A L
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	<p>---HUMAN RIGHTS COMMITTEE:LUBICON LAKE DECISION:PRESS' LINE</p> <p>PRESS LINE WE HAVE SO FAR TAKEN HERE IS BASICALLY TO EMPHASIZE PROCEDURAL NATURE OF ADMISSIBILITY AND NOT, IN KEEPING WITH CONFIDENTIALITY OF COMMITTEES PROCEEDINGS, TO COMMENT ON THE MERITS. HOWEVER IN THE EVENT THAT BANDS REPS GIVE DECISION MORE PUBLICITY AND IN PARTICULAR REFER TO INTERIM MEASURES ASPECT OF DECISION WE SHOULD BE PREPARED, IN RESPONSE TO MEDIA QUERIES, A LITTLE MORE FULLY. FOLLOWING IS INTERDEPARTMENTALLY AGREED PRESS LINE TO BE USED IN RESPONSE TO MEDIA INQUIRIES HERE AND AT POSTS. QUOTE. THE DECISION ON AD ADMISSIBILITY IS A PROCEDURAL ONE ONLY; IT IS IN NO WAY A COMMENT ON THE HUMAN RIGHTS SITUATION IN CANADA; -THE COMMITTEE ADMITTED THE COMMUNICATION ON A GROUND OTHER THAN THAT ALLEGED BY THE BAND. AS A RESULT, THE GOVERNMENT OF CANADA IS SEEKING FURTHER CLARIFICATION ON THE COMMITTEES DECISION AND THE REASONS FOR IT. UNQUOTE.</p> <p>IN RESPONSE ONLY TO SPECIFIC QUESTIONS RELATED TO COMMITTEES REQUEST THAT CANADA TAKE INTERIM MEASURES TO PREVENT IRREPARABLE DAMAGE, FOLLOWING LINE WAS AGREED. ...2</p>

DRAFTER/RÉDACTEUR	DIVISION/DIRECTION	TELEPHONE	APPROVED/APPROUVÉ
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PAGE TWO JLO1051 CONFD

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QUOTE.NEGOTIATIONS WITH THE BAND WOULD CONSTITUTE SUCH MEASURES
IN CANADAS VIEW,AND THE GOVERNMENT OF CANADA IS WILLING TO DISCUSS
THIS MATTER WITH THE BAND AT ANY TIME.UNQUOTE.

GRATEFUL YOU BRING THIS MESSAGE TO THE ATTENTION OF MEMBERS OF
CANDEL ATTENDING MEETING OF WORKING GROUP ON INDIGENOUS POPULATIONS.

file: Optional protocol
Lubicon Lake.
M.C.

C7

ACTION
SUITE A DONNER

[Signature]

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JUL 28 1987
Legal Operations Division (JLO)
Direction des Opérations juridiques

C O N F I D E N T I A L

FM GENEV YTGR4708 28JUL87

TO EXTOTT JLO DELIVER BY 281030

INFO PRMNY EXTOTT IMH DELIVER BY 281030

BH FPROOTT/OACA/CARON DELIVER BY 281030 DE OPM SECSTATEHULL/

DADSON INAHULL/DOERR DELIVER BY 281030 DE OCI JUSTOTT/LOW/

FREEMAN DELIVER BY DE OTT

DISTR IMD BCM

REF OURFAX YTGR4706 28JUL

---HUMAN RIGHTS CTTEE:LUBICON LAKE BAND

ACC	REF	DATE
FILE		DOSSIER
45-CDA-13-1-3-LUBICON LAKE		

BAND

REF FAX CONTAINS COPY OF CTTEES DECISION ON ADMISSIBILITY OF LUBICON LAKE COMMUNICATION AS WELL AS EXCERPT FROM CTTEES REPORT (ADOPTED LAST FRIDAY), WHICH REFERS IN GENERAL TERMS TO CTTEES DELIBERATIONS ON SELF-DETERMINATION ISSUE. WITHOUT IDENTIFYING PARTIES CONCERNED, LATTER DOCUMENT SUMMARIZES CTTEES CONCLUSIONS ON ADMISSIBILITY OF LUBICON COMMUNICATION AND REMAINS ONLY PUBLIC PRONOUNCEMENT OF THIS MATTER AS FAR AS CTTEE AND SECRETARIAT ARE CONCERNED.

2. YOU WILL NOTE THAT, IN ITS CONCLUSIONS, (PARA 14 OF DECISION), CTTEE SUMMARILY REJECTS CDN GOVTS QUOTE NON-EXHAUSTION OF DOMESTIC REMEDIES UNQUOTE ARGUMENT, DECLARING (PARA 4.2) THAT QUOTE THERE ARE NO/NO EFFECTIVE REMEDIES STILL AVAILABLE TO THE LUBICON BAND UNQUOTE.

3. REGARDING SELF-DETERMINATION ISSUE, CTTEE SEEMS TO ACCEPT (IN PARA 14.3) PROPOSITION THAT ALLEGED VIOLATION OF A GROUP) RIGHT IS NOT/NOT APPROPRIATE TOPIC FOR INDIVIDUAL COMPLAINTS PROCEDURE UNDER OPTIONAL

...2

PAGE TWO YTGR4708 CONF

PROTOCOL. HOWEVER, CTTEE CONSIDERS THAT ART 27, (CULTURAL, RELIGIOUS AND LANGUAGE RIGHTS OF PERSONS BELONGING TO MINORITIES) MAY BE OF RELEVANCE TO SITUATION RAISED BY LUBICON BAND.

4. SECRETARIAT CONTACT, WHILE NOT/NOT COMMENTING ON PERTINENCE OF ARTICLE 27, HAS EXPRESSED PERSONAL DISCOMFORT OVER MANNER IN WHICH SELF-DETERMINATION ISSUE WAS ADDRESSED. PRECEDENT CITED BY CTTEE (COMMUNICATION 197/85) APPARENTLY CONCERNS A SINGLE INDIVIDUAL IN NORDIC COUNTRY CLAIMING VIOLATION OF HIS OWN PERSONAL RIGHT TO SELF-DETERMINATION. AS SUCH IT IS NOT/NOT A COMPLETELY COMPARABLE PRECEDENT IN CONTEXT OF LUBICON CASE, WHERE OMINAYAK CLAIMS REDRESS ON BEHALF OF HIS BAND. SOME CTTEE MEMBERS EVIDENTLY RECOGNIZED THIS AMBIGUITY IN INSISTING ON INSERTING WORDS QUOTE OR OTHER ARTICLES UNQUOTE AFTER QUOTE ARTICLE 27 IN PARAS 14.4 AND 14.5. THIS COULD CONCEIVABLY, IN SECRETARIAT'S VIEW, LEAVE DOOR OPEN TO OMINAYAK TO REVERT TO SELF-DETERMINATION ISSUE QUOTE ON BEHALF OF BAND UNQUOTE IN FUTURE SUBSTANTIVE SUBMISSIONS TO THE CTTEE. QUESTION OF HOW CDN GOVT SHOULD, IN ITS OWN FUTURE SUBMISSIONS, CONTEND WITH THE RATHER OPEN-ENDED IMPLICATIONS OF THE PHRASE QUOTE OR OTHER ARTICLES UNQUOTE WILL OBVIOUSLY REQUIRE VERY CAREFUL CONSIDERATION.

5. ANOTHER NOTEWORTHY ELEMENT OF CTTEE'S DECISION, OF COURSE, IS REQUEST IN PARA 14.5(2) THAT STATE PARTY TAKE QUOTE INTERIM MEASURES TO AVOID IRREPARABLE DAMAGE UNQUOTE. WE WOULD IMAGINE THAT LUBICON MIGHT PUT PARTICULAR EMPHASIS ON THIS IN THEIR PUBLIC CAMPAIGN TO

...3

PAGE THREE YTGR4708 CONF

CAPITALIZE ON CTTEES DECISION. NEEDLESS TO SAY, CANDEL TO NEXT WEEKS MTG OF WORKING GROUP ON INDIGENOUS POPULATIONS WILL HAVE TO BE WELL-PREPARED ON ISSUE OF WHETHER, AND (IF SO) HOW, TO RESPOND TO ANY PUBLIC COMMENTS MADE BY CDN INDIGENOUS REPS REGARDING CTTEES ADMISSIBILITY DECISION, WHICH AS FAR AS CTTEE AND SECRETARIAT ARE CONCERNED IS NOT/NOT A MATTER FOR THE PUBLIC DOMAIN.

6. FINALLY, YOU WILL LIKELY HAVE HEARD LAST EVENINGS CBC RADIO REPORT ON THIS SUBJECT, INCLUDING REFERENCES TO COMMENTS ON MISSION REP. FROM OUR CONVERSATION WITH CORRESPONDENT NEIL FORD IT WAS CLEAR THAT INTENDED THRUST OF STORY WAS THAT OF (TO USE FORDS WORDS) QUOTE BLACK EYE FOR CDA ON THE INTERNATIONAL STAGE UNQUOTE. IN THE CIRCUMSTANCES, RATHER THAN GIVING IMPRESSION OF GOVT STONEWALL, WE CONSIDERED IT PREFERABLE TO AGREE THAT FORD COULD REFER IN HIS REPORT TO OUR CONTRARY VIEW, IE THAT, IN INSTANCES OF THIS NATURE, CDAS LONGSTANDING ADHERENCE AND COMMITMENT TO OPTIONAL PROTOCOPL SERVED RATHER TO ENHANCE CDAS INTERNATIONAL IMAGE. WHILE ALL DETAILS/NUANCES OF DISCUSSION DID NOT/NOT COME THROUGH IN REPORT WHICH WE HEARD ON QUOTE WORLD AQT SIX UNQUOTE, HOPE YOU WILL AGREE THAT OUR COMMENTS AS REPORTED DID ACHIEVE GOAL OF BLUNTING FORDS QUOTE BLACK EYE UNQUOTE THESIS, WITHOUT COMPROMISING OUR POSITION ON THE CONFIDENTIALITY OF THIS OR ANY OTHER CASE PENDING BEFORE THE CTTEE.

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External Affairs Affaires extérieures
Canada Canada

ACTION

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MESSAGE

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MGTC/JOURNAL/CIRC/DOSSIER

Accusation/Référence

File/Dossier

45-13-3-INDIANS

PAGE 1 OF 15

SECURITY
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Lubicon

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FPROTT/OACA/CARON DELIVER BY 280900 *doTT*

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IMH DELIVER BY 280900 IMD BCM

REF

PRMNYTEL WKGR2540 22JULY AND LIVERMORE/HYNES TELECON 27JUL/87

SUBJ

---HUMAN RIGHTS CTTEE : LUBICON LAKE BAND

ATTACHED IS COPY OF CTTEE DECISION RE ADMISSIBILITY OF

CHIEF OMINAYAKS COMMUNICATION TO HUMAN RIGHTS CTTEE,

AS WELL AS RELEVANT EXCERPTS FROM CTTEES REPORT.

FOR BCM:LUBICON COUNSEL HAS EVIDENTLY PUBLICIZED

CONTENTS OF DECISION, AND WE HAVE IN CONSULTATION WITH
IMH CHOSEN TO TRANSMIT DOCUMENT BY UNCLASSIFIED FAX IN
VIEW OF URGENCY OF MATTER. HOWEVER CONTENTS OF DECISION
(INDEED EVEN ITS VERY EXISTENCE) REMAINS PRIVATE MATTER
BETWEEN PARTIES CONCERNED AS FAR AS CTTEE AND UN
SECRETARIAT ARE CONCERNED, AND WE HAVE AGREED WITH
SECRETARIAT TO PROCEED ON THAT BASIS VIS-A-VIS GENERAL
PUBLIC AND MEDIA FOR TIME BEING.

2. COMMENTS ON SUBSTANCE OF CTTEES DECISION ~~WILL~~ FOLLOW
BY SEPARATE TEL.

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JUL 28 1987

Legal Operations Division (JLO)
Direction des Opérations juridiques

REF DATE

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DOSSIER

45-13-1-3-LUBICON
LAKE BAND

OTT - GVA 10/24

NYK - GVA 02/24

WDC - GVA

LDN - GVA

PAR - GVA

TKO - GVA

DRAFTER/RÉDACTEUR

DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

SIG

R HYNES

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T C HAMMOND

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INTERNATIONAL COVENANT ON CIVIL
AND POLITICAL RIGHTS

as am.

For participants only

CCPR/C/30/CRP.1/Add.12
20 July 1987

Original: ENGLISH

HUMAN RIGHTS COMMITTEE
Thirtieth session
Agenda item 6

(Michael W.
V.D. 24/7/87)

NONCLASSIFIED-UNCLASSIFIED

DRAFT ANNUAL REPORT OF THE HUMAN RIGHTS COMMITTEE TO THE GENERAL ASSEMBLY
THROUGH THE ECONOMIC AND SOCIAL COUNCIL UNDER ARTICLE 45 OF THE COVENANT
AND ARTICLE 6 OF THE OPTIONAL PROTOCOL

Rapporteur: Mr. Vojin Dimitrijevic

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NONCLASSIFIED - UNCLASSIFIED

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CCPR/C/30/CRP.1/Add.12
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8. The Committee therefore decided:

"That any further explanations or statements which the State party may wish to submit to clarify the matter and the measures taken by it, should, in accordance with article 4, paragraph 2, of the Optional Protocol, reach the Human Rights Committee within six months of the date of transmittal to it of this decision. Should the State party not intend to make a further submission in the case, it is requested to so inform the Committee as soon as possible to permit an early decision on the merits."

The State party responded, accordingly, that it would make no further submission in the case, thus enabling the Committee, at its thirtieth session in July 1987, to proceed to the adoption of views under article 5, paragraph 4, of the Optional Protocol (see annex ...).

(b) The standing of the author under article 2 of the Optional Protocol

9. With respect to the standing of authors who have submitted communications to the Committee claiming to be victims of a violation of the right of self-determination enshrined in article 1 of the Covenant, the Committee held in an admissibility decision adopted at its twenty-ninth session:

197/1985
"... that the author, as an individual, cannot claim to be a victim of a violation of the right of self-determination enshrined in article 1 of the Covenant. Whereas the Optional Protocol provides a recourse procedure for individuals claiming that their rights have been violated, article 1 of the Covenant deals with rights conferred upon peoples, as such."

10. Similarly, in a decision adopted at its thirtieth session in respect of a communication submitted by an individual acting on his own behalf and claiming to act on behalf of others, the Committee reaffirmed

167/1984
"... that the Covenant recognizes and protects in most resolute terms a people's right of self-determination and its right to dispose of its natural resources, as an essential condition for the effective guarantee and observance of individual human rights and for the promotion and strengthening of those rights. However, the Committee observes that the author, as an individual, cannot claim under the Optional Protocol to be a victim of a violation of the right of self-determination enshrined in article 1 of the Covenant which deals with rights conferred upon peoples, as such."

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✓ The Committee ^{decided} ~~did not preclude~~, however, that the communication could be considered, in so far as it might raise issues under article 27 ~~in conjunction~~ ^{and other articles} ~~with articles~~ of the Covenant. #

(c) The requirement of State jurisdiction under article 1 of the Optional Protocol

11. The requirement in article 1 of the Optional Protocol that an individual be subject to the jurisdiction of the State party was further elucidated by the Committee in its decision declaring communication No. 217/1986 (H.v.d.P. v. the Netherlands) inadmissible. In that case the author, an international civil servant with the European Patent Office, had claimed to be a victim of discrimination in the promotion practices of that organization. He contended that the Human Rights Committee was competent to consider the case, since five States parties (France, Italy, Luxembourg, the Netherlands and Sweden) to the European Patent Convention were also parties to the Optional Protocol to the International Covenant on Civil and Political Rights. The author, a national of the Netherlands, submitted his communication against the Netherlands. The Committee observed, however:

"... that it can only receive and consider communications in respect of claims that come under the jurisdiction of a State party to the Covenant. The author's grievances, however, concern the recruitment policies of an international organization, which cannot, in any way, be construed as coming within the jurisdiction of the Netherlands or of any other State party to the International Covenant on Civil and Political Rights and the Optional Protocol thereto. Accordingly, the author has no claim under the Optional Protocol." (See annex ...).

(d) Interim measures under rule 86

12. The authors of a number of cases currently before the Committee are convicted persons who have been sentenced to death and are awaiting execution. These authors claim to be innocent of the crimes of which they were convicted and further allege that they were denied a fair hearing. In view of the urgency of the communications, the Committee has requested the two States parties concerned, under rule 86 of the Committee's provisional rules of procedure, not to carry out the death sentences until "the Committee has had the opportunity to render a final decision in this case" or "the Committee has had an opportunity to consider further ... the question of admissibility of the present communication." Stays of execution have been granted in this connection.

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CCPR/C/WG.20/DR/167/1984

27 July 1987

Original: ENGLISH

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NONCLASSIFIE - UNCLASSIFIED

INTERNATIONAL
COVENANT
ON CIVIL AND
POLITICAL RIGHTS



HUMAN RIGHTS COMMITTEE
Thirtieth session

✓ **DECISIONS**
~~RECOMMENDATIONS~~

✓ Communication No. 167/1984

Submitted by: Bernard Ominavak, Chief of the Lubicon Lake Band
(represented by counsel)

Alleged victims: The Lubicon Lake Band

State party concerned: Canada

Date of communication: 14 February 1984

Documentation references: Prior decisions - CCPR/C/WG.23/D/167/1984 (rule 91
decision, 9 November 1984)
- CCPR/C/27/D/167/1984 (interim
decision, 10 April 1986)

✓ Date of present decision: 22 July 1987

✓ ~~The Working Group of the Human Rights Committee recommends that the
Committee adopt the following:~~

Decision on admissibility

✓

*/ All persons handling this document are requested to respect and
observe its confidential nature.

30/12/1
CCPR/C/WG.20/1984/167/1984
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1. The author of the communication (initial letter dated 14 February 1984 and subsequent letters and legal memoranda dated 23 January, 27 March, 8 July and 31 July 1985, 9 April and 30 June 1986, 25 February, 19 March and 12 June 1987) is Chief Bernard Ominayak (hereinafter referred to as the author) of the Lubicon Lake Band, Canada. He is represented by counsel.

2.1 The author alleges violations by the Government of Canada of the Lubicon Lake Band's right of self-determination and by virtue of that right to freely determine its political status and pursue its economic, social and cultural development, as well as the right to freely dispose of its natural wealth and resources and not to be deprived of its own means of subsistence. These violations allegedly contravene Canada's obligations under articles 1 (1), 1 (2) and 1 (3) of the International Covenant on Civil and Political Rights.

2.2 Chief Ominayak is leader and representative of the Lubicon Lake Band, who are Cree Indians living within the borders of Canada, in the Province of Alberta. They are subject to the jurisdiction of the Federal Government of Canada allegedly in accordance with a fiduciary relationship assumed by the Canadian Government with respect to Indian Peoples and their lands located within Canada's national borders. The Lubicon Lake Band is a self-identified, relatively autonomous, socio-cultural and economic group. They have continuously inhabited, hunted, trapped and fished a 25,000 square mile area in Northern Alberta since time immemorial. Since their territory is relatively inaccessible, they have, until recently, had little contact with non-Indian society. Band members speak Cree as their primary language. Many do not speak, read or write English. The Band continues to maintain its traditional culture, religion, political structure and subsistence economy.

2.3 It is claimed that the Canadian Government, through the Indian Act of 1970 and Treaty 8 of 21 June 1899 (concerning aboriginal land rights in Northern Alberta) recognized the right of the original inhabitants of that area to continue their traditional way of life. Despite these laws and agreements, the Canadian Government has allowed the Provincial Government of Alberta to expropriate the territory of the Lubicon Lake Band for the benefit of private corporate interests (e.g. leases for oil and gas exploration). In so doing Canada is accused of violating the Band's right to freely determine its political status and to pursue its economic, social and cultural development, as guaranteed by article 1 (1) of the Covenant. Furthermore, energy exploration in the Band's territory allegedly entails a violation of article 1 (2) which grants all peoples the right to dispose of their natural wealth and resources. In destroying the environment and undermining the Band's economic base, the Band is allegedly being deprived of its means to subsist and of the enjoyment of the right of self-determination guaranteed in article 1.

3.1 The author states that the same matter has not been submitted for examination under another procedure of international investigation or settlement.

3.2 With respect to the exhaustion of domestic remedies, it is stated that the Lubicon Lake Band has been pursuing its claims through domestic political and legal avenues. It is alleged that the domestic political and legal

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process in Canada is being used by Government officials and energy corporation representatives to thwart and delay the Band's actions until, ultimately, the Band becomes incapable of pursuing them, because industrial development at the current rate in the area, accompanied by the destruction of the environmental and economic base of the Band, would make it impossible for the Band to survive as a people for many more years.

3.3 On 27 October 1975, representatives of the Lubicon Lake Band filed with the Registrar of the Alberta (Provincial) Land Registration District, a request for a caveat which would give notice to all parties dealing with the caveated land of their assertion of aboriginal title, a procedure foreseen in the Provincial Land Title Act. The Supreme Court of Alberta received arguments on behalf of the Provincial Government, contesting the caveat, and on behalf of the Lubicon Lake Band. On 7 September 1976, the Provincial Attorney General filed an application for a postponement, pending resolution of a similar case; the application was granted. But on 25 March 1977 the Attorney General introduced in the Provincial Legislature an amendment to the Land Title Act precluding the filing of caveats; the amendment was passed and made retroactive to 13 January 1975, thus predating the filing of the caveat involving the Lubicon Lake Band. Consequently, the Supreme Court hearings were dismissed as moot.

3.4 On 25 April 1980 the Band filed an action in the Federal Court of Canada, requesting a declaratory judgment concerning their rights to their land, its use, and the benefits of its natural resources. The claim was dismissed on jurisdictional grounds against the Provincial Government and all energy corporations except one (Petro-Canada). The claim with the Federal Government and Petro-Canada as defendants was allowed to stand, but is still pending.

3.5 On 16 February 1982 an action was filed in the Court of Queen's Bench of Alberta, requesting an interim injunction to halt development in the area until issues raised by the Band's land and natural resource claims were settled. The main purpose of the interim injunction, the author states, was to prevent the Alberta Government and the oil companies ("Defendants") from further destroying the traditional hunting and trapping territory of the Lubicon Lake people. This would have permitted the Cree Aboriginal People of Lubicon Lake to continue to hunt and trap for their livelihood and subsistence and as a part of their aboriginal way of life. As stated in the communication, the Provincial Court did not render its decision for almost two years, during which time oil and gas development continued, along with gross and unnecessary destruction of the Band's economic base. On 17 November 1983, the request for an interim injunction was denied and the Band, though financially destitute, was subsequently held liable for all court costs and attorneys' fees associated with the action.

3.6 The decision of the Court of Queen's Bench was appealed to the Court of Appeal of Alberta. It was dismissed by the Court of Appeal on 11 January 1985. In reaching its decision, the Court of Appeal agreed with the lower court's finding that the Band's claim of aboriginal title to the land presents a serious question of law to be decided at trial. None the less, the Court of Appeal found that the Aboriginal People of Lubicon Lake would suffer no irreparable harm if resource development continued fully and that the balance of convenience, therefore, favoured denial of the injunction.

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3.7 The author states that the Defendants attempted to convince the Court that the Aboriginal Peoples of Lubicon Lake have no right to any possession of any sort in any part of the subject lands, which, logically, included even their homes. In response, the Court pointed out that any attempt to force the Lubicon People from their dwellings might indeed prompt interim relief, as would attempts to deny them access to traditional burial grounds or other special places, or to hunting and trapping areas. In its complaint, the Band alleged denial of access to all of these areas, supporting its allegations with photographs of damage and with several uncontested affidavits. Yet, the Court overlooked the Band's evidence and concluded that the Band had failed to demonstrate that such action had been taken or indeed threatened by the Defendants.

3.8 The author further states that the legal basis for the Court of Appeal's decision was its own definition of irreparable injury. This test was: injury which is of such a nature that no fair and reasonable redress may be had in a court of law and that to refuse the injunction would be a denial of justice. The author submits that the People of Lubicon Lake clearly met this test by demonstrating, with uncontested proof, injury to their livelihood, to their subsistence economy, to their culture and to their way of life as a social and political entity. Yet, the Court found that the Band had not demonstrated irreparable harm.

3.9 On 18 February 1985, the Aboriginal Peoples of Lubicon Lake presented arguments to a panel of three (3) judges of the Supreme Court of Canada, requesting leave to appeal from the judgement of the Alberta Court of Appeal. By a judgement without opinion, rendered on 14 March 1985, the Supreme Court of Canada dismissed the application for leave to appeal with costs. Generally, the author states, the criteria for granting leave to appeal are: whether the questions presented are of public importance, whether the case contains important issues of law, or whether the proceedings are for any reason of such a nature or significance as to warrant a decision by the Supreme Court of Canada. He states that the issues presented by the Lubicon Lake Band involved such questions as: the interpretation of the constitutional rights of Aboriginal Peoples, the existence of which was recently confirmed by the Constitution Act, 1982; the remedies available to Aboriginal Peoples; the rights of Aboriginal Peoples to carry out traditional subsistence activities in traditional hunting and trapping grounds; the legal régime applicable to a large area of land in Northern Alberta; conflicts between Canada's traditional, land-based societies and its industrial society; public interests and minority interests; the competing rights of public authorities and individuals; considerations of fundamental and equitable justice; equality before the law; and the right to equal protection and benefit of the law. The author submits that at least the first four questions have not yet been adjudicated by the Supreme Court of Canada and that they incontrovertibly fall within the criteria set out for granting leave to appeal.

4. By its decision of 16 October 1984, the Working Group of the Human Rights Committee transmitted the communication under rule 91 of the provisional rules of procedure, to the State party concerned, requesting information and observations relevant to the question of admissibility of the communication. The main points reflected in the information and observations received from the State party are set out in paragraphs 5.1 to 5.7 and 6.1 to 6.4 below:

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5.1 Exhaustion of domestic remedies: In its submission dated 31 May 1985, the State party contends, first of all, that the Lubicon Lake Band has not pursued to completion domestic remedies commenced by it and that responsibility for any delays in the application of such remedies does not lie with the Government of Canada. The State party recalls that the Lubicon Lake Band suing in its own legal right, and Chief Bernard Ominayak suing in his personal capacity, and with other Band Councillors in a representative capacity, have initiated three different legal procedures and points out that only the litigation concerning the caveat filed by the Band has been finally determined. Two other legal actions, one in the Federal Court of Canada and one in the Alberta Court of Queen's Bench, are said to be still pending.

5.2 With regard to the Federal Court action referred to in the communication, the State party recalls that the Band and its legal advisors in April 1980, sought to sue the Province of Alberta and private corporations in proceedings in the Federal Court of Canada. It is submitted that in the circumstances of this case, neither the Province nor private entities could have been sued as defendants in the Federal Court of Canada ... Rather than reconstitute the proceedings in the proper forum, the State party submits, the Band contested interlocutory proceedings brought by these defendants concerning the issue of jurisdiction. These interlocutory proceedings resulted in a determination against the Band in November 1980. An appeal by the Band from the decision of the Federal Court was dismissed by the Federal Court of Appeal in May 1981.

5.3 Following the interlocutory proceedings relating to the jurisdiction of the Federal court, a new action was instituted on 21 February 1982, against the Province and certain corporate defendants in the Court of Queen's Bench of Alberta. As indicated in the communication, the Band sought an interim injunction. In November 1983, after extensive proceedings, the Band's interim application was dismissed by the Court of Queen's Bench based on the case of Erickson v. Wiggins Adjustments Ltd., [1980] 6 W.R.R. 188 which set out the criteria that must be present for a court to grant an interim injunction. Pursuant to that case, an applicant for an interim injunction must establish:

- (1) that there exists a serious issue to be tried,
- (2) that irreparable harm will be suffered prior to trial if no injunction is granted, and
- (3) that the balance of convenience between the parties favours relief to the applicant.

The State party points out that the Alberta Court denied the Band's application on the grounds that the Band had failed to prove irreparable harm and that it could be adequately compensated in damages if it was ultimately successful at trial.

5.4 Rather than proceed with a trial on the merits, the Band appealed against the dismissal of the interim application. Its appeal was dismissed by the Alberta Court of Appeal of 11 January 1985. The Band's application for leave to appeal the dismissal of the interim injunction to the Supreme Court of Canada was refused on 14 March 1985. Almost two months later, on 13 May 1985, the State party adds, the Supreme Court of Canada denied another

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request by the Band that the court bends its own rules to rehear the application. Thus, the State party states, the Court upheld its well-established rule prohibiting the rehearing of applications for leave to appeal.

5.5 The State party submits that after such extensive delays caused by interim proceedings and the contesting of clearly-settled procedural matters of law the author's claim that the application of domestic remedies is being unreasonably prolonged has no merit. It submits that it has been open to the Band as plaintiff to press on with the substantive steps in either of its legal actions so as to bring the matters to trial. It is the position of the Government of Canada that the author cannot rely on the plaintiff's own inaction to claim that the application of remedies have been unreasonably prolonged.

5.6 Additional Remedies: The State party submits that the term "domestic remedies", in accordance with the prevailing doctrine of international law, should be understood as applying broadly to all established municipal procedures of redress. Article 2 (3) (b) of the Covenant, it states, recognizes that in addition to judicial remedies, a State party to the Covenant can also provide administrative and other remedies. Following the filing of its defence in the Federal Court action, the Federal Government proposed late in 1981 that the claim be settled by providing the Band with reserve land pursuant to a treaty concluded in 1899. The conditions proposed by the Province (which holds legal title to the lands) were not acceptable to the Band and it accordingly rejected the proposed resolution to the dispute.

5.7 The Lubicon Lake Band's claim to certain lands in Northern Alberta, the State party submits, is part of an extremely complex situation, that involves competing claims from several other native communities in the area. In June 1980, approximately two months after the Band commenced its action in the Trial Division of the Federal Court, six other native communities filed with the Department of Indian Affairs a separate land claim asserting aboriginal title to lands which overlap with the property sought by the Lubicon Lake Band's claim. Subsequently, in June 1983, the Big Stone Cree Band filed a claim with the Department of Indian Affairs - this time claiming treaty entitlement - to an area which also overlaps with land claimed by the Lubicon Lake Band. The Big Stone Cree Band allegedly represents five of the native communities that filed the June 1980 claim based on aboriginal title. To deal with this very complex situation, in March 1985 the Minister of Indian and Northern Affairs appointed a former judge of the British Columbia Supreme Court as a special envoy of the Minister to meet with representatives from the Band, other native communities and the Province, review the entire situation and formulate recommendations. The State party submits that consideration of the Lubicon Lake Band's claim in isolation from the competing claims of the other native communities would jeopardize the domestic remedy of negotiated settlement selected by the latter.

6.1 Right of Self-Determination: The Government of Canada submits that the communication, as it pertains to the right of self-determination, is inadmissible for two reasons. Firstly, the right of self-determination applies to a "people" and it is the position of the Government of Canada that the Lubicon Lake Band is not a people within the meaning of article 1 of the Covenant. It is therefore submitted that the communication is incompatible

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with the provisions of the Covenant and as such, should be found inadmissible under article 3 of the Protocol. Secondly, communications under the Optional Protocol can only be made by individuals and must relate to the breach of a right conferred on individuals. The present communication, the State party submits, relates to a collective right and the author therefore lacks standing to bring a communication pursuant to articles 1 and 2 of the Optional Protocol.

6.2 The Government of Canada submits that the Lubicon Lake Band does not constitute a people for the purposes of article 1 of the Covenant and it therefore is not entitled to assert under the Protocol the right of self-determination. It points out that the Lubicon Lake Band comprises only one of 582 Indian Bands in Canada and a small portion of a larger group of Cree Indians residing in Northern Alberta. It is therefore the position of the Government of Canada that the Lubicon Lake Indians are not a "people" within the meaning of article 1 of the Covenant.

6.3 The Government of Canada submits that self-determination as contained in article 1 of the Covenant is not an individual right, but rather provides the necessary contextual background for the exercise of individual human rights. This view, it contends, is supported by the following phrase from the Committee's General Comments on article 1 (CCPR/C/21/Add.3, 5 October 1984) which provides that the realization of self-determination is:

an essential condition for the effective guarantee and observance of individual human rights and for the promotion and strengthening of those rights. (emphasis added)

The General Comment, the State party adds, goes on to recognize that the rights embodied in article 1 are set apart from, and before, all the other rights in the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights. The rights in article 1, which are contained in Part I of the Covenant are, in the submission of Canada, different in nature and kind from the rights in Part III. The former are collective, the latter individual. Thus, the structure of the Covenant, when viewed as a whole, further supports the argument that the right of self-determination is a collective one available to peoples. As such, the State party argues, it cannot be invoked by an individual under the Optional Protocol.

6.4 The Government of Canada contends that the Committee's jurisdiction, as defined by the Optional Protocol, cannot be invoked by an individual when the alleged violation concerns a collective right. It therefore contends that the present communications pertaining to self-determination for the Lubicon Lake Band should be dismissed.

7. In response to the State party's submission on the question of admissibility, the author submitted on 8 July 1985 a detailed legal memorandum, addressing all the objections raised by the Government of Canada. The author summarizes his arguments as follows: The Government of Canada offers three principal allegations in its response. It alleges, first, that the Lubicon Lake Band has not exhausted domestic remedies. However, the Band has, in fact, exhausted these remedies to the extent that they offer any meaningful redress of its claims concerning the destruction of its means of livelihood. Secondly, the Government of Canada alleges that the

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concept of self-determination is not applicable to the Lubicon Lake Band. The Lubicon Lake Band is an indigenous people who have maintained their traditional economy and way of life, and have occupied their traditional territory since time immemorial. At a minimum, the concept of self-determination should be held to be applicable to these people as it concerns the right of a people to their means of subsistence. Finally, the Government of Canada makes allegations concerning the identity and status of the communicant ... The "communicant" is identified in the Band's original communication. The "victims" are the members of the Lubicon Lake Band, who are represented by their unanimously elected leader, Chief Bernard Ominayak.

8.1 By its interim decision of 10 April 1986, the Committee, recalling that the State party had informed it that the Minister of Indian and Northern Affairs had appointed a special envoy and given him the task to review the situation, requested the State party to furnish the Committee with the special envoy's report and with any information as to recommendations as well as measures which the State party had taken or intended to take in that connection.

8.2 In this same decision the Committee requested the author to inform it of any developments in the legal actions pending in the Canadian courts.

9.1 In his reply, dated 30 June 1986, to the Committee's interim decision, the author claims that there has been no substantive progress in any of the pending court proceedings. He reiterates his argument that "the Band's request for an interim injunction to halt the oil development which has destroyed the subsistence livelihood of its people, was denied and the Supreme Court of Canada refused to grant leave to appeal the denial ... The development and the destruction, therefore, continue unabated. ... The Band's attorney is continuing to pursue the claims through the courts despite the fact that the Band is unable to provide financial support for the effort and that there is no possible hope of resolution for the next several years. Therefore, the Band has no basis for altering its previous conclusion that, for all practical purposes, its domestic judicial remedies have been exhausted".

9.2 The Band also points out that the Federal Government's special envoy, Mr. E. Davie Fulton, had been relieved of his responsibilities following the submission of his "Discussion Paper" to the Federal Government of Canada. "In the Discussion Paper ... Mr. Fulton reached much the same conclusion as the Band itself; that the Canadian Government must bear the blame for the situation at Lubicon Lake and that the resolution of the problem is up to the Federal Government. His report also suggested a land settlement based on the Band's current population and recognized the importance of providing the Band with wildlife management authority throughout its hunting and trapping territory. The land settlement proposed by Mr. Fulton, which would result in a reserve significantly larger than the 25 square mile reserve the Band was promised in 1940, is consistent with the position of the Band with regard to this issue ... Mr. Fulton also recommended that Alberta compensate the Band for damage caused by the unrestricted oil and gas development for which it has issued leases within the Band's territory. In addition to relieving Mr. Fulton of his responsibility in the matter, the Federal Government, to date, has refused to make his Discussion Paper public."

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10.1 In its reply to the Committee's interim decision, dated 23 June 1986, the State party forwarded the text of Mr. Fulton's report and noted that it had appointed Mr. Roger Tassé to act as negotiator. Furthermore, it informed the Committee that on 8 January 1986 the Canadian Government had paid to the Band 1.5 million dollars to cover legal and other related costs.

10.2 In its comments of 20 January 1987 to the author's submission of 30 June 1986, the State party argues that following the rejection of the Band's application for an interim injunction, "the Band should then have taken steps with all due speed to seek its permanent injunction before seeking international recourse. The Band alleges in its submission ... that the delay in the litigation will cause it irreparable harm. Its action for a permanent injunction would, if successful, permanently prevent that harm".

11.1 On 23 and 25 February 1987 the author submitted two very extensive supplements to the communication, discussing inter alia matters of substance, such as the Fulton Discussion Paper, and arguing that "Canada has abandoned key recommendations contained in the Fulton Discussion Paper," and that "Canada is attempting retroactively to subject the Band to a law which this Committee has held to be in violation of article 27 of the International Covenant on Civil and Political Rights and which Canada amended in accordance with the findings of this Committee".

11.2 With regard to the pending litigation proceedings, the Band contends that a permanent injunction would not constitute an effective remedy because it would come too late, explaining that "the recognition of aboriginal rights or even treaty rights by a final determination of the courts will not undo the irreparable damage to the society of the Lubicon Lake Band, will not bring back the animals, will not restore the environment, will not restore the Band's traditional economy, will not replace the destruction of their traditional way of life, and will not repair the damages to the spiritual and cultural ties to the land. The consequence is that all domestic remedies have indeed been exhausted with respect to the protection of the Band's economy as well as its unique, valuable and deeply cherished way of life".

12. In a further submission, dated 12 June 1987, the author states: that "the Lubicon Lake Band is not requesting a territorial rights decision. Rather, the Band requests only that the Human Rights Committee assist it in attempting to convince the Government of Canada that: (1) the Band's existence is seriously threatened by the oil and gas development which has been allowed to proceed unchecked on their traditional hunting grounds and in complete disregard for the human community inhabiting the area; and (2) that Canada is responsible for the current state of affairs and for co-operating in their resolution in accordance with Article 1 of the Optional Protocol".

13. In its submission of 26 June 1987 the State party observes: "The Government of Canada wishes to assist the Human Rights Committee in resolving this matter without further delay, and in recognition of the Committee's onerous workload, does not wish to add unnecessarily to the already large quantity of material before the Committee. It is the position of the Government of Canada that the Human Rights Committee has sufficient information before it to make a decision on the issue of admissibility".

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14.1 Before considering a communication on the merits, the Committee must ascertain whether it fulfils all conditions relating to its admissibility under the Optional Protocol. With regard to article 5 (2)(a) of the Optional Protocol, the Committee has not received any information that the subject-matter has been submitted to another procedure of international investigation or settlement. Accordingly, the Committee finds that the communication is not inadmissible under article 5 (2)(a) of the Optional Protocol.

14.2 With regard to the requirement in article 5 (2)(b) of the Optional Protocol that authors must exhaust domestic remedies before submitting a communication to the Human Rights Committee, the author of the present communication invoked the provision in said article that this requirement should be waived "where the application of the remedies is unreasonably prolonged". The author has further argued that the only effective remedy in the circumstances of the case was to seek an interim injunction, because "without the preservation of the status quo, a final judgement on the merits, even if favourable to the Band, would be rendered ineffectual", in so far as "any final judgement recognizing aboriginal rights, or alternatively treaty rights, [could] never restore the way of life, livelihood and means of subsistence of the Band". In previous decisions on admissibility, the Committee has already clarified the meaning of article 5 (2)(b), explaining that "exhaustion of domestic remedies can be required only to the extent that these remedies are effective and available". Accordingly, in the circumstances of this case, the Committee finds that there are no effective remedies still available to the Lubicon Band and finds that the communication is not inadmissible under article 5 (2)(b) of the Optional Protocol. respect of

14.3 With regard to the State party's contention that the author's communication pertaining to self-determination should be declared inadmissible because "the Committee's jurisdiction, as defined by the Optional Protocol, cannot be invoked by an individual when the alleged violation concerns a collective right", the Committee reaffirms that the Covenant recognizes and protects in most resolute terms a people's right of self-determination and its right to dispose of its natural resources, as an essential condition for the effective guarantee and observance of individual human rights and for the promotion and strengthening of those rights. However, the Committee observes (as it has already done with regard to communication No. 197/1985) that the author, as an individual, cannot claim under the Optional Protocol to be a victim of a violation of the right of self-determination enshrined in article 1 of the Covenant, which deals with rights conferred upon peoples, as such.

14.4 The Committee notes, however, that the facts as submitted may raise issues under other articles of the Covenant, including article 27. Thus, in so far as the author and other members of the Lubicon Lake Band are affected by the events which the author has described, these issues could be examined on the merits, in order to determine whether they reveal violations of article 27 of the Covenant, ~~which deals with rights conferred upon peoples, as such.~~

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14.5 The Human Rights Committee therefore decides:

1. That the communication is admissible, in so far as it may raise issues under article 27 ~~of the Covenant~~ or other articles of the Covenant;

2. That the State party be requested, under rule 86 of the Committee's provisional rules of procedure, to take interim measures to avoid irreparable damage to Chief Ominayak and other members of the Lubicon Lake Band;

3. That the State party be informed that the Committee's expression of its views on the desirability of interim measures does not imply a determination on the merits of the communication;

4. That, in accordance with article 4 (2) of the Optional Protocol, the State party shall be requested to submit to the Committee, within six months of the date of transmittal to it of this decision, written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by it;

5. That any explanations or statements received from the State party shall be communicated by the Secretary-General to the author, under rule 93 (3) of the provisional rules of procedure of the Committee, with the request that any comments which the author may wish to submit thereon should reach the Human Rights Committee in care of the Centre for Human Rights, United Nations Office at Geneva, within six weeks of the date of transmittal;

6. That this decision be communicated to the State party and to the author of the communication.

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LOC	Lake Road

---COMITE DES DROITS DE L HOMME:DEMANDE DE LA BANDE DU LAC

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SELON CENTRE DES DROITS DE L HOMME A NYORK,COMITE DES DROITS
DE L HOMME ACTUELLEMENT EN SESSION A GENEVE A DECLARE
ADMISSIBLE LA COMMUNICATION DE LA BANDE DU LAC LUBICON EN TANT
QUE CETTE COMMUNICATION SOULEVE DES QUESTIONS RELATIVES
A L ARTICLE 27 AU PACTE INNTL SUR LES DROITS CIVILS ET
POLITIQUES.CETTE DECISION A ETE PRISE MERCREDI LE 22 JUILLET
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2.SELON RAMCHARAM ACTUELLEMENT A NYORK CETTE DECISION
IMPLIQUE QUE LA COMMUNICATION N EST PAS ACCEPTEE EN VERTU
DE L ARTICLE 1 DU PACTS.REGRETOONS N AVOIR PAS PLUS DE DETAILS
ET RAMCHARAM A DEMANDE AU CENTRE DE GENEVE(MONSIEUR JACOB
MOLLER,TEL 3460-11 POSTE 3373)PLUS DE DETAILS A CET EGARD.
VS AVISERONS.JOURNALISTE NEIL FORD DE CBC CALGARY A TELEPHONE
A LA MISSION CE MATIN POUR DEMANDER NOS COMMENTAIRES SUR
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---LUBICON BAND-GLENBOW EXHIBIT

BRIEFED SVENSSON ON LUBRICON SITU ALONG LINES OF REFTEL. SVENSSON HAS IN MEANTIME RECEIVED LET FROM LUBICONS WHICH INTER ALIA CLAIMS THAT WCIP SUPPORTS BOYCOTT AND THAT MOST OF MAJOR CONTRIBUTING INSTITUTIONS IE GERMANY, SWITZERLAND, UK, AND USA WERE WILLING TO WITHDRAW FROM GLENBOW EXHIBITION. SVENSSON TOOK CONSIDERABLE ENCOURAGEMENT FROM YOUR REPORT THAT LUBICON AND FEDERAL NEGOTIATORS WERE MTG TO SEE IF NEGOTIATIONS COULD RESUME IN EARNEST, BUT AGREED- AS SOCIAL ANTHROPOLOGIST WELL VERSED IN LANDS CLAIMS QUESTIONS- THAT LUBICONS WOULD BE ILL ADVISED TO ABANDON BOYCOTT CAMPAIGN UNTIL AGREEMENT REACHED.

2. ON QUESTION OF ETHNOGRAPHIC MUSEUMS ACCEDING TO LUBICON REQUEST TO WITHDRAW FROM GLENBOW, SVENSSON STATED THAT HE VERY MUCH WANTED EXHIBITION TO GO AHEAD BUT THAT IF LUBICONS REALLY DID HAVE SUPPORT (EVEN IF IT WERE ONLY MINIMAL) OF OTHER NATIVE GROUPS- PARTICULARLY WCIP- AND IF MAJOR INSTITUTIONS DID WITHDRAW ETHNOGRAPHIC MUSEUM COULD HARDLY AFFORD TO LET ITSELF BE ISOLATED. AS ANTHROPOLOGICAL

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WCIP has passed
a "test of support"
for Lubicon

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INSTITUTION MUSEUM COULD ONLY CARRY OUT FIELD WORK WITH COOP AND TRUST OF INDIGENOUS GROUPS WHOM IT STUDIED. TO GO IN FACE OF GENERALLY ACCEPTED BOYCOTT (IF SUCH IS INDEED CASE) WOULD COMPROMISE THIS. NO/NO DECISION HOWEVER HAD BEEN MADE AND NONE WOULD BE MADE BEFORE NEXT MTG OF MUSEUMS BOARD AROUND 20AUG. SVENSSON VERY MUCH HOPED THAT SOME SIGNS OF CLEAR PROGRESS IN NEGOTIATIONS WITH LUBICONS WOULD BY THAT TIME ENABLE ETHNOGRAPHIC MUSEUM TO RECOMMEND PROCEEDINGS WITH ITS GLENBOW CONTRIBUTION. WOULD BE GRATEFUL FOR UPDATE ON STATUS OF BOYCOTT CAMPAIGN AND STATE OF PLAY IN NEGOTIATIONS SO WE CAN BRIEF SVENSSON WHEN HE RETURNS FROM VACATION 17AUG.

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---LUBICON BAND - BOYCOTT OF CALGARY OLYMPICS

THE ACCOMPANYING LETTER WAS RECEIVED FROM A GROUP OF WHICH
THE EMBASSY KNOWS NOTHING. IMH MAY WISH TO COMMENT ON SOME
OF THE CHARGES SO THAT WE MAY REFUTE THEM WITH AUTHORITY IF
ASKED. PARTICULARLY THE CHARGES OF USING BULLDOZERS TO TEAR
DOWN LUBICON HOUSES AND THE ASSERTION THAT THE GAMES ARE BEING
ORGANIZED ON THE CREES HOLY MOUNTAIN AND BURYING PLACE.

2. COUNSELLOR (POLITICAL) HAS RECENTLY MET WITH THE SWEDISH
SPORTS FEDERATION AND AT NO TIME WAS THERE ANY MENTION OF THE
LUBICON QUESTION.

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JUL 27 1987

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Alan H. Kessel/rs


Alan H. Kessel

Swedish section of Minority Rights Group
Chair: P-Å Wahlström
Vice chair: G W Ström
Secr: I.Å Marklund
Board memb: H Beach
T Hammarberg
P Nebel
H Ringström
Address: Världshuset, Götg 3, 752 22 Uppsala

14th July 1987.

Government of Canada, Ottawa
Canadian Ambassador, Stockholm

Violation of Human Rights in Canada

The Winter Olympic games 1988 are planned to be held in Calgary, in the Northern part of Alberta in the area of the Cree Indians. Energy producing companies and authorities have invaded the area reserved for Cree Indians. Instead of regular negotiations about compensation, which would be the normal procedure in similar situations, cruel and negligent methods like tearing down of houses with bull-dozers have been used to meet the demands from the powerless Lubicon Cree. By planning the Winter Games on the holy mountain and burying place of the Cree Indians, the Canadian authorities have gone too far. In the organization committee for the Olympic games in Calgary representatives of the energy companies participate.

Lubicon Cree has already a strong support for its demand for an international boycott of Calgary in 1988. All countries in Western Europe and some countries in Eastern Europe have organizations working for such a boycott. The World Council of Churches has also expressed its support.

The Swedish section of MRG (Minority Rights Group) supports such a protest against the oppression of the Cree Indians in Canada. (See our report on the Canadian Indians, enclosed).

We demand from the Canadian government an immediate answer and no later than the 15th September 1987 an explanation of what has been done to meet the demands of the Cree Indian minority in Canada, to move the

*Demand
claims fairly
↓
provide
fair & adequate
compensation.*

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Games to another mountain and to compensate them for their losses. If such negotiation alternatives are not made the Swedish MRG will support a mass media campaign for a boycott against the Winter Olympic Games in Canada.

Yours sincerely,



Gabriele Winai Ström
For the Swedish MRG

cc. Riksidrottsförbundet (National Sports Council)
Archbishop of Uppsala
U N Human Rights Committee, Geneva
Swedish Ambassador, Ottawa

ACC	REF	DATE
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Legal Operations Division (ILO)
Direction des Opérations juridiques

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REF TELEPHONE/SIMPSON/LAFORTUNE

---COMITE DES DROITS DE L HOMME:DEMANDE DE LA BANDE DU LAC

LUBICON

SELON CENTRE DES DROITS DE L HOMME A NYORK,COMITE DES DROITS
DE L HOMME ACTUELLEMENT EN SESSION A GENEVE A DECLARE
ADMISSIBLE LA COMMUNICATION DE LA BANDE DU LAC LUBICON EN TANT
QUE CETTE COMMUNICATION SOULEVE DES QUESTIONS RELATIVES
A L ARTICLE 27 AU PACTE INNTL SUR LES DROITS CIVILS ET
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MOLLER,TEL 3460-11 POSTE 3373)PLUS DE DETAILS A CET EGARD.
VS AVISERONS.JOURNALISTE NEIL FORD DE CBC CALGARY A TELEPHONE
A LA MISSION CE MATIN POUR DEMANDER NOS COMMENTAIRES SUR
CETTE DECISION.L AVONS REFERE AU BUREAU DE PRESSE A OTTAWA.

UUU/104 271728Z WKGR2540

JLO/P. McRae/992-2002/sf

Canada

Canada

TO/À BCM
FROM/DE JLO

REFERENCE • Ottawa Citizen Article of July 27
RÉFÉRENCE
SUBJECT • Lubicon Lake: Decision of the
SUJET Human Rights Committee on
Admissibility: Press Line

Security/Sécurité
Unclassified
Accession/Référence
File/Dossier
45-CDA-13-1-3-LUBICON LAKE BAND
Date
July 27, 1987
Number/Numéro
JLO-1027

ENCLOSURES
ANNEXES

DISTRIBUTION

MINP
IMH
IMD
JCD
JUSTOTT/
Weiser

We have received confirmation from the UN Secretariat that a complaint on alleged human rights violations on behalf of the Lubicon Lake Band was ruled admissible by the Human Rights Committee in Geneva. We have not received the written reasons of the Committee, but in any case this is a purely procedural decision which passes no judgement on the human rights situation in Canada. It is furthermore inappropriate for the Government to comment on issues before an international body such as the Human Rights Committee just as we would not do so with respect to a case before the Canadian courts. In response to the Committee's decision we will be preparing the position of the Government, but this will be treated as a confidential document in keeping with the Committee's procedures.



Peter McRae
Acting Director
Legal Operations Division

Solicitor General
of Canada



Solliciteur général
du Canada

JUL 22 1987

The Right Honourable Joe Clark, P.C., M.P.
Secretary of State for External Affairs
Room 165-E
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Colleague: *Joe*

AC 511512.	DATE
FILE 55-16-SPIRIT SINGS	COPIES
45-CDA-13-1-3- <i>Lubera</i>	

Label Band

A-05687-87

I M D

↑
Farrell

55-26-064/M.P.
Winter-1788-5

Thank you for your letter of June 15, 1987 concerning the Calgary Winter Olympics and the Glenbow Museum Exhibition "The Spirit Sings".

On June 15, 1987, Mr. Duncan Cameron, Director, Glenbow Museum, Calgary, came to Ottawa and gave a presentation on this particular art exhibition and on the special arrangements being implemented to protect the Glenbow Museum itself, and the exhibition artifacts in particular. The presentation was made at a meeting chaired by Mr. D. Livermore of the Department of External Affairs, and attended by representatives of a number of federal government departments, including the Royal Canadian Mounted Police.

As you are no doubt aware, the Glenbow Museum is located within the city of Calgary and therefore, situated within the responsibility area of the Calgary Police Service. There is, however, an integrated RCMP and Calgary Police Service unit in operation and they are maintaining ongoing contact regarding the Winter Olympics and the Glenbow Museum Exhibition. Both police agencies are aware of the potential threat and will be monitoring any indication of criminal activity, and keeping in close working communication with Mr. Duncan Cameron of the Glenbow Museum.

.../2

- 2 -

At the present time, the police are aware of protests and demonstrations being planned in support of the Lubicon Lake Indian Band land claim, as well as an international appeal by the Band for a boycott of the exhibition by artifact lending institutions. The Glenbow Museum is working closely with Calgary Police Service to ensure that security and policing arrangements are at a maximum level. I am informed by the Commissioner of the RCMP that no specific criminal threats have been identified at this time.

I appreciate your taking the time to write on this matter. You may be assured that the RCMP is rendering every assistance possible and that any form of actual threat will be fully investigated.

Yours sincerely,



James Kelleher

c.c. The Honourable Bill McKnight, P.C., M.P.
Minister of Indian Affairs and Northern Development
The Honourable Flora MacDonald, P.C., M.P.
Minister of Communications
The Honourable Otto Jelinek, P.C., M.P.
Minister of State (Fitness and Amateur Sport)

**Affaires extérieures
Canada**

TRANSMIS PAR LE CABINET
DU SECRÉTAIRE D'ÉTAT
AUX AFFAIRES EXTÉRIEURES
SECTION DES DOSSIERS
DU MINISTRE

992-6428 or 995-1047
OU

TO/À
AU

IMD

☐ FOR INFORMATION AND ANY NECESSARY ACTION
POUR EXAMEN ET SUITE À DONNER, S'IL Y A LIEU

☐ FOR DIVISIONAL REPLY
POUR RÉPONSE PAR LA DIRECTION

REMARKS/REMARQUES

Ref: A-05687-87

Herewith is the original letter that the SSEA had kept.

Please replace the photocopy with this original and ensure that the original is sent with the reply.

This is most important as the SSEA needs to have the original when signing the reply.

Signature _____

JUL 28 1987

Date _____

001812

OFFICE OF THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS
CABINET DU SECRETAIRE D'ETAT AUX AFFAIRES EXTERIEURES

ACTION REQUEST/FICHE DE SERVICE

From/De : HON JAMES KELLEHER MP
SOLICITOR GENERAL OF CANADA

No.: A-05087-87

Subject/ GLENBOW MUSEUM SECURITY: LUBICON INDIAN
Objet: INTL ORGANIZATIONS * ORGANISATIONS INTLES

Action div./Dir. resp.: IMH - IMH
Info div(s)/Dir(s) informee(s):

Let./Tel. dated	Date sent to division	Deadline date
Let./Tel. en date du	Date d'envoi a la direction	Echeance
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22 JUL 87	27 JUL 87	**11 AUG 87**

Comments/Commentaires

REF: IMH-0823

ACTION REQUIRED/SUITE A DONNER

FOR DIVISIONAL USE
RESERVE A LA DIRECTION

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| <input type="checkbox"/> Reply for signature of SSEA
Reponse pour la signature du SEAE | Date received/Date recue |
| <input type="checkbox"/> Reply for the signature of
Reponse pour la signature de | Action officer/Agent resp. |
| <input type="checkbox"/> Reply by division
Reponse de la direction | Disposition and/et date |
| <input type="checkbox"/> CAMPAIGN: Reply for signature of SSFA
CAMPAGNE: Reponse pour la signature du SEAE
Quantity/Quantite: | <i>no action required</i>
<i>W</i>
<i>To MINA 29-7-87</i> |
| <input checked="" type="checkbox"/> For information and any necessary action
Pour examen et suite a donner, s'il y a lieu | For MINA use/
Reserve a MINA |

ALL TRANSFERS TO BE REPORTED TO MINA RECORDS 995-1047 OR/OU
LES ARCHIVES DE MINA DOIVENT ETRE AVISEES DE TOUT CHANGEMENT 992-6428

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Blanche Retourner aux archives de MINA lorsque suite a été donnée

Yellow - Divisional secretary Green - File with original incoming letter
Jaune Secrétaire de direction Vert Au dossier avec la lettre reçue

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

AR-A-05601-87
IMD

JUL 20 1987

The Right Honourable Joe Clark, P.C., M.P.
Secretary of State for External Affairs
House of Commons
OTTAWA, Ontario
K1A 0A6

ACC	R. 1	AT2
FILE 45-COA-13-1-3- LUBICON		
LAKE BAND		

Dear Joe:

As Bishop O'Byrne has written to you on the subject of the Lubicon Lake Band's boycott of the Calgary Winter Games, we are pleased to provide you with a copy of a letter on the topic recently sent to Bishop O'Byrne.

Yours sincerely,

Bill McKnight

Encl.

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

JUL 20 1987

The Most Reverend Paul J. O'Byrne
Bishop of Calgary and Chairman of
OCO'88 Religion Committee
Room 205, Catholic Pastoral Centre
1916 2nd Street South West
CALGARY, Alberta
T2S 1S3

ACC	DATE
FILE	45-COA-13-1-3-LUBICON
	LAKE BAND

Dear Bishop O'Byrne:

Thank you for your April 24, 1987 letter regarding the Lubicon
Lake Indian Band.

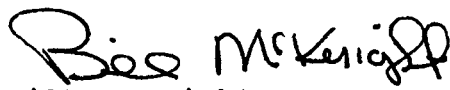
I appreciate your concern for the band and the OCO'88 Religion
Committee's offer to assist in addressing the band's grievances.

However, since the receipt of your letter, the band has indicated
some willingness to resume negotiations. I strongly believe that
face to face negotiations between the band and the department
offer the best prospect for settling the band's claims.
Consequently, I am unwilling to consider any alternatives to
direct negotiations at this time.

The ongoing interest in and support for the negotiation process
by your Committee is important. I would be prepared to make
officials of the department available to your Committee to
provide a briefing on the federal position in these negotiations,
if you feel this would be of assistance.

Please be assured that the Government of Canada remains committed
to the negotiated settlement of the claim of the Lubicon Lake
Indian Band.

Yours sincerely,


Bill McKnight

OFFICE OF THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS
CABINET DU SECRETAIRE D'ETAT AUX AFFAIRES EXTERIEURES

ACTION REQUEST/FICHE DE SERVICE

From/De : HON BILL MCKNIGHT MP
MINISTER OF INDIAN AFFAIRS & NORTHERN DEVELOPMENT

No. : A-05801-87

Subject/ OLYMPIC 88 & LUBICON INDIANS: P J O'BYRNE
Objet: INTL ORGANIZATIONS : ORGANISATIONS INTLES

Action div./Dir. resp.: *MD*
Info div(s)/Dir(s) informee(s): - *INTL*

Let./Tel. dated	Date sent to division	Deadline date
Let./Tel: en date du	Date d'envoi à la direction	Echéance
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20 JUL 87	23 JUL 87	0007 AUG 87

Comments/Commentaires

RE:AR-A-01934-97, SSEA REPLY 05/06/87

ACTION REQUIRED/SUITE A DONNER

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Reponse pour la signature du SEAE | Date received/Date reçue |
| <input type="checkbox"/> Reply for the signature of
Reponse pour la signature de | Action officer/Agent reso. |
| <input type="checkbox"/> Reply by division
Reponse de la direction | <i>J.S.</i>
Disposition and/et date |
| <input type="checkbox"/> CAMPAIGN: Reply for signature of SSEA
CAMPAGNE: Reponse pour la signature du SEAE
Quantity/Quantite: | |
| <input checked="" type="checkbox"/> For information and any necessary action
Pour examen et suite à donner, s'il y a lieu | For MINA use/
Reserve à MINA |

ALL TRANSFERS TO BE REPORTED TO MINA RECORDS	995-1047 OR/OU
LES ARCHIVES DE MINA DOIVENT ETRE AVISEES DE TOUT CHANGEMENT	992-6426

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Blanche Retourner aux archives de MINA lorsque suite a été donnée

Yellow - Divisional secretary Green - File with original incoming letter
Jaune Secrétaire de direction Vert Au dossier avec la lettre reçue



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Accession/Référence

510670

File/Dossier

45-COA-13-1-3-

*Lubicon
Lake
Band*

Align first character of Security Classification under this arrow
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SECURITY
SÉCURITÉ

C O N F I D E N T I A L

RECEIVED - REÇU 10

JUL 20 1987

IMH

FM/DE

FM EXTOTT IMH0968 17JUL87

TO/À

TO HAGUE

INFO

INFO INA/HULL/COULTER DE OCI PCOOTT/CARON

DISTR

REF

BH JUSTOTT/FREEMAN DE OTT

SUBJ/SUJ

DISTR MINA BKC BKA BFE IMD RWDN RSR

REF OURTEL IMH0954 07JUL87; YOURTEL YWGR1736 06JUL87

---LUBICON LAKE BAND: LET TO PM

WE ADMIT TO CERTAIN AMOUNT OF AMAZEMENT AT MANNER IN WHICH INNATL
SECRETARY OF LABOUR PARTY SEEMS TO HAVE HANDLED HIS
CORRESPONDENCE. WE FIND IT STRANGE THAT RESPONSIBLE ORGANIZATION
COULD SIMPLY SIGN DRAFT LETTERS SUGGESTED BY LOCAL INTEREST
GROUPS. AT MINIMUM, WE WOULD WISH TO HAVE IMPRESSED UPON WIERSMA
THAT SUCH LETTERS CONSTITUTE IMPORTANT MATTERS, WHICH WEIGH
HEAVILY IN CDA. THEY CANNOT BE TAKEN SO LIGHTLY THAT HE IS
PREPARED TO HAVE HIS NAME APPEAR ON MATERIALS WHICH ARE FACTUALLY
INACCURATE OR CLEARLY BIASED. THIS TYPE OF MESSAGE, HOWEVER, IS
BEST DELIVERED ORALLY AND IN CIRCUMSTANCES WHICH YOU ARE BEST
PLACED TO JUDGE. BELOW WE HAVE COPIED DRAFT LETTER FROM AMB TO
WIERSMA WHICH DEALS WITH DETAILS OF LUBICON LAKE BAND CASE. WE
WILL LEAVE TO YOU ANY ADDITIONS TO APPROPRIATE INTRODUCTORY
REMARKS, AND ALL OF CONCLUDING REMARKS, WHICH YOU CAN TAILOR TO
SUIT CIRCUMSTANCES. GRATEFUL FOR REACTION TO LETTER IN DUE

...2

DRAFTER/RÉDACTEUR

DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

D. J. VERMOREL lp

IMH

5-6960

SIG

D. J. VERMOREL

001817



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PAGE TWO IMH0968 C O N F I D E N T I A L

12

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COURSE. WE WOULD BE ESPECIALLY INTERESTED TO KNOW WHETHER THERE IS GENUINE INTEREST IN THIS TYPE OF QUESTION (IN WHICH CASE WE CAN SEND YOU BRIEFING MATERIALS), OR WHETHER MATTER WAS SIMPLY ONE OF PARTY CONVENIENCE.

2.TEXT BEGINS: THE PRIME MINISTER OF CDA, THE RIGHT HONOURABLE BRIAN MULRONEY, HAS ASKED ME TO REPLY TO YOUR LETTER OF 4 MAY, IN WHICH YOU ADDRESS THE LAND CLAIM OF THE LUBICON LAKE INDIAN BAND OF NORTHERN ALBERTA. PARA. THE LUBICON LAKE BAND CLAIM IS, AS YOU ARE AWARE, A DOMESTIC ISSUE WHICH HAS HAD A PARTICULARLY LONG AND DIFFICULT HISTORY IN CANADA. IT IS THEREFORE NOT SURPRISING THAT MANY PEOPLE HAVE MISCONCEPTIONS ABOUT THE NATURE OF THE LAND CLAIMS PROCESS AND ABOUT THE MEASURES OF REDRESS AVAILABLE TO THE BAND AT THE PRESENT TIME. THE BAND ITSELF FEELS A DEEP SENSE OF GRIEVANCE, AND REPRESENTATIVES OR SPOKESPERSONS OF THE BAND HAVE TRAVELLED THROUGHOUT CANADA, THE UNITED STATES AND WESTERN EUROPE IN SEARCH OF PUBLICITY FOR THEIR CAUSE. IT IS IMPORTANT TO POINT OUT THAT THE GOVT OF CDA RECOGNIZE^S THAT THE BAND HAS LEGITIMATE GRIEVANCES, AND IS FULLY PREPARED TO NEGOTIATE A FAIR AND EQUITABLE RESOLUTION OF THEM. PARA. IN 1985, THE GOVT OF CANADA APPOINTED THE HONOURABLE E. DAVIE FULTON, A FORMER MINISTER OF JUSTICE OF CANADA, TO UNDERTAKE AN ENQUIRY INTO THIS CLAIM AND SUBMIT A REPORT ON HIS FINDINGS. SUBSEQUENT TO THE

...3



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PAGE THREE IMH0968 C O N F I D E N T I A L

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PRESENTATION OF AN INTERIM REPORT BY MR. FULTON, CANADA MADE A
PAYMENT OF 1.5 MILLION DOLLARS (CANADIAN) TO HELP THE LUBICON
LAKE BAND DEFRAY LEGAL COSTS AND OTHER EXPENSES WHICH WERE
ASSOCIATED WITH THE PREPARATION OF ITS CLAIM. IN MARCH, 1986,
THE GOVT OF CANADA APPOINTED MR. ROGER TASSE AS THE CANADIAN
NEGOTIATOR, AND BOTH THE BAND AND MR. TASSE AGREED TO USE THE
FULTON REPORT AS THE BASIS FOR NEGOTIATIONS. PARA. THESE STEPS
SET THE STAGE FOR NEGOTIATIONS BETWEEN THE BAND AND THE
GOVERNMENT OF CANADA, IN ASSOCIATION WITH THE GOVERNMENT OF
ALBERTA, AS THE PROVINCIAL GOVERNMENT MUST (GIVEN THE NATURE OF
CANADAS CONSTITUTION) BE INVOLVED IN THE NEGOTIATIONS LEADING TO
A FINAL SETTLEMENT. FURTHERMORE, THESE MEASURES DID NOT PRECLUDE
OTHER STEPS, WHICH THE BAND IS PURSUING CONCURRENTLY, THROUGH THE
CANADIAN COURT SYSTEM. WHILE IT WOULD BE INAPPROPRIATE FOR ME TO
COMMENT ON THE COURT CASE, I UNDERSTAND THAT IT IS STILL
PROCEEDING. PARA. UNFORTUNATELY, FOR REASONS WHICH THE BAND IS
BEST POSITIONED TO EXPLAIN, THE LUBICON LAKE BAND WITHDREW FROM
THE NEGOTIATIONS IN JULY, 1986, AFTER ONLY ONE AND A HALF DAYS OF
DISCUSSION. EFFORTS BY MR. TASSE, IN WHICH HE EXPLICITLY
REAFFIRMED HIS WILLINGNESS TO BE FLEXIBLE ON MANY OF THE POINTS
UNDER DISPUTE, WERE NOT SUCCESSFUL. FOLLOWING THESE EVENTS, THE
MINISTER OF INDIAN AND NORTHERN AFFAIRS, THE HONOURABLE BILL

...4



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PAGE FOUR IMH0968 C O N F I D E N T I A L

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MCNIGHT, WROTE TO THE CHIEF OF THE BAND, URGING HIM TO RESUME
NEGOTIATIONS, AND REAFFIRMING THE CANADIAN GOVTS FLEXIBILITY. AT
THE PRESENT TIME THE BAND HAS AGREED TO RETURN TO THE NEGOTIATING
TABLE. IT IS MY UNDERSTANDING THAT THE TWO SIDES HOPE TO RESUME
NEGOTIATIONS SHORTLY. IT WOULD CERTAINLY BE OUR HOPE THAT THESE
NEGOTIATIONS WILL LEAD TO AN EQUITABLE SETTLEMENT. PARA. YOUR
LETTER TO THE PRIME MINISTER CONTAINS A NUMBER OF REFERENCES TO
POINTS UNDER DISCUSSION. THESE POINTS ARE NOT STRAIGHTFORWARD
MATTERS OF FACT, AS THEY MIGHT APPEAR. RATHER, ISSUES SUCH AS
THE NUMBER OF PERSONS ENTITLED TO PARTICIPATE IN THE BAND CLAIM
ARE DIFFICULT QUESTIONS, TO WHICH RESEARCH AND NEGOTIATION OFFER
THE BEST HOPE FOR RESOLUTION. MOREOVER, THERE ARE MANY
IMPLICATIONS WHICH FLOW FROM THIS QUESTION, SUCH AS THE GLOBAL
LAND ENTITLEMENT OF THE BAND. PARA. IN YOUR LAST PARAGRAPH, YOU
URGE THE PRIME MINISTER TO TAKE ALL ACTIONS NECESSARY TO ENSURE A
JUST SETTLEMENT OF THE LONG-STANDING CLAIM OF THE BAND. INDEED,
THIS IS EXACTLY WHAT THE GOVT OF CANADA HAS BEEN ENDEAVOURING TO
DO OVER THE COURSE OF THE LAST FEW YEARS. WE INITIATED
NEGOTIATIONS AND HAVE CALLED FOR A RESUMPTION OF NEGOTIATIONS.
AND, AS I HAVE INDICATED, OUR HOPE IS THAT THESE NEGOTIATIONS CAN
BEGIN SHORTLY. WE HAVE INDICATED FLEXIBILITY IN APPROACHING
VARIOUS POINTS INCLUDED IN THE NEGOTIATIONS. WE ARE PREPARED TO

...5



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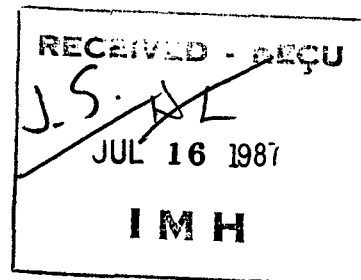
PAGE FIVE IMH0968 C O N F I D E N T I A L

12

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TAKE A PRAGMATIC APPROACH, AND HAVE OFFERED A SETTLEMENT WHICH
INCLUDES AN EXCESS OF 10,000 HECTARES OF LAND WITH FULL MINERAL
RIGHTS, HOUSING, COMMUNITY INFRASTRUCTURE, EDUCATIONAL
FACILITIES, CASH COMPENSATION AND A COMMITMENT TO PURSUE BAND
PARTICIPATION IN OFF-RESERVE WILDLIFE MANAGEMENT PROGRAMS AND
OTHER ACTIVITIES DESIGNED TO ENCOURAGE ECONOMIC DEVELOPMENT. AS
YOU WILL READILY SEE, THE PACKAGE OF BENEFITS OFFERED IS
SUBSTANTIAL. PARA. WE APPRECIATE THAT THERE ARE MANY PERSONS
OUTSIDE CANADA WHO ARE INTERESTED IN THE LUBICON LAKE BAND CLAIM.
MANY HAVE A FAIR VIEW OF CURRENT ABORIGINAL ISSUES IN CANADA AND
OF THE APPROACHES TAKEN BY THE GOVERNMENT OF CANADA IN MOVING
TOWARDS GREATER SELF-GOVERNMENT AND AUTONOMY FOR CANADIAN NATIVE
GROUPS. INDEED, IF ONE REQUIRES A SIGN OF COMMITMENT, IT IS THE
LEVEL AT WHICH THESE TYPES OF CONSTITUTIONAL DISCUSSIONS ARE
CARRIED OUT, IN DIRECT NEGOTIATIONS BETWEEN THE PRIME MINISTER
AND REPRESENTATIVES OF CANADA'S FOUR NATIONAL ABORIGINAL
ORGANIZATIONS. IF YOU REQUIRE ADDITIONAL INFORMATION ON THE
LUBICON LAKE BAND CLAIM OR ON OTHER SIMILAR ISSUES, I WOULD ASK
YOU TO KEEP IN TOUCH WITH THE EMBASSY. I WOULD PERSONALLY BE
PLEASED TO REVIEW THESE TOPICS WITH YOU OR MEMBERS OF THE PARTY
EXECUTIVE, SO THAT WE CAN ENHANCE UNDERSTANDING OF ONE OF THE
MOST COMPLICATED DOMESTIC ISSUES CURRENTLY CONFRONTING THE
GOVERNMENT OF CANADA. ^{UN} QUOTE.

ACTION
BUIE A DONNER



UNCLASSIFIED

FM VIENNA ULFC5563 16JUL87

TO EXTOTR IMH

INFO COPEN LDN BONN INAHULL

DISTR MINA PGP PSR BKA RCR RSR RWP

REF YOURTEL IMH0826 05JUN87

---LUBICON LAKE BAND EUROPEAN CAMPAIGN

ACC	
FILE	DOSSIER
45-CA-13-1-3- <i>Lubicon Lake Band</i>	
LOC	
C7-	

WE WOULD LIKE TO BRING TO YOUR ATTENTION THAT WE RECENTLY MET WITH DR CHRISTIAN FEEST, AUSTRIAN EXPERT ON CDN INDIANS AND CURATOR OF NORTH AMERICAN INDIAN ART AT VIENNA S ETHNOLOGICAL MUSEUM, WHO HAS BEEN APPOINTED EUROPEAN COORDINATOR FOR CALGARY OLYMPIC EXHIBITION BY GLENBOW MUSEUM. OCCASION FOR MEETING WAS VISIT TO NEWLY OPENED GALLERY OF NORTH AMERICAN INDIAN ART AT VIENNA S ETHNOLOGICAL MUSEUM PUT TOGETHER BY DR FEEST.

2. DURING VIENNA CONFERENCE ON NGOS IN SUPPORT OF NORTHERN AMERICAN INDIANS HELD LAST MAY, DR FEEST S NAME WAS MENTIONED IN LOCAL PRESS IN CONNECTION WITH HIS REFUSAL TO COMPLY WITH CALL FOR BOYCOTT BY NGOS AT CONFERENCE OF CALGARY OLYMPIC EXHIBIT. REPORT MENTIONED THAT VIENNA MUSEUM WAS STANDING BY ITS PROMISE TO LEND ARTIFACTS TO EXHIBIT DESPITE CALL FOR BOYCOTT. DURING VISIT TO MUSEUM WE TOOK OPPORTUNITY TO DISCUSS OLYMPIC EXHIBIT AND RESPONSE TO BOYCOTT CALL BY VARIOUS EUROPEAN MUSEUMS WITH DR FEEST. WE ALSO EXPRESSED APPRECIATION THAT VIENNA MUSEUM DID NOT JOIN SOME OTHER MUSEUMS IN REFUSING TO LEND INDIAN ARTIFACTS TO GLENBOW MUSEUM FOR EXHIBIT.

...2

PAGE TWO ULFC5563 UNCLAS

3. YOU MIGHT BE INTERESTED TO KNOW THAT DR FEEST TOLD US THAT HE DID NOT AGREE WITH LUBICON INDIANS ON ISSUE OF BOYCOTTING OLYMPIC EXHIBIT AND HAD TOLD THEM SO. HE EXPRESSED NEVERTHELESS HIS SYMPATHY WITH LUBICONS REGARDING THEIR CLAIMS, BUT FELT THAT THEIR CALL TO BOYCOTT OLYMPIC EXHIBIT WAS UNCALLED FOR AND WOULD BRING THEM NO ADVANTAGES AS FAR AS THEIR CASE WAS CONCERNED.

4. WILL MONITOR ANY ACTIVITY RELATED TO LUBICONS AND REPORT BACK.

UUU/044 161430Z ULFC5563



External Affairs
Canada

Affaires extérieures
Canada

Accession/Référence

File/Dossier

45-CD-13-1-3- *Labrian*
Labrian

MESSAGE

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SECURITY
SÉCURITÉ

UNCLASSIFIED

FM/DE

FM EXTOTT IMH 0937 10JUL87

TO/À

TO MLBRN

INFO

INFO CNBRA SYDNY WLGTH LDN SEATL

DISTR

REF

DIST MINA PGP PSR BKC BKA

SUBJ/SUJ

REF YRTEL XUFC-3393, OURTEL IMH-0796 03JUN87

---LOAN OF INDIAN ARTEFACTS TO GLENBOW MUSEUM

WERE ~~WERE~~ PLSD TO RECEIVE CONFIRMATION ON VIC MUSEUM DECISION TO
HONOUR ITS AGREEMENT TO PROCEED WITH LOAN OF INDIAN ARTEFACTS.

2.HAVE SPOKEN WITH GLENBOW MUSEUM DIRECTOR, CAMERON, WHO WAS PLSD

WITH

OF NEWS AND INDICATED THAT ORDER IN COUNCIL FM ALTA GOVT WILL BE
FORWARDED APPROX WEEK OF JUL 27, IF PROV GOVT PROCEEDS WITH CABINET
AGENDA AS EXPECTED.

~~3. GRATEFUL YOU CONVEY INFO TO VIC MUSEUM AND REPORT AS NECESSARY~~

~~ON ISSUE.~~

RECEIVED - REÇU

JUL 13 1987

IMH

#12
head
of line

DRAFTER/RÉDACTEUR

J. SIMPSON/YLM

SIG

DIVISION/DIRECTION

IMH

TELEPHONE

2-6664

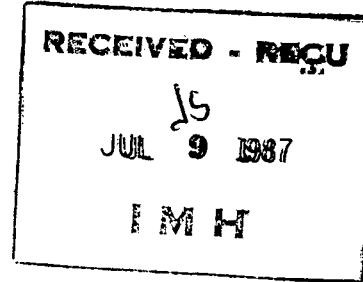
APPROVED/APPROUVÉ

D. LIVERMORE/A DIRECTOR

SIG

ACTION
SUITE A DONNER

C O N F I D E N T I A L
FM HAGUE YWGR1744 08JUL87
TO EXTOTT IMH
INFO PCOOTT/CARON



BH INAHULL/FYFE/RAWSON/POULTER/WHITAKER DE OCI JUSTOTT/FREEMAN DE OTT
DISTR MINA BKC BFE IMD BKA RWDN RWP RSR IDD IDR
REF YOURTEL IMH0852 16JUN OURTEL YWGR1735 06JUL
---LUBICON LAKE BAND:LET TO PM

FILE	DOSSIER
45- Ch -13-1-3-Lubicon	
LOC	
C7-	Lake Band

SUBSEQUENT TO REFTEL WE HAVE SUCCEEDED IN CONTACTING WIERSMA,
INTERNATIONAL SECRETARY OF NETHS LABOUR PARTY,WHO INDICATED THAT HE
HAD QUOTE SIGNED UNQUOTE SUBJ LETTER AT REQUEST OF LOCAL DUTCH CTTEE
FOR NATIVE PEOPLES WHO PROVIDED TEXT(WHICH HAD BEEN RECEIVED IN TURN
FROM LOCAL DUTCH CONTACTS AND SUPPORTERS OF LUBICON CLAIMS).

2.YOU SHOULD BE AWARE THAT OPINIONS OF LABOUR PARTY SECRETARIAT DO
NOT/NOT NECESSARILY REFLECT THOSE OF PARTY CAUCUS NOR,AS IN THIS
INSTANCE,REPRESENT QUOTE OFFICIAL STATEMENT UNQUOTE OF PARTY.IT
IS ALSO ACKNOWLEDGED FACT THAT DUTCH LABOUR PARTY IS QUITE READY
TO OFFER ITS SUPPORT TO WIDE VARIETY OF MINORITY AND OTHER SUCH
INTEREST GROUPS REPRESENTING A BROAD SPECTRUM OF SOCIAL AND ECONOMIC
ISSUES.AS WE HAVE INDICATED PREVIOUSLY,LIFESTYLES AND ISSUES OF
CONCERN TO NATIVE PEOPLES ATTRACT AN IMMEDIATE AND DEDICATED
FOLLOWING IN NETHS READY TO OFFER THEIR SUPPORT.

3.IN VIEW OF FOREGOING NEW INFO,WE WOULD RECOMMEND APPROPRIATE
RESPONSE TO LETTER TO PM TAKE FORM OF LETTER FROM AMB TO
INTERNATIONAL SECRETARY BASED ON TEXT PROVIDED BY YOU OUTLINING
ISSUES AND CDN GOVT POSITION.

4.GRATEFUL YOU COULD FORWARD TEXT BY RETURN TEL.

CCC/014 081525Z YWGR1744



External Affairs
Canada

Affaires extérieures
Canada

MESSAGE

Accession/Référence 510764
File/Dossier 45-CDA-13-1-3-Lake
7 JUL 87 21 36 12
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SECURITY SÉCURITÉ	C O N F I D E N T I A L
FM/DE	FM EXTOTT IMH0954 07JUL87
TO/À	TO HAGUE
INFO	INFO PCOOTT/CARON BH INAHULL/FYFE/RAWSON/COULTER DE OCI
DISTR	JUSTOTT/FREEMAN DE OTT
REF	DISTR MINA BKC BKA BFE IMD RWD RWP RSR IDD IDR
SUBJ/SUJ	REF YRTEL YWGR1736 06JUL87,OURTEL 0852 16JUN
	---LUBICON LAKE BAND:LET TO PM
	WERE GRATEFUL FOR UPDATE ON NATIVE PEOPLE AND LUBICON LAKE
	BOYCOTT.INFORMATION FORWARDED CONFIRMS PRESENT ASSESSMENT THAT
	LUBICON ISSUE IS LOSING MOMENTUM IN CDA AND ABROAD AS WELL.
	2.WE AGREE ON YOUR PROPOSED COURSE OF ACTION WITH REGARD TO DUTCH
	LABOUR PARTY.IN ORDER TO AVOID FURTHER DELAY,WE APPEND BELOW TEXT
	OF WIERSMA LETTER TO PM.
	DEAR MR.MULRONEY,
	WE,THE EXECUTIVE OF THE PARTIJ VAN DE ARBEID (DUTCH LABOUR
	PARTY)HEREBY EXPRESS TO YOU OUR DEEPEST CONCERN ABOUT THE
	SITUATION OF THE LUBICON LAKE INDIANS IN ALBERTA.SERIOUS INJUSTICE
	HAS BEEN AND IS BEING DONE TO THESE INDIANS BY THE FAILURE OF THE
	CANADIAN GOVERNMENT IN SETTING ASIDE A RESERVE,PROMISED TO THE
	INDIANS AS EARLY AS 1939,AND BY THE PROVINCIAL GOVERNMENT OF
	ALBERTA IN ALLOWING DOZENS OF OIL COMPANIES UNRESTRICTED ACCESS TO
	OIL RESOURCES IN THE TRADITIONAL LANDS OF THE INDIANS,RESULTING IN
	.../2

DRAFTER/RÉDACTEUR J. Simpson SIG	DIVISION/DIRECTION IMH	TELEPHONE 2-6664	APPROVED/APPROUVÉ J.D. Livermore SIG
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PAGE TWO IMH0954 C O N F I D E N T I A L

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THE DISRUPTION OF THEIR TRADITIONAL ECONOMY AND WAY OF LIFE.
THE LATEST PROPOSAL OF YOUR FEDERAL NEGOTIATOR, MR. ROGER TASSE, IS
TO NEGOTIATE A RESERVE WITH THE LUBICON LAKE BAND BASED ON BAND
MEMBERSHIP IMMEDIATELY PRIOR TO THE PASSAGE OF BILL C-31. SINCE
THIS IMPLIES THAT THE BAND WOULD BE RULES BY CRITERIA OF THE OLD
INDIAN ACT, WHICH YOUR GOVERNMENT ITSELF HAS FOUND UNFAIR, UNJUST
AND DISCRIMINATING, WE CANNOT BUT SEE INJUSTICE IN MR. TASSE'S
PROPOSAL. IT IS OUR POSITION THAT THE LUBICON LAKE BAND SHOULD
INSTEAD BE TREATED THE SAME AS ALL OTHER INDIAN BANDS WHO IN THE
HISTORY OF CANADA SIGNED TREATY. THOSE BAND DETERMINED THEIR OWN
MEMBERSHIPS. THEREFORE WE SUPPORT THE CLAIMS OF THE LUBICON LAKE
BAND TO A RESERVE, BASES ON PRESENT BAND MEMBERSHIP, OF 91.2 SQUARE
MILES, TO EXCLUSIVE HUNTING AND TRAPPING RIGHTS AS WELL AS MINERAL
RIGHTS, IN THAT AREA, AND TO COMPENSATION FOR PAST LOSSES TO THEIR
TRADITIONAL ECONOMY.
CONSIDERING THE ABOVE, WE STRONGLY URGE YOU TO TAKE ANY AND ALL
ACTIONS NECESSARY TO ENSURE, AT A CONSIDERABLE TIME BEFORE THE
WINTER OF 1988, A FAIR AND JUST SETTLEMENT OF THE LONG STANDING
CLAIMS OF THE LUBICON LAKE INDIANS.

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~~PAGE~~ THREE IMH0954 C O N F I D E N T I A L

SINCERELY YOURS,

JAN MARINUS WIERSMA,

INTERNATIONAL SEKRETARIS

NICOLAAS WITSENKADE 30

1017ZT AMSTERDAM/TELEFOON 020-5512155

POSTBUS 1310, 1000BH AMSTERDAM

TELEX 11140

FAX 020-5512330

UNCLASSIFIED

FM MLBRN XUFC3393 07JUL87

TO EXTOTT IMH

INFO CNBRA SYDNY WLGTH LBN SEATL

DISTR MINA PGP PSR BKC BKA

REF YOURTEL 0796 03JUN

---LOAN OF INDIAN ARTIFACTS TO GLENBOW MUSEUM

AM PLSD TO ADVISE POST HAS JUST RCVD FOLLOWING FROM DIRECTOR OF
MUSEUM OF VICTORIA, ROBERT EDWARDS:

QUOTE I WAS DELIGHTED TO RECEIVE YOUR LETTER IN REGARD TO THE
PROPOSED LOAN OF IMPORTANT NORTH AMERICAN INDIAN ARTIFACTS TO
GLENBOW MUSEUM. THE ORDERS-IN-COUNCIL TO BE PROVIDED BY THE
GOVERNMENTS OF ALBERTA AND ONTARIO, WILL CERTAINLY ALLAY ANY
FEELINGS OF INSECURITY ON THE PART OF THE MUSEUM COUNCIL. THE
MUSEUM WILL HAVE NO HESITATION IN HONORING ITS AGREEMENT TO PROCEED
WITH THE LOANS TO THE 'SPIRIT SINGS' EXHIBITION. I WAS VERY
INTERESTED TO READ THE BACKGROUND INFORMATION ABOUT THE LUBICON
BAND BOYCOTT OF THE EXHIBITION. IT IS UNFORTUNATE THAT THE
PUBLICITY CAMPAIGN MOUNTED IN EUROPE SHOULD HAVE CREATED SUCH
UNCERTAINTY AMONGST LENDING INSTITUTIONS. HOWEVER, THE PROVISION OF
THE AUTHORISED ORDERS-IN-COUNCIL WILL, I TRUST, SERVE TO RELIEVE
THE FEARS OF THE MANY INTERNATIONAL BODIES WHICH ARE CONTRIBUTING
TO THE PROJECT. I WOULD BE DELIGHTED TO WELCOME YOU TO THE MUSEUM
AT ANY TIME. ENCLOSED IS A COPY OF A RECENTLY PUBLISHED GUIDE-BOOK
WHICH YOU WILL FIND OF SOME INTEREST. THANK YOU FOR PROVIDING US
WITH YOUR GOVERNMENT'S RE-ASSURANCES. UNQUOTE.

2. TRUST YOU WILL FORWARD THIS INFORMATION TO GLENBOW MUSEUM.

3. WHEN CAN WE EXPECT TO RECEIVE ORDERS-IN-COUNCIL.

UUU/801 082340Z XUFC3393

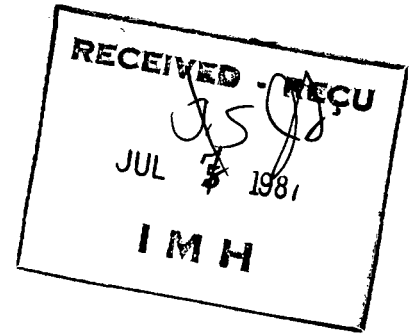
ACTION
SUITE A D'ANNÉE

RECEIVED - RECU
15
JUL 9 1987

ACC
45-00A-13-1-3-
FROM DIRECTOR OF

55-16-SPIRIT
SINGS

ACTION
SUITE A DONNER



C O N F I D E N T I A L

FM HAGUE YWGR1736 06JUL87

TO EXTOTT IMH IMMED

INFO PCOOTT/CARON

BH INAHULL/FYFE/RAWSON/POULTER/WHITAKER DE OCI JUSTICEOTT/FREEMAN
DE OTT

DISTR MINA BKC BFE IMD RWD RWP RSR IDD IDR

REF YOURTEL IMH0852 16JUN

---LBICON LAKE BAND:LET TO PM

ACC	REF	D.
FILE 45-00A-13-1-3- LUBICON		
LAKE BAND		

APPRECIATE IF COPY OF REFLET FROM QUOTE INNATL SECTY UNQUOTE OF
DUTCH LABOUR PARTY COULD BE FORWARDED BY BAG SINCE SAME WILL ASSIST
US IN FOLLOW UP WITH PARTY HQ WHICH HAS NOT/NOT YET RESPONDED TO
OUR INFORMAL REQUEST FOR COPY AND CONFIRMATION OF ITS STATUS.

2.AS WE HAVE REPORTED IN PAST,SUBSTANTIAL SEGMENT OF DUTCH PUBLIC
HAVE KEEN FASCINATION WITH NATIVE AND ABORIGINAL PEOPLES AS WELL
AS FOR ISSUES OF CONCERN TO THESE AND OTHER MINORITY GROUPS.ASIDE
FROM A CONTINUAL DIET OF ARTICLES IN PRESS ON LIFE STYLES OF CDN
NATIVE PEOPLES THERE HAVE BEEN A FEW ARTICLES OVER THE PAST SIX
MONTHS TO A YEAR EITHER MENTIONING THE LUBICON ISSUE AS PART OF A
LARGER CONTEXT OR IN A FEW ISOLATED CASES REPORTING ON THE ISSUE
FROM THE LUBICON PERSPECTIVE.IN LINE WITH YOUR GUIDANCE AND TO AVOID
QUOTE ANY FANNING OF FLAMES UNQUOTE WE HAVE NOT/NOT ATTEMPTED TO
COUNTER SUCH PRESS ARTICLES.ALSO,AS YOU ARE AWARE FROM OUR EARLIER
REPORTS,(YWGR0527 OF 15JUN REFERS),NUMBER OF RECENT ARTICLES IN

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PAGE TWO YWGR1736 CONFD

DUTCH PRESS DEALING WITH ISSUE OF DUTCH AIRFORCE LOW-LEVEL FLIGHT TESTS AT GOOSE BAY HAVE ALSO LINKED SAME WITH LUBICON ISSUE AND TREATMENT BY CDA OF ITS NATIVE PEOPLES. HOWEVER SUCH ARTICLES ACCOUNT FOR AN EXTREMELY SMALL PROPORTION OF DUTCH PRESS REPORTING AND FOR MOST PART WERE CARRIED ONLY IN FEW SMALL REGIONAL PAPERS. IN PARTICULAR THERE DOES NOT/NOT APPEAR TO HAVE BEEN ANY REPORTING RECENTLY ON ANY RENEWED ACTIVITY BY NATIVE SUPPORT GROUPS IN NETH ESPECIALLY AS RESULT OF VISIT TO EUROPE THIS SPRING BY REPS OF LUBICON BAND.

3. AS YOU MAY ALREADY HAVE LEARNED FROM RSR, DUTCH LABOUR PARTY IS THE LARGEST SINGLE PARTY AND MAIN OPPOSITION PARTY IN NETH. IF SUB LET IN FACT REPRESENTS OFFICIAL POSITION OF DUTCH LABOUR PARTY THEN WE WOULD CERTAINLY AGREE THAT LETTER IN REPLY FROM SSEA SHOULD BE SERIOUSLY CONSIDERED. IN MEANTIME WE WOULD PROPOSE THAT LET BE SENT FROM AMB TO INNATL SECTY, WIERSMA, REQUESTING CLARIFICATION AS TO STATUS OF HIS LET TO PM, I.E. IF INDEED IT REPRESENTS OFFICIAL PARTY POSITION.

CCC/014 070806Z YWGR1736

External Affairs Canada Affaires extérieures Canada

MESSAGE

Accession/Référence

508174

File/Dossier

45-CDA-13-1-3-LUBICON LAKE BAND

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2 JUL 87 20 19z

SECURITY
SÉCURITÉ C O N F I D E N T I A L

55-16-SPRITS SING 12
55-26-OLYMP-WINTER-1988-6 10

FM/DE FM EXTOTT IMH0922 02JUL87
TO/À TO OSLO
INFO
DISTR INFO STKHM COPEN HSNKI GENEV BONN LDN BERN PARIS INAHULL/COULTER
REF DISTR MINA IMD BKC BKA RSR RWDN
SUBJ/SUJ REF YRTEL WGGR2675 29JUN

---LUBICON BAND-GLENBOW EXHIBIT

WE BELIEVE IT WOULD BE USEFUL TO PROVIDE YOUR INTERLOCUTOR, TOM SVENSSON, WITH FRANK ASSESSMENT OF BOYCOTT CAMPAIGN, ON UNDERSTANDING THAT ASSESSMENT IS BASED ON SOME PRIVATE SOURCES WHO HAVE OFFERED THEIR VIEWS TO US IN CONFIDENCE.

2. IDEA OF LINKING LUBICON LAKE BAND LAND GRIEVANCE TO ISSUE OF OLYMPIC GAMES/GLENBOW EXHIBIT WAS ESSENTIALLY PRODUCT OF LUBICON LAKE BANDS NON-NATIVE LEGAL ADVISERS. IN CONVERSATIONS BETWEEN HEAD OF BAND AND DUNCAN CAMERON OF GLENBOW MUSEUM, LATTER HAS GAINED CLEAR IMPRESSION THAT LUBICON LAKE BAND ITSELF IS NOT/NOT OVERLY ENTHUSIASTIC ABOUT LINKAGE, AND WOULD PREFER NEGOTIATIONS LEADING TO EQUITABLE SETTLEMENT. HAVING AGREED TO BOYCOTT CAMPAIGN, HOWEVER, BAND IS DETERMINED TO CARRY THROUGH TO EXTENT POSSIBLE.

3. SUPPORT AMONG ALBERTA NATIVE GROUPS HAS BEEN MIXED. UNTIL RECENTLY, SOME OF INDIAN GROUPS BELIEVED THAT ECONOMIC SPIN-OFFS

...?@

DRAFTER/RÉDACTEUR

DIVISION/DIRECTION

TELEPHONE

APPROVED/APPROUVÉ

Don Livermore/amm

IMHR

995-6960

Don Livermore



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~~PAGE TWO~~ IMH0922 CONFD

FROM CALGARY OLYMPICS WERE NOT/NOT MATERIALIZING TO EXTENT
ORIGINALLY ANTICIPATED, AND THEY WERE THEREFORE CONTEMPLATING
ACTIONS SUPPORTIVE OF LUBICON LAKE BAND (IN ADDITION TO THEIR OWN
PROTEST ACTIVITIES). IN PAST
MONTHS, HOWEVER, CALGARY OLYMPIC CTTEE HAS MADE SEVERAL ARRANGEMENTS
TO INVOLVE NATIVE GROUPS MORE FULLY IN GAMES, AND THESE SEEM TO
HAVE EFFECT OF MEETING MAJOR CONCERNS OF TREATY SEVEN INDIANS IN
IMMED VICINITY OF CALGARY. WE UNDERSTAND, AS WELL, THAT LUBICON LAKE
BAND HAS SOUGHT AND FAILED TO GAIN SUPPORT OF ALBERTA INDIAN
ASSOCIATION FOR BOYCOTT CAMPAIGN. BASICALLY, WHILE THERE WAS
SYMPATHY FOR LUBICON LAKE BAND CASE, IDEA OF LINKING THEIR
GRIEVANCE TO ANOTHER ISSUE WHICH IS POTENTIALLY OF BENEFIT TO
INDIANS WAS NOT/NOT ACCEPTABLE TO SOME BANDS. THEREFORE, LUBICON
LAKE BAND FAILED TO GAIN VOTES IN FAVOUR OF BOYCOTT AT RECENT MTG
OF ALBERTA INDIAN ASSOCIATION.

4. SIMILAR AMBIVALENCE OF INDIAN COMMUNITIES WHICH IS PREVALENT
MOOD OF ALBERTA IS ALSO EVIDENT ON NATL LEVEL. ASSEMBLY OF FIRST
NATIONS HAS INDICATED SUPPORT OF LUBICON LAKE BAND PUBLICLY, AND
CREES OF QUEBEC HAVE PROVIDED FUNDING TO ENABLE LUBICONS TO TRAVEL
EXTENSIVELY IN SUPPORT OF THEIR PROTEST
ACTIVITIES. BUT, PRIVATELY, NATL GROUPS ARE FAR FROM SUPPORTIVE, AND

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PAGE THREE IMH0922 CONF D
HAVE DONE LITTLE OR NOTHING TO MAKE BOYCOTT CAMPAIGN WORK. TO OUR
KNOWLEDGE, LUBICON LAKE BAND HAS NOT/NOT GONE PAST NATIONAL LEVEL
TO SEEK ENDORSEMENT OF INTERNATIONAL ORGANIZATIONS LIKE ICC OR
WCIP. BUT, EVEN IF THEY WERE TO SEEK SUCH SUPPORT, WE WOULD TEND TO
VIEW SITUATION AS SIMILAR TO WHAT IS HAPPENING ON NATL LEVEL,
NAMELY EXPRESSIONS OF SOLIDARITY WITH LUBICON LAKE BAND FOR
OUTSTANDING GRIEVANCES, COMBINED WITH ALMOST TOTAL LACK OF
PRACTICAL SUPPORT TO ASSIST BOYCOTT CAMPAIGN.
5. ABOVE, OF COURSE, IS SUBJECTIVE ASSESSMENT OF SITUATION. BUT
WE BELIEVE THAT OUR SOURCES ARE CREDIBLE, AND THAT LUBICON LAKE
BAND INDEED LACKS FIRM SUPPORT NEEDED TO PRESS ITS CAMPAIGN WITH
VIGOUR. MAIN POINT IS THAT GLENBOW AND OLYMPIC CTTEE ARE
ENDEAVOURING TO INVOLVE INDIAN COMMUNITIES IN THEIR ACTIVITIES, AND
THOSE INDIAN GROUPS CAN HARDLY ENDORSE BOYCOTT CAMPAIGN IN ANY
CONCRETE WAY, ALTHOUGH THEY RECOGNIZE LUBICON PROBLEMS. FOR OUR
PART, WE RECOGNIZE LUBICON GRIEVANCES AS WELL, AND THERE WILL BE
MEETING THIS MONTH BETWEEN LUBICON AND FEDERAL NEGOTIATIONS TO SEE
IF NEGOTIATIONS CAN BE RESUMED IN EARNEST. WE WOULD NOT/NOT EXPECT
LUBICON LAKE BAND TO DROP ITS BOYCOTT CAMPAIGN, EVEN IF
NEGOTIATIONS WERE TO RESUME. BUT AS BOYCOTT EFFORTS ARE MEETING
WITH LIMITED SUCCESS, AND AS THERE IS SOME TENSION BETWEEN LUBICONS
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PAGE FOUR IMH0922 CONF D

AND OTHER NATIVE GROUPS, NEGOTIATIONS MIGHT ENABLE LUBICON
LEADERSHIP TO DROP VISIBILITY OF BOYCOTT CAMPAIGN WHILE STILL
SAVING FACE. THIS WOULD ALSO HELP SOME OF CONTRIBUTORS TO GLENBOW
PROJECT WHO ARE STILL MIRED IN ETHNICAL DILEMMAS.

6. HOPE THAT ABOVE MEETS YOUR NEED FOR FRANK AND PRIVATE
BRIEFING. OTHER POSTS CAN DRAW FROM ABOVE AS WELL, PROVIDED THAT
CONFIDENTIAL NATURE IS PRESERVED.