

TO: Participants, Speakers and Sponsors of *Strengthening Aboriginal Capacity in the Forest Sector, Workshop Report, Vancouver, BC, February 28-29, 2008*

RE: Erratum Notice, October 10, 2008

FROM: Harry M. Bombay, Executive Director
National Aboriginal Forestry Association

DATE: October 14, 2008

Please find an erratum notice on the workshop report which had been sent to you sometime in September 2008 and which has been posted on our website. It is NAFA's intention to retract the entire report and, as quickly as possible, reprint, redistribute and repost the report on www.nafaforestry.org

It is our hope that you will again review the report to ensure that your comments are accurately reflected. If you do not respond within ten days, we will assume you are satisfied with the relevant/text reported.

Thank you for your attention to this matter.



National Aboriginal
Forestry Association

ERRATUM NOTICE

October 10, 2008

The National Aboriginal Forestry Association (NAFA) advises that there were several errors in the printed text of:

*Strengthening Aboriginal Capacity in the Forest Sector
Workshop Report
NAFA
Vancouver, British Columbia
February 28-29, 2008*

In the report, the summary of the presentation by Jackie Hartley on the United Nations Declaration on the Rights of Indigenous Peoples, on pages 17 & 18, is to be replaced with the following:

United Nations Declaration on the Rights of Indigenous Peoples

*PRESENTER
Jackie Hartley
Policy Analyst
First Nations Summit
Vancouver, BC*

JACKIE HARTLEY gave a short presentation on the *United Nations Declaration on the Rights of Indigenous Peoples*.

This Declaration was adopted by the UN General Assembly on September 13, 2007, by a vote of 144 in favour and four against, with 11 countries abstaining. The countries who opposed its adoption were Canada, the United States, Australia, and New Zealand.

Hartley said that the Declaration is intended to be a “guiding, uplifting document” that affirms the rights of Indigenous peoples worldwide. The Declaration does not create new rights, it affirms existing rights, and elaborates both collective and individual rights. The UN High Commissioner for Human Rights, Louise Arbour, and organizations such as Amnesty International have criticized Canada for not supporting the Declaration. Hartley added that a recent government change in Australia has led to an apology being issued to the Indigenous peoples of that country for the removal of Indigenous children from their families (i.e. the Stolen Generations). The new Australian government has yet to endorse the Declaration, but made a commitment before the election to do so.

Hartley reviewed some of the key provisions of the Declaration including the right to self-determination and rights to lands, territories and resources. The Declaration affirms that Indigenous peoples have the right to own, use, develop and control their lands, territories and resources. Indigenous peoples have the right to redress for their lands, territories and resources that have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent. Indigenous peoples also have the right to determine and develop priorities and strategies for the development or use of their lands, territories and resources. She encouraged everyone to view the entire document since it contains 46 articles relating to the rights and freedoms of Indigenous peoples worldwide.

A recent symposium hosted by the Assembly of First Nations and the BC First Nations Leadership Council considered ways that First Nations can use, move forward with, and implement the Declaration:

- By asserting, exercising, and practicing their rights, and making it clear that these rights are affirmed by the Declaration
- By exerting political pressure on the federal government to endorse the Declaration
- By integrating the Declaration in litigation strategies and negotiations
- By using international mechanisms

“This Declaration sets the minimum standards that will not only be used throughout the UN, but more broadly” said Hartley. “You should be demanding that these standards, at the very least, are upheld in Canada.”

Gary Anka, from CFS, said he could elaborate further on why Canada did not sign. He said that for countries without many Indigenous peoples, signing the Declaration was easy. But Canada feared that, because the Declaration was non-binding, it would not be a powerful tool for litigation or for changing legislation.

Hartley replied that the rights in the Declaration can be used to guide Canadian law, and Canada is already bound to implement many of those rights under its international obligations.

Albert Gerow said that not signing the Declaration is a black mark on Canada, and sends a message to indigenous peoples and to the world. If the non-binding nature of the document is a problem, then the Declaration should be a binding one. "This substantiates the rights we should have had from Day One," Gerow said.

NAFA also advises that the entire report will be reprinted, redistributed and reposted on www.nafaforestry.org