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Mushuau Innu First Nation

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August 16, 2004

Mary Gusella
Chief Commissioner
Canadian Human Rights Commission
344 Slater Street, 8th floor
Ottawa, Ontario
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By FAX: 613-996-9661

RE: The Mushuau Innu of Labrador

Over the past ten years the Human Rights Commission has actively considered questions of discrimination against the Innu through the policies of Canada and Newfoundland and Labrador. Unfortunately, discrimination continues albeit under a new set of circumstances.

The 2002 Report of the Canadian Human Rights Commission on The Treatment of the Innu of Labrador noted that

"...Unless the Government acts to ensure that the Innu are able to take responsibility for their own affairs and are able to move to self-government, Canada is at risk of violating its international obligations under the *International Covenant on Civil and Political Rights* and the *International Covenant on Social, Economic and Cultural Rights*, and of acting inconsistently with the *Draft Declaration on the Rights of Indigenous Peoples*. Furthermore, in dealing with the children of the Innu communities of Davis Inlet and Sheshatshiu, Canada is under an obligation under the *Convention on the Rights of the Child* to have the well-being and best interests of the children as a primary consideration."

While the federal government has allocated a significant resources toward addressing the situation of the Innu, it has failed to substantively change its approach or because of that, our situation. The Innu have pursued Indian Act registration, reserve creation, relocation, program devolution, and healing investments in order to end the many years of discriminatory treatment that successive governments had dealt the Innu. Yet, the federal government has since implemented a string of unconscionable decisions that while creating a new set of circumstances, have continued that discrimination.

Without the consent of the Innu nor with the interests of the Innu or Innu children in mind, the federal government has consistently chosen to continue inadequate service delivery through

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provincial agencies. These actions were taken without regard for the quality and adequacy of those services which do not meet the standards the federal government insists be met when First Nations deliver those same services. In other words, the Innu continue to receive services at levels lower than others and despite the clear statements of the CHRC, the federal government continues to exclude the Innu from decisions that directly effect us and our children.

The Mushuau Innu had hoped that healing would be implemented through the Labrador Innu Comprehensive Healing Strategy. The Labrador Innu Comprehensive Healing Strategy ("Healing Strategy") was the coordinated response initiated in the fall of 2000 by three departments of the federal government, namely Indian and Northern Affairs, Health Canada and the Solicitor-General. The Healing Strategy was initiated in response to the worsening crisis of substance abuse and underlying social and health crisis in the communities of both Davis Inlet and Sheshatshiu. The Healing Strategy comprises five components, namely community health, Mushuau Innu relocation, registration and reserve creation, programs and services, and community policing. The federal cabinet approved the healing strategy in June 2001 and provided funding for three years.

The strategy also provided that there would be an assessment of progress against plan for each of the five major components of the strategy along with an overall assessment of ongoing relevance and needs, early success, and cost effectiveness to determine the level of funding for future years after the initial three years. The results of the assessment were to be used to report back to cabinet in June 2003 so that cabinet could determine the level of funding for future years.

It is to be noted that while progress has been made on each of the five components of the strategy, the work that has begun will be wasted and in fact will contribute to more serious deterioration of the social conditions at Natuashish (the community to which the Mushuau Innu moved from Davis Inlet) unless the funding is renewed along with the new partnership as proposed by the IER Planning Group and the Aboriginal Research Institute who undertook the evaluation for the report to cabinet.

It is now August 2004 and the recommendations for funding for future years for the healing strategy have not yet been presented to cabinet. This causes great concern and federal officials are beginning to hint that there is no plan and indeed no real commitment to going ahead to cabinet with the proposal to cabinet for a new partnership approach between the Mushuau and the relevant departments of the federal government and the funding to continue the Healing Strategy. If the healing strategy does not continue, this will constitute a colossal breach of faith with the Mushuau Innu people and children. And it will contribute to further social disintegration of the Mushuau Innu society.

In our minds this a new violation of our rights. Discrimination in level and scope of services and lack of meaningful involvement in decisions that effect us, continues. Because we are the Mushuau Innu and because we live in Natuashish, and for no other reasons, we are afforded a lack of adequate basic services and control over our lives. We believe that the Canadian Charter of Rights and Freedoms forbids discrimination on this basis and we are prepared, if necessary, to address this matter in the appropriate forum. To make matters worse, there are no firm plans or

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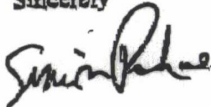
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timetable for any changes to this situation and in the interim, the federal government refuses to take responsibility for services meeting minimum service standards that apply to everyone else.

The past few months has seen our community pay the price for those discriminatory decisions. One girl was abducted and tortured, and another young man took his own life. Such actions are inextricably linked to the abysmal quality of service and care in our community, which is so clearly linked to the ongoing discrimination by federal officials.

Our pleas for change have fallen on deaf ears. A Human Rights investigation into the discriminatory effects of the federal government's Innu strategy as it applies to the Mushuau Innu may bring about the willingness within government needed for us to progress. I ask that you give our request for an investigation serious consideration. Please know that I, the Council, and our community, are willing and able to assist in any way possible.

Sincerely



Simon Pokue
Chief
Mushuau Innu First Nation

cc Minister Andy Scott