Please support our Petition at the Inter-American Commission on Human Rights:
Contact Pau Tuc La Cim with your letters of support for our self-determination, and our right to an independent, impartial third-party tribunal.

Canada has no treaty with Líl’wat.

Pau Tuk La Simx, James Louie:
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Self-determination is the issue;
Canada is the problem.

“We have no treaty with Canada - no agreement that declares the state can take our children away.”
Lil’watmc petition the Organization of American States’ Inter-American Commission on Human Rights
Pau Tuk la Simx, Lil’wat, 
to the Permanent Forum on Indigenous Issues, 
New York City, May 25, 2011:

Madame Chair, Honoured Delegates, Nsnuk̓wnúkwa: 
Without Prejudice

The Elders of my family named me Pau Tuc la Cimc. I am Liíwatmc. English is not my first language. No one speaks for Lil’wat but Lil’wat. We have no treaty with Canada and no membership with the UN.

According to the government of Canada, I am James Douglas Louie, certificate of Indian Band Status Number 5570025701.

I am here to speak for my children, my grand children and my great grand children. I don’t want them to have to live the life I have today – with Canada assuming I am Canadian. The International Court of Justice states that consent is sacrosanct.

We are not benefitting from implementation of the Articles in the Declaration on the Rights of Indigenous Peoples, which we would hope would cause states to recognize that we had, we have and we will have the right to exist as a people. Today, we draw special attention to Article 7, 2: “Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.”

If this was implemented, our children would not be seized from their homes and placed in non-native foster care. But in Lil’wat, we don’t have this security. Instead, we have a petition on file at the Organization of American States Inter-American Commission on Human Rights. Our OAS petition carries the name of Loni Edmonds v. Canada, because Loni’s children were seized from their parents as small children and removed from our community.

Our petition was received by the OAS Commission in July of 2007, and to date it has not been reviewed.

We have no treaty with Canada that would provide for their agencies to take control of our people this way. As an indigenous nation with the rights listed in the Declaration, we need to have access to recourse when our rights are violated, as in Article 40 of the Declaration.

Within Canada, we have exhausted the domestic remedy.
Our children should also be protected by the Declaration under Articles 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 31, 33, 34, 35, and 36.

The rights to self-determination and to exist as a people are sacred in our way, and enshrined as Article 1 of both Covenants of the International Bill of Rights. We believe we have that right. The Declaration states in Article 1 that we “have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.”

Until such time as we cede, release, surrender or extinguish our title to our lands, we will have this title. We have never made such a release, and will never surrender it—that our people may continue in this world for time out of mind, living peaceably in our homeland. We know that future will not exist if we cannot enjoy the protection of that title and these rights.

I strongly urge the Permanent Forum to engage with existing United Nations members, procedures and mechanisms to bring this Declaration to the level of a binding and enforceable international Convention which will augment the Geneva Convention on the Prevention and Punishment of the Crime of Genocide.

Thank you very much for hearing my recommendations.
Kukwstumúlhkal’ap.

*Since this address was made, the Inter-American Human Rights Commission gave Canada a deadline to respond to the allegations made in the petition 879-07, Edmonds v. Canada. Canada’s reply was late, belligerent, and indicates that they have no interest in remedying the situation according to international human rights law. A second response was due April 10, 2012, and is now late.*

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**UN PFII 12th Session, May 7 - 18, 2012**

**Agenda Item 3 - Doctrine of Discovery:**
Study on the extent of violence against indigenous women and girls in terms of article 22 (2) of the United Nations Declaration on the Rights of Indigenous Peoples

**Intervention:**
Removal of children from their mothers is a kind of violence amounting to psychological and emotional torture. The children of the Petitioner in our case have been removed from her custody. Most recently her newborn baby was taken from her, by state officials, at birth. One in seven native children in British Columbia is taken from his or her parents.

This is a state organized form of violence against indigenous women which furthers the Canadian objective of extinguishing indigenous peoples and thereby resolving its outstanding problem of not having a proper title to the land by removing the actual title holders – the indigenous.

There is a shocking level of contempt for indigenous individuals throughout state bureaucracy – most recently exposed in an Inquiry into the unresolved disappearance of some thousands of native women in British Columbia. Vancouver police shun fellow officers who receive reports from native women. They refer to native women as “the scum of the earth” and “a waste.” When our Petitioner went to a doctor for medical help, she explained her hopeless feelings and her anger to him but he failed to give her any medical assistance. He reported her condition to the police, who found and detained the woman later that same day.

**Recommendation:** Organized state violence against indigenous women must not be allowed to be reviewed internally.
By the time she is twelve years old, a girl can catch her own salmon in the gill net, pack it to camp and cut it to dry.

Our people know how to work together to raise children.
Our children receive teachings and training that connect them to the land, where they get their power and resilience. They learn respect.

We stand up for the water and the land, the ones that walk on four legs, the root and berry people, the finned ones, the ones that crawl and the ones that fly.

We do this for our children, and their children’s children: we think seven generations ahead and seven generations back when we make a decision.

Our traditions have been almost wiped out by Canada’s 100-year-old practice of seizing our children.

In 2008, Canada’s Prime Minister apologized to all indigenous people who went to Indian Residential Schools: 1862-1986. He said forced assimilation will never happen again. But if we don’t send our children to the public school today, if we keep them home and teach them in our own way, the state will take them. If we start our own school, the state tells us what we can teach.

It is hard to teach our children respect when we don’t get any.
Over 150 years, many of our forests have been completely destroyed by logging.

The World Trade Organization and NAFTA have recognized that Canada’s practice of refusing to acknowledge our title, and selling cheap timber licenses without our consent, is a direct subsidy to the Canadian softwood lumber industry.

We used to catch and preserve enough salmon to be sure we would not go hungry for two years. We can make it to last three years when it is stored properly.

We used to do this in places that are now flooded for hydroelectric production, or the sites of developments and private properties. Now the salmon runs are so depleted and our fisheries so tightly regulated by Canada that we can’t get enough fish for one winter.
We are constantly having to take stands to defend our sacred places from developments such as the ski resort planned for Melvin Creek - Sutikalh, the home of the Winter Spirit - above Lost Valley.

At the direction of the women, warriors went to Sutikalh and built a camp across the logging road. The company was logging and roadbuilding, even though we had already told them “no.”

Today, eleven years later, the camp is still there. It is home to one man, and it is a visiting place, healing retreat, food and medicine gathering place for many others. The company’s application to build is still active.
Whistler Mountain is in the south of our territory. Lost Valley, shown here, is in the north. It is the last undeveloped watershed.

In 2000, we voted 87% “no” to hosting the 2010 Winter Games in our territory at Whistler. The highway expansion, logging and increased development is not worth the money they gave us to cooperate. Our opposition, however, was out-sourced by the International Olympic Committee. We have nothing to show for our participation.
“Then be it known to all other Governments, Authorities and Commercial interests

that the signatures to this Resolution support his Declaration, and furthermore do Hold and Declare that as citizens of Lil’wat, we shall oppose, reject and resist all efforts of the federal and provincial governments to:

1. Extinguish our title to our traditional lands and resources in exchange for money and small “fee simple” allotments, a formula which was attempted in the USA and made many aboriginal nations landless when allotments were taken by money lenders for unpaid loans.

2. Impose on our Nation without our consent a “Governance Act” and related statutes such as a “Land Management Act”, the effect of these laws is to destroy our claim to nationhood, to redefine us as an ethnic minority and our community as a municipality, to make us subject to property and income taxes and to bring us under provincial rule.

3. Deceive our citizens and the general public by broadcasting a pretend consultation process even though the Minister of Indian Affairs has already announced that his Legislative initiatives are non-optional – and are being implemented.

The undersigned moreover do hold and declare that:

1. To the present day, Lil’wat has had to deal with Federal policies whose Effect is genocidal and unlawful under the terms of the “International Convention for the Prevention and Punishment for the Crime of Genocide,” 1948.

2. In addition, Canada is in Breach of the Royal Proclamation of 1763, which remains an integral part of Canada’s Supreme Law; the Constitution Acts, 1867 and 1982; that is:

...open letter from Lil’watmc, July 2005

3. The Proclamation acknowledged and affirmed that the relationship between Aboriginal Peoples and the British Crown was and would Remain “Nation to Nation”; a relationship which Canada is actively seeking to dismantle in favour of Provincial Jurisdiction.

4. The same Proclamation made it unlawful for Colonial Governments and their successors to engage in “Great Frauds and Abuses”; a crime for which Canada was and remains guilty.

5. The same Proclamation also made it unlawful for Colonial Governments and their successors to interfere in the internal affairs of Aboriginal Nations, an edict which has been consistently ignored by Canada and is the cause of great damage to our people.

We, the undersigned therefore are agreed that we shall never surrender to Federal and Provincial extinguishment measures; that we shall take all active steps to guarantee the survival of Lil’wat within the borders of our ancient and inalienable domain; and if necessary, that we shall bring the Canadian government to account for its crimes before International Tribunals.”

Signed...
In Lil’wat we have Watchmen who travel our lands
and their job is to report to the community on the state of things, and
also to protect the land.
When Tsem’huq’w and many others tried to stop logging from
proceeding at our smallpox burial grounds, he was charged with
Contempt of Court for disobeying the British Columbia court-ordered
injunction to leave the place.
His lawyer argued: British Columbia does not have jurisdiction here;
neither does Canada - they have no treaty, no proof of purchasing the
land, and therefore no juridical superiority.
The judge listened to the argument and then went away for three
months. He came back and said this argument was not relevant to
whether Tsem’huq’w was in Contempt of Court. The argument was
struck from the court record. Every time since then that this argument
has been raised, the next judge says it has been “dealt with,”
and refuses to hear it.
It is, however the only argument, and British Columbia simply cannot
refute it - so they refuse it.
The late Tsem’huq’w, Harold Pascal, Lil’wat Watchman.

The Canadian government criminalized our government
in 1925. They imposed on Lil’wat an elected Band Council which they
rule over - the Band Council Chief reports to Canada, under the Indian
Act, not to Lil’wat.
The province of British Columbia and also Canada use this system to
impose further corporate governance structures which suit their needs
for expedited resource development.
The Indian Act Indian Band is not the same thing as Lil’wat. We do
not recognize the imposed system or any decisions they make. Their
actions are null and void in the eyes of international law.

In this diagram you can see the proposed
corporate structure, using the Indian Act
Band as the central home of power.
We do not recognize the authority of the
Indian Act Band.
Canada uses the Indian Act to justify
managing our affairs,
including taking our children at will.
Our language comes from the land. Much of our history is written on the land. Blackdome Mountain, left, is in the three corners of Secwepemc, Tsilhqot’in and St’at’imc. We had meetings with them and other neighbouring nations from north, south, east and west, and set up markers to show how we are connected. We want to teach our children our history and our culture.

Now Blackdome is mined for gold and patrolled by security for others’ benefit.

Below is Steq’, a lake with a log-jam at the end, high in a mountain pass. Legend has it that people live under the lake, in a different time. Once, one of our men went in with them. When he came back, 150 years had gone by.
We honour and remember the many warriors we have lost in the daily struggle to defend our right to our territory. This struggle is personal, political, and physical. We stand, as they did, for the future of our children.

We attended the United Nations’ Forum in 2011 to speak out, to meet others and exchange stories.

We believe in indigenous peoples, indigenous solutions, and indigenous futures.

Below, left to right: Tatzuo Kage, Japanese Canadian Society; Bill Chu, Canadians for Reconciliation; Pau Tuk La Simx, and Wenemqen, Lil’wat.

We thank the International Human Rights Association of American Minorities -ihraam.org - and the Canadians for Reconciliation Society for making the 2011 trip to New York possible. Kukwstumūlhkal’ap, nsukwnūkwa.

You can visit us in Lil’wat - a few hours north of Vancouver.