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July 23, 1984

Chairman
United Nations Working Group
On Indigenous Populations
Palais De Nations
Geneva, Switzerland

Honorable Chairman:

It is with best wishes from the Nuxalk Nation that we transmit by the hand of Rudolph C. Ryser the Nuxalk Nation's submission for inclusion in the United Nations Working Group on Indigenous Populations report to the Sub-Commission on Prevention of Discrimination and Protection of Minorities. We are pleased to submit our statement to the Third Session of the Working Group.

It is our wish to remain in contact with the Working Group as it continues its inquiries. Please inform us if further information may be required of us.

Thank you for the opportunity to present our views on the question of Which Groups of People should be Considered as Indigenous Populations, and on the question of International Standards of Indigenous Land Rights.

Yours Respectfully,

NUXALK NATION

Chief Edward Moody

Edward Moody

Chief Lawrence Pootlass

*Lawrence Pootlass
(Maximlayc.)*



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ON THE QUESTION OF
WHICH GROUPS OF PEOPLE
SHOULD BE CONSIDERED AS
INDIGENOUS POPULATIONS

AND

ON THE QUESTION OF INTERNATIONAL
STANDARDS OF INDIGENOUS LAND RIGHTS

Statement of the Nuxalk Nation before the
United Nations Working Group on Indigenous Populations;
31 July 1984, Palais De Nations, Geneva, Switzerland

PURPOSE:

To convey to the United Nations Working Group on Indigenous Populations of the Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities the views of the Nuxalk Government regarding the "evolution of standards concerning the rights of Indigenous populations" as noted at Part 2 of the UN Economic and Social Council Resolution 1982/34. And, further, it is the purpose of the Nuxalk Government to transmit the views of the Nuxalk Government concerning "the question of international standards of Indigenous Land Rights".

DESCRIPTION OF THE NUXALK NATION:

The Creator, with supreme sovereignty over all worldly matters, created the territorial lands, waters, air and all the natural resources of the Nuxalk, including the Nuxalk peoples. The Nuxalk territory, encompassing 7,000 square miles, is situated adjacent to territories of other neighbouring indigenous peoples along the northern pacific coast of upper North America. The Nuxalk, once with a population of over 60,000 indigenous peoples, now has 2,000 citizens who hold responsibility over all their territorial lands, waters, air and all its natural resources; no treaties or any form of consent to cede any part of the Nuxalk territory has been established with foreign colonies, such as Canada. The Nuxalk people, with powers vested in them by the Creator, exercising their responsibilities through a potlatch system of Nuxalk Government has since time immemorial lived in harmony with all the other natural resources within the territorial lands, waters and air of Nuxalk.

STANDARDS FOR DEFINING GROUPS AS INDIGENOUS POPULATIONS:

The Nuxalk people are the original people of their territorial land and they have the absolute inherent right to self-determination which they exercise through their Nuxalk Government. Their Aboriginal Title and Right to self-determination are confirmed and strengthened by their understanding that sovereign powers is vested in them by the Creator. The Nuxalk territorial lands, waters, air and all its natural resources were given to the Nuxalk people by the Creator to provide for their essential needs. Adequate

STANDARDS FOR DEFINING GROUPS AS INDIGENOUS POPULATIONS: (cont.)

amounts of land, water, timber, minerals, oil, gas, wild-life, fish and the many other natural resources within their Nuxalk territory were made available to them by the Creator in perpetuity to ensure socio-economic development and the peace, order and just government of the Nuxalk people. These four principles of Aboriginal Title and Rights held the Nuxalk people together for thousands of years; as long as there are descendants of the Nuxalk people within Nuxalk territory and their Aboriginal Title and Rights are never extinguished, sold or traded to the descendants of foreign colonizers, the Nuxalk peoples have and always will be an indigenous populations.

Peoples

The Nuxalk people, with sovereign powers vested in them by the Creator, formed a potlatch system of Nuxalk Government based on trust, respect, honour and sharing of wealth for all things created. This potlatch system of Nuxalk Government managed and controlled every aspect of the Nuxalk society including such social, cultural, educational, economical, political, legal and spiritual activities which were always carried out in harmony with all the other natural resources within the Nuxalk territory. The potlatch system of Nuxalk Government carried out the Nuxalk peoples' inherent Aboriginal Title and Rights within the Nuxalk territory. This existence was very distinct from all other indigenous peoples outside the Nuxalk territory; for other indigenous populations exercised their own form of Aboriginal Title and Rights.

STANDARDS FOR DEFINING GROUPS AS INDIGENOUS POPULATIONS (cont.)

Recently, the Nuxalk Government, through the potlatch system have adopted new citizens and made them part of the Nuxalk Indigenous population.

people

INTERNATIONAL STANDARDS FOR INDIGENOUS LAND RIGHTS:

The Nuxalk people know they hold Aboriginal Title and Rights to all the territorial lands, waters, air and all its natural resources, including the Nuxalk people, within the Nuxalk territory. This fact is recognized by many other Indigenous populations throughout the world community.

Many modern states, particularly those states formed as result of colonization, will not recognize the inherent Aboriginal Title and Rights that the Nuxalk people hold over their Nuxalk territory. If the Nuxalk people agree to extinguish their Aboriginal Title and Rights to a state composed of descendants of colonizers then colonization will have prevailed in spite of the fact that the world community is committed to the elimination of colonialism in all its forms. The Nuxalk people do not want a settlement of their Aboriginal Title and Rights which in any way reflects a policy of termination nor do they want a final cash-for-land settlement. The Nuxalk people want recognition and acceptance of their Aboriginal Title and Rights within the international world community. If colonialism was eliminated then the Nuxalk people, as an Indigenous population, can get recognition and acceptance from the international world community for their Aboriginal Title and

INTERNATIONAL STANDARDS FOR INDIGENOUS LAND RIGHTS: (cont.)

Rights they hold to their Nuxalk territory, a new modern state will take its rightful place.

The Nuxalk people, as Indigenous peoples from time immemorial, are born with their inherent Aboriginal Title and Rights to all their territorial lands, waters, air and all its natural resources. That is what it means to be Nuxalk people. Accordingly, an Indigenous group is a people and therefore, their right to lands sufficient to their wants fall under provisions of existing international legislation (i.e. - International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, and Resolution 1514, December 1960).