GENEVA - What happens to Indian people when their colonizers take away everything they need to survive? They start killing themselves at a rate unsurpassed anywhere in the world.

That's part of the Innu people's tragic struggle to retain their land, resources and traditional lifeways, according to Armand MacKenzie, an Innu lawyer representing his people in a human rights conflict spanning two continents and nearly six decades.

"Our people have been dispossessed - pushed aside so that mining and hydroelectric companies can make more money off our land," he said.

"Our rights were unilaterally extinguished without our consent, and we are facing grave injustices under Canada's laws. That's why we've gone to the United Nations as a forum for interventions."

Nitassinan, the Innu traditional homeland comprising more than 300,000 square miles of tundra, forests, lakes, rivers and valuable mineral deposits on the Labrador/Quebec peninsula, was never ceded or signed away by treaty to Canada.

Innu leaders argue that Canada should have to prove how it claims ownership of aboriginal lands belonging to people who have lived there for more than 7,500 years.

While Innu people survived the early intrusion of missionaries and fur traders, in 1949 Newfoundland became part of Canada and government officials "began clearing the land of Indians to make way for natural resource extraction," according to Colin Sampson, a sociologist at the University of Essex who co-authored a landmark report in 2001 that shocked the international community.

The report, entitled "Canada's Tibet: The Killing of the Innu," revealed that the Innu in Labrador "suffer the highest rate of suicide on Earth as one of the world's most powerful nations occupies their land, takes their resources and seems hell-bent on transforming them into Euro-Canadians."

It also condemned Canada's colonial policies, which were designed to force the Innu from their land so it could be opened to non-Native development and coerce them into abandoning their traditional hunting culture to become "civilized" by adopting a sedentary lifestyle in government-built villages and sending their children to residential schools.

One of those developments, the controversial James Bay hydroelectric project that flooded vast portions of Innu, Cree and Inuit lands, resulted in a total disruption of the Innu way of life and blatant violations of their rights.

In order to build the project, Canada negotiated a land claims settlement with the Cree and Inuit peoples, but the Innu chose not to participate because the settlement contained provisions to extinguish Native ownership to their homelands.
"This land claim overlapped some of our traditional hunting grounds; and when the land claims settlement was adopted by Parliament, they extinguished the rights of all Indian people to the land," MacKenzie said.

"Our elders and families went to Parliament and told them it was unfair and unjust, that they had to no right to extinguish our rights because we were not part of that settlement."

Canadian and provincial officials ignored them.

"At that point my community and my family asked me to work on this because we were drastically affected," MacKenzie said. "Our traditional hunting grounds were flooded and our Indian land rights were extinguished. I had this duty to do something about the unilateral extinguishment of our rights."

Canada's Comprehensive Claims Policy - the only forum for Indian land claims - held little hope for equal treatment under the law.

"Canada requires that as a precondition for addressing Innu grievances, we must acknowledge that our homeland belongs to the Crown. All that remains to negotiate are the terms in which we are to formally surrender it," MacKenzie said sardonically.

Though viewing the process as unfair, five of the nine Innu bands filed a land claim. But during negotiations, land that was on the table as part of the Innu Nation claim continued to be sold off to mining companies and other developers, making a mockery of the process, MacKenzie said.

While seeking remedies, he learned about international legal instruments used by the United Nations regarding human rights, economic and social development, the environment and trade.

Innu elders, chiefs and their legal counsel and MacKenzie took their complaint to the United Nations in the early 1990s, citing numerous human rights violations and arguing for the right of indigenous peoples to self-determination.

In 1998, the U.N. Economic and Social Council issued a strong report that said Canada did not have the right to unilaterally extinguish the rights of indigenous peoples. That was followed by a 1999 report from the U.N. Human Rights Committee that came to the same conclusion.

In the meantime, the loss of control over their way of life and the denial of their right of self-determination has had devastating impacts. Innu communities that once thrived by trapping, fishing and hunting caribou are now suffering social ills common on Indian reservations in the United States - extreme poverty, pervasive unemployment, increased violence, alcoholism, drug abuse, and the loss of language and cultural skills.

The tremendous social upheaval the Innu have endured caught worldwide attention in the winter of 2000 when six young people tried to commit suicide by sniffing gas. "Huffing" became epidemic in Davis Inlet, eventually affecting more than 100 children who required long-term treatment.

"Canada's policies toward the Innu have caused deep psychological trauma as well as social and cultural disintegration resulting in suicide, gas-sniffing, physical and sexual abuse - problems practically unknown before they were exposed to Euro-Canadian contact," said Sampson.

In November of 2004, the Human Rights Committee reiterated its finding that Canada does not have the right to unilaterally extinguish the rights of indigenous peoples and specifically asked Canada for information on what it is doing to deal with the case of unilaterally extinguishing the rights of Innu people, said MacKenzie.

The Innu people and international community are waiting for answers.
"The Declaration of Rights of Indigenous Peoples sets minimum standards for how we will be treated," MacKenzie said. "We are trying to convince Canada that there is a better way to treat Indian people, and we have to use the principles in the declaration as a guideline in our relationship."

MacKenzie: Why the declaration matters to my people

When Canada terminated the Innu people's right to their land and flooded their hunting grounds, Armand MacKenzie took it personally.

Born and raised by his parents and grandparents in the traditional caribou hunting territory of the Innu people, Mackenzie learned to trap, hunt and live off the land as part of his upbringing.

"We were poor, but it was a good life, very rooted in my language and culture," he said. "We lived off the trap line: that's how we made our money. We were rich in terms of land and our culture, and I was fortunate to have that. But my father thought education might improve my life, and I was sent to residential school when I was 13."

There he began to learn about the discrimination and racism that Indian people were subjected to in Canada, including being punished for speaking their language and for resisting conversion to Christianity.

"I saw how much injustice there was toward our people and how we were treated with racism - despised, even," he said. "I began to see how white people were living, improving their economic conditions, making a living off our land with all these hydro projects and mining companies.

"I decided to go to law school and study more about human rights and equality under the law."

After years working in Labrador and Quebec's legal systems as a highly trained attorney, MacKenzie again saw discrimination and biased treatment toward Native people. Of particular concern was the language barrier that prevented many Native clients from understanding the laws by which they were judged and often jailed.

But it was the total termination of the Innu people's rights to their land, resources and way of life that inspired his deep-rooted commitment to fight for protections for Indian people under international law.

In the 1960s, Newfoundland officials contracted with Hydro-Quebec to dam Mista-shipu, a major river in traditional Innu hunting grounds, and flood the region to create the third-largest artificial lake in the world. Newfoundland's premier, Joe Smallwood, named the new reservoir after himself.

"My mother's land and traditional hunting grounds were flooded by Hydro-Quebec," said MacKenzie. "The government officials never consulted us or got our consent. When Innu burial grounds were going to be flooded, they exhumed the remains of her relatives and sent them to Montreal to study the bones.

"My mother kept talking about it. We asked that the remains be sent back to our community so we could have another burial service," he recalled. "It took 10 years to get them returned. They sent them back in a cardboard box, the kind you use for files."

His father's family home was razed and destroyed, without consent or compensation, to make way for a new road being built in the province.

"They just destroyed it," MacKenzie said. "They wouldn't do that to white people - and if they did, they would be compensated. But that's not the case with Indians - it's normal to flood our lands, to dig up our relatives, to deny us our rights. It's just the way it is. I had a duty to do something about that."
Then fresh out of law school, he was asked by his community and his family to help in the fight against one of the world's most powerful nations because in addition to a law degree, he possessed traditional knowledge and spoke Innu, French and English.

At 23, he was hired by the National Chief of the Assembly of First Nations, Ovide Mercredi, and sent to the Vienna Conference on Human Rights to help establish basic human rights and equality for Indian people.

In the 15 years he has been working in the international arena, he also learned Italian and some Spanish, languages that serve him well while lobbying nation-states about the rights of Native peoples.

"When we hear at the United Nations that in no case should indigenous peoples be deprived of their means of subsistence, it has a personal meaning for me. That's what happened to my people - that's our reality," he said.

"All the principles that are in the U.N. Declaration on the Rights of Indigenous Peoples have a practical meaning to me, to my family, to my community, to my people."

Article 27 of the declaration, which is still being negotiated, asserts that indigenous peoples have the right to redress and restitution for lands, territories and resources which have been confiscated, occupied, used or damaged without the free and informed consent of indigenous peoples.

"The right to redress says we should have lands back in size, quality and the same condition as what was taken. That's one way we can address what happened with unilateral extinguishment of our land rights," he added.

"I look at the declaration in a very practical way because each of those provisions will have an impact on our people. The influence of the declaration is not just a theory - it will affect the reality we are living at home. I can see it and it's going to happen."

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