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Cowichan News Leader and Pictorial

HTG takes complaint against Canada to international tribunal

By Krista Siefken - Cowichan News Leader and Pictorial

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The Hul'qumi'num Treaty Group is fed up with delayed treaty negotiations and watching development spring up on its traditional lands without its input.

In fact it's so fed up, the group is taking its complaint against Canada to an international human rights commission in Washington, D.C.

The treaty group, which was formed in 1993 and negotiates on behalf of Cowichan Tribes and five other local bands, will travel south of the border for a Inter-American Commission on Human Rights hearing Tuesday, Oct. 28 at 6 p.m.

"We've been working on it for a couple years now," Robert Morales, chief negotiator with the treaty group, told the News Leader Pictorial Friday afternoon. "We just have not been able to get either Canada or B.C. to sit down and negotiate with us."

The complaint, which is the first the commission has heard from indigenous peoples in Canada, also addresses the fact that 85 per cent of the Hul'qumi'num people's traditional territory was privatized in the 1880s without consent at the time, and without compensation or discussion since.

"The continued development within the territory is impacting the Hul'qumi'num people's ability to practice their culture and there's been a dramatic increase in the rate of development, but we've had little opportunity to have a significant say in how it occurs in the territory," said Morales.

To illustrate the cultural impact, Cowichan Tribes elder Arvid Charlie will speak before the commission next week, while all Hul'qumi'num chiefs will attend in full regalia to offer their support. The treaty group has also requested a suspension of real estate development and activity on the traditional lands until a "joint decision-making process" is established.

Morales said the treaty group is taking its complaint to an international commission rather than through Canadian courts because domestic court decisions are rarely "implemented in a significant way."

"The decision to go to an international forum was one we considered for quite some time, but it's the place where we can get the fairest hearing," he added.

The Canadian government, meanwhile, could not be reached for comment by press time Friday afternoon.

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