

## Mission in Geneva - prepared by Grandmother Francine – April 28<sup>th</sup>, 2018

Geneva is a beautiful yet very old city. Most buildings are in cement but a lot of beautiful architecture. Some places reminded me of Mexico with the very colorful graffiti. It is situated at the point where Lake Geneva empties into the Rhône and is surrounded by the Alps. The Alps are not as tall as our Rockies in Canada but still very majestic and it's a very long chain of mountains. The view from my room is very beautiful facing the Alps... The language is mostly French but lots of German, Spanish, Italian and English speaking as well. Geneva is the home of the UN and headquarters of the Red Cross, it is known as the «capital of peace».

This was my first visit in Europe so I don't really have anything to compare Geneva to, but my impressions are that there is a lot of plastic here, plastic everywhere. Plastic bags in every woman's washrooms for feminine hygiene products, plastic bags at every corner for dogs "poo". But on the good side Water fountains are everywhere which is really good, and the Water here is so delicious, it is filtered from the lake. At the UN there is a Water fountain where you can fill your bottle but also stacks of plastic glasses. Way too much plastic in this city. People are smoking everywhere and drinking alcohol as well in parks, in the metro on the street, maybe it is like that in all of Europe, that I do not know and I am not judging. People here are very nice and it is very beautiful.

I thought I was flying with Swiss Air but it was with Air Canada which is the only company that offers a direct flight to Geneva.

I met a woman in the plane by the name of Catherine and she lives in Geneva. Her husband was waiting for her at the airport and they drove me to my hotel which was most appreciated. She also gave me a few pointers of things to do and not to do and a few places to visit. We had some good conversation, 9 hr flight, we did not sleep much as our seat was the last of the row, against the wall and we could not push it back and we did not have much leg room... so it was not so comfortable; the food was also awful. But I made it ok to Geneva. I arrived at the airport at 10h15 AM and was at the hotel by noon. I settled in and fell asleep until 3 PM... There is a 6 hr difference with our time in Canada.

I cannot say that the time change really affected me, I believe that when you live by the Moon and the Sun and not by the clock or the calendar, that makes a big difference in all you do.

At 4 PM Sandra Sanchez, my working partner for the week, took me to les Bains de Pâquis for a walk along the Water, which is only 2 blocks from our hotel, there is a lot of swans who remind us to take the time to appreciate life and observe our surroundings, I love swans, one mother built her nest right by the shore and she even took the time for a chat, of course I told her about my concern regarding plastics and put some tobacco down. We went to a small Italian restaurant, I had some basil pasta, not the best I had... I was in bed by 10, I have to wake up at 6h00

We are in a hotel called the Edelweiss, a very beautiful, charming place with great staff, everyone is so nice, my room faces the Alps and I am on the top floor (7<sup>th</sup>) so the view is great. We are well located, 2 blocks from the Water and easy access to everything.

**Day 1** - Monday morning, today we have training not far from the UN building, from 9 to 5. The pre-sessions (UPR) were established to support advocacy at the international level and to inform the examining countries of human rights issues, the ultimate goal is that civil societies influence the recommendations that will be formulated by the countries during the review.

Each speaker has 6 minutes to present its plea, 1 to 2 minutes to formulate its recommendations. When we are not presenting, we should set-up time to meet with the countries that made recommendations in the past regarding our priorities and with the countries that has those priorities on their agenda. In my case Water issues. Some of the countries that make the most recommendations are Slovenia, Mexico, Canada, Spain, Norway, France and Sweden. Here is some more information about the UPR

The Universal Periodic Review (UPR) is a unique process which involves a periodic review of the human rights records of all 193 UN Member States. The UPR is a significant innovation of the Human Rights Council which is based on equal treatment for all countries. It provides an opportunity for all States to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges to the enjoyment of human rights. The UPR also includes a sharing of best human rights practices around the globe. Currently, no other mechanism of this kind exists.

### UPR (Universal Periodic Review) Sessions

According to the Human Rights Council's, the Working Group will hold three two-week sessions per year. During each session 16 countries will be reviewed, therefore 48 countries per year and 192 countries by 2011, or the entire UN membership over the course of the first UPR cycle (2008-2011). On September 21<sup>st</sup> 2007, the Human Rights Council adopted a calendar detailing the order in which the 192 UN Member States will be considered during the first four-year cycle. Each review is facilitated by groups of three States, or "troikas", who act as rapporteurs. The last review for Canada was in 2013.

**On May 12 2018 Canada is up for review and the troika will be Kenya, Switzerland and Georgia. This is why I came to Geneva. This session on May 12 will be live and anyone will be able to watch it.** The pre-session cannot be live or recorded for security reasons and you will understand a little more as you read my report.

So, in other words the UPR is a place for people defending human rights from non-governmental organisation, NGO, to have a place to express themselves freely and talk about real issues in their countries, issues that the government don't talk about, issues that the rest of the world don't really know.

In the afternoon, at our training session we are doing role play, learning how to address the country's delegate to make our plea. I am learning so much, also how to approach the embassies once I am back home.

There are 3 groups today, French, English and Spanish I attended the French group which was the smallest group, most are English and Spanish. In our group we had people from Djibouti, Cameroun, Burkina Faso and Africa and us from Canada but there were more people from Canada in the English-speaking group as well.

At the end of the day, we all went together to the UN to receive our ID badge so we can access the building. The Canadian delegation, was invited by Franciscans International. (FI) is a non-governmental organization (NGO) with Consultative Status at the United Nations; they are a Human Rights group. Ulises Quero was our contact and he was a great resource throughout the week. I know that I could not have done the work I did without him. He has all the contact and was the one who scheduled all the appointments with the delegates from other countries and with Canada Permanent Mission in Geneva. Our delegation was myself and 2 other women from Montreal, one was here to speak about human trafficking in Canada, Dr Jill Hanley from McGill University and sponsored by (CATHII) Committee of Action against Human Trafficking National and International and the other woman was Sandra Pilar Sanchez from an organisation called SIAF. This is the organisation that received funding to sponsor my trip and FI was the organisation that prepared an invitation letter for us to access the UN.

After receiving our ID, we were meeting Jill and Ulises for supper and to discuss our strategies for our 1<sup>st</sup> day at the UPR. We worked until around 9h30 and we all agreed that it had been a big day and we all needed our rest.

**Day 2** – So my working partner, Sandra, had work to do at the hotel, so I am on my own this morning, she will meet me later today. I am checking the bus schedule on google and of course I leave early enough to make sure that I am there on time, my first time taking the bus in Geneva lol. I Take the first bus going in the wrong direction but I notice pretty quick and get off at the next stop but I have to walk a little way to catch the bus going in the right direction.... Then I get to the train station to take my 2<sup>nd</sup> bus, so far it all looks good except I cannot find where that bus stops so I ask around and someone tells me I can also take another bus to get there, so I hop on that one... I get off in front of the UN building and start to make my way in when a security stops me and says this ID is for the other building 500 m up the hill... ouf it is really up the hill and I have to walk ½ a km with my briefcase etc.... I finally make it to the door and my legs are already in intense pain and the day is just

beginning... The security guards are very friendly and they direct me to where I have to go, so once pass the security desk I have to go down stairs, walk across a big parking, cross a street, walk to another building, go up more stairs and finally I am there 10 minutes before it starts, so I have time to get ready and breath lol.... I have to say that in Geneva, there is lots of stairs, and more stairs and lots and lots of walking. But the good thing is tomorrow I will know which bus to take to bring me all the way up the hill lol.

**Before reading the following**, I am asking you not to be angry, you must read this with lots of love put your tobacco down or other types of medicine according to your beliefs and put the whole world in your intentions. It was a very emotional week but I listen to all pleas and testimonies with love and great sadness, otherwise my week would have been a week of anger and rage and that is not what the world needs right now.

#### The first panel was Burkina Faso – 3 women, 2 men

**Issues:** right to food, right to water and sanitation, right to education

A panelist spoke for Koukoufouanou community: family farming represents 80% of the population, but they are threatened by agribusiness which settled on the fertile lands. Since 1999 there has been 7000 forced evictions without compensation and using brutality. The peasants must relocate on unfertile lands, schools are closing. Violation to human rights: rights to education, rights to food and rights to water.

I will not be describing each of the presentations, just a few so you have a better understanding of the issues brought to the table.

The last panelist talked about torture, human detention, even death penalty for children. Parents are undressed in front of their children in order to get information. Infringement of human rights & physical integrity. Forced marriages 44 percent of marriages below the age of 18 years which 32% at age 14, religious practices are responsible for these acts.

During our training we had been told that on many occasions no questions will be asked and that does not mean that our presentation was not heard but it is because of political safety reasons and it does not mean that these countries will not make recommendations on the day of examination.

Countries that asked questions and who have affirmed that the recommendations have been noted are *Belgium, Chili and France*.

#### 2<sup>e</sup> panel was Cameroon – 2 women, 4 men

**Issues:** freedom of expressions and meetings (protection of journalists) and defenders of human rights, women's rights (unfair wages, statement of birth to avoid the sale of babies), defenders of human rights (homosexuality is sentenced to prison, torture based on sexual orientation), enjoyment of freedom of opinion and the rural code especially for indigenous peoples and a new topic which became predominant in Central Africa is the anglophone crisis (5 schools were burned down last year).

Dr. Zingui Messomo spoke about the rights of children: sexual exploitation and forced marriage, the criminal code ignores the prohibition of exploitation of children (trafficking, dealing, exploitation) family code not in place, the legal age for marriage is 15 years we recommend 18 years. There is no birth certificate and the children cannot be identified and are often recruited by the unregistered army.

Questions from *Chili and Mexico*.

3<sup>e</sup> panel was Djibouti, unfortunately I cannot attend all presentations, because my mission is to meet the delegates of other countries in order to plea my statement on the water. I would have liked to listen to Djibouti because I had met the panelists on my day of training and I know that their main topic is women's rights.

Our first appointment was with **Italy**, we had established a strategy for our meetings: Jill would begin by talking about human trafficking, then I share facts and my story about Water, then Sandra conclude with a more political approach and presents our recommendations and questions if needed. I wasn't sure what to expect but I know my plea: my meeting went very well, she was in shock when I told her about the water situation in Canada She said "but it is not possible, Canada is so rich in water, this is not acceptable" and she assured me that she would send our recommendations to the Embassy. In most cases, delegates from Geneva's Permanent Mission meet

with Human Rights' representatives and send the information to their embassy. The embassies prepare recommendations and some will also ask questions, then they send everything back to their delegate who will be at the review of the country in question, in our case, Canada. You will find at the end of the document our recommendations. If you want to know more about human trafficking in Canada I encourage you to google Jill Hanley and you will find lots of documentations.

We are done at the Un for the day and it is still early so Sandra suggest we take the train to Nyon, I wanted to go and visit the Museum of Lemman, it was one of the places that was suggested to me by Catherine, my travelling companion. Nyon is close to Geneva. Here is the Museum of Lake Lemman, in a few lines:

Nature and culture of Lake Lemman, one of the largest lakes of Western Europe (fauna, flora, aquariums, fishing, navigation, shipwrecks, submarines, arts) Objectives: protect the nature of the Lake and raise awareness of the current challenges: fight against pollution, maintaining wildlife and aquatic flora as well as the quality of the water of the Lake.

We met with the person in charge who has been there for many, many years and I explained to her my mission in Geneva and we exchanged on water and our common problems, plastic, we talked for quite a long time and it was a great meeting. We should have a museum like this, dedicated just to the St-Lawrence River. The museum was closing and we decided to visit Nyon a little bit more, we climb a little higher in an elevator that is installed in the middle of a field, which brings us to a castle, that we did not visit, but the view is extraordinary! We decided to continue our journey to Lausanne which is not very far. We have dinner at a small restaurant on the edge of the water "The Pirate", it was very funny, the server was excited by my accent I think lol. We took the subway, then the train and the bus to our hotel... We arrived a little later than planned, and we are very tired. We have prepared for tomorrow on the way back... We have several meetings booked and it will be a big day.

**Day 3** - After some discussion, Sandra decides to take the bus with me, she wanted to walk to the top of the hill, but I told her that I knew a better way lol. We made some small mistakes, but all's well that ended well lol. Today's presenting countries are Azerbaijan, Turkmenistan and Uzbekistan. We have appointments with 5 countries today and we are invited to the Permanent Mission of Canada and we have a networking event organized by UPR, so a busy day!

1<sup>st</sup> panel of the day is Azerbaijan – 3 women, 3 men.

This country is 20% occupied by Armenians; Azerbaijan is mostly Turk, Iranian and Russia, the communities are Georgie and Turkey, they mentioned that there had been no implementation of the recommendations that were accepted in 2013. Before panelist begin there is sometimes someone from the Permanent Mission or other "Government officials" that say a few words. In this case it was a very rough introduction, there was a man that was an election candidate, this country was in election time, and he said that this panel did not represent his country and he was definitely not a human rights person. The panel did not pay too much attention to him but people in the audience thought he was really out of place and even the UPR organisers did not expect this kind of elocution.

**Issues:** Freedom of associations, challenges for independent legal professionals because of political reasons only 900 lawyers for 9 million people.

**Issues:** Travel bans, torture: there was 13 countries that made recommendations against torture and all were accepted but none were implemented. 4 sq. metre per prisoner, 21K convicts in 20 facilities, electric shocks are still used, 2 students received a 10 yr sentence for graffiti and were raped repeatedly.

**Issues:** Corruptions and human rights: access to basic health services asking for implementation of a country wide mandatory health services for elders and children, vocational training for medical personnel, fixed price for school uniform, regular vocational training for teachers.

**Issues:** Social rights of indigenous communities affected by oil and gas development, no plants mature, no monitoring of Water, asking for access to clean Water. Because of poverty, people need access to good land, they need their garden to eat, there is no access to basic healthcare. In 2016 a main gas line exploded and no one received compensation. This is a breach of human rights. Yellow dust in the air and because of the Water

situation people are having kidney problems we are asking for the rights to clean air. Rights to education, girls are not in school past 4<sup>th</sup> grade because of cultural reasons. This is not only a matter of resources but a matter of corruptions. In Russia : 3<sup>rd</sup> fastest growing HIV cases, 1 every hr in 2017: 35, 000 people registered.

All together 26 recommendations were adopted but none were applied! There were no questions!

2<sup>nd</sup> panel – Turkmenistan I was in a meeting during this presentation

3<sup>rd</sup> panel - Uzbekistan (Pakistan) –4 women, 1 man I was able to hear a few of the panelist:

**Issues:** child labor in cotton field, exit visas, mistreatment of teachers (they must clean the roads or they lose their job) and the other issues are about the farmers losing their land.

I had to leave to meet the delegates on my list for the day.

1<sup>st</sup> meeting was a delegate from **Canada**, this young man is the desk officer for Canada, he establishes bridges to create relations and he was very concern about the Water situation in Canada. We had a scheduled meeting with Spain but he did not show up.

Our meetings with **Finland, Switzerland and Germany** were very rewarding as all three main priorities is Water and we know that they will make recommendations to Canada, so it was very important to speak with those countries. Switzerland, is a country that makes lots of recommendations to Canada regarding First nation issues and he asked me many good questions. I mentioned the Indian Act and told me that one of their recommendation in 2013 was to abolish the Indian Act. After our meetings we left for the **Permanent Mission of Canada**. The woman ambassador was very welcoming and it was a round table kind of meeting with the other delegations from Canada. When I first entered I recognized Cindy Blackstock right of way, she is a woman that I admire a lot and I was happy that she was on the panel. I encourage you to google her and find out what she is all about. We also met with a lady from Ottawa representing “Canada without Poverty” and Lorraine Anderson the first secretary of legal affairs and a lawyer from Toronto and representative of the Canadian Human Rights Commission. The Ambassador Rosemary McCarney is Canada’s Ambassador and Permanent Representative to the United Nations. She listened to all I had to say with lots of respect, when I spoke of the wale situation I just lost it and became very emotional after I was done speaking we all got up to get something to eat. Rosemary approached me and asked me a question: “do you think first nation people really want to abolish the Indian Act? she said, sometimes people get into a comfort zone and we have to remember that the Indian Act is also there to protect the land.” I was not going to answer that question, this was a very informal meeting and very casual conversation but need to be careful what you tell these people, she is government, even if she was a very nice lady, this is what I told her “ I am here for Water issue, the Indian Act is another issue completely, maybe next year this will be my topic” and she smiled and we just started talking about other things non governmental just things about my stay in Geneva in general and things to see and do while I am here.

We left the Permanent Mission to go to a 5-7 organised by UPR. Well we did not stay there more than 5 minutes, that was enough for me and Sandra was feeling the same way. People were drinking and there was so much plastic at that event everything was in plastic... pretzels in small plastic glasses etc.... It was better for me to leave, because I would of probably made some comments lol.... we went back to our hotel and had supper right there as we prepared for our next day and sent all our emails to all the countries we met that day with more information regarding our mission. All these documents are available at the end of this report. We worked pass 11, tomorrow will be another big day, Canada is presenting and we have more meetings scheduled.

**Day 4** – Today is the big day, Canada is presenting first thing in the morning, followed by Germany and Bangladesh. We are meeting 5 countries today.

1<sup>st</sup> panel - Canada - I am happy to tell you that Canada was the only country with an **all women panel** – 5 panelists, 5 women.

The ambassador did a great opening before our panel began their presentation. Sorry but we were not selected to be on the panel, we were hoping till the last minute but no go... that is ok, we got our message through that is the

important thing. Our panelists were great, and I had more time to speak with all the countries that I needed to meet!

The first woman was representing Canadian Human Rights Commission and she mentioned that Canada have the same recommendations for many cycles with no progress at all.

**Issues:** First nations, disability, TRC and calls to action, she said “commitment rather than reality” She also spoke about Water’s right in Canada. Even though I thought she was a very good speaker and I realise that each panelist only has 7 minutes, I wish there would have been more time to elaborate on the calls to actions.

The 2<sup>nd</sup> woman spoke for “Canada without Poverty”, she said that the money spent in Canada is not attached to human rights, unemployment is at its lowest but pay is low and below poverty line.

The 3<sup>rd</sup> woman represented “South Asian Legal Clinic”, this very young woman spoke about the employment equity act for all employees and non-recognition of skills and education from other countries and asked that Canada immediately ends practice of keeping children in immigration detention facilities.

The 4<sup>th</sup> woman was none other that Cindy Blackstock, A member of the Gitksan First Nation with 25 years of social work experience in child protection and indigenous children’s rights. Dr. Blackstock’s research interests are indigenous theory and the identification & remediation of structural inequalities affecting First Nations children, youth & families. I cried almost the whole time she spoke, sorry folks, but this woman, always speaks from the heart and when she spoke of our 165,000 first nation children engaged in discriminatory conduct in the Canadian Human rights’ tribunal and the removal of the children from their home, it was very hard to listen without tears and I have to say that I was not the only one. She also said, and I fully agree with her, “we talk of reconciliation when we should really be talking about human rights” She spoke of the Spirit Bear Plan:

[The Assembly of First Nations unanimously supports the Spirit Bear Plan during the 2017 Special Chiefs Assembly](#)

### **End Inequalities in Public Services for First Nations Children, Youth and Families**

First Nations children and families living on reserve and in the Territories receive public services funded by the federal government. Since confederation, these services have fallen significantly short of what other Canadians receive. This injustice needs to end and Spirit Bear’s Plan will do just that.

<http://www.fncaringsociety.com/SpiritBear>

### **Spirit Bear calls on:**

**CANADA** to immediately comply with all rulings by the Canadian Human Rights Tribunal ordering it to immediately cease its discriminatory funding of First Nations child and family services. The order further requires Canada to fully and properly implement Jordan's Principle ([www.jordansprinciple.ca](http://www.jordansprinciple.ca)).

**PARLIAMENT** to ask the Parliamentary Budget Officer to publicly cost out the shortfalls in all federally funded public services provided to First Nations children, youth and families (education, health, water, child welfare, etc.) and propose solutions to fix it.

**GOVERNMENT** to consult with First Nations to co-create a holistic Spirit Bear Plan to end all of the inequalities (with dates and confirmed investments) in a short period of time sensitive to children's best interests, development and distinct community needs.

**GOVERNMENT DEPARTMENTS** providing services to First Nations children and families to undergo a thorough and independent 360° evaluation to identify any ongoing discriminatory ideologies, policies or practices and address them. These evaluations must be publicly available.

**ALL PUBLIC SERVANTS** including those at a senior level, to receive mandatory training to identify and address government ideology, policies and practices that fetter the implementation of the Truth and Reconciliation Commission's Calls to Action.

The 5<sup>th</sup> speaker spoke of women's violence: criminalization of women survivors of violence, experiences of sexual assault survivors in the criminal justice system. Recent passage of Bill S-3 amend the Indian Act, Canada still did not eliminate the sex discrimination from the status registration prior to 1975.

Questions to Canada were from Switzerland and Haiti said that the panel was the best panelist with high quality speakers and will be making recommendations to Canada. I have to say that Canada was the best presentation, ok maybe I am bias!

After the presentation was done, I met with the ambassador and again we had a very good conversation, for some reason, I think she will remember me. Before leaving for Geneva, I made a presentation in a school in Gatineau, Mont-Bleu International Elementary School, and saw three grade 3 classes and the topic was Water. A few days later they contacted me and they each had prepared a letter addressed to the UN and addressing Water situation. All week I was holding on and wasn't sure who I was going to give those letters to.. Well there she was, for sure she was the one... so I gave her those letters and I said, I have a feeling you will know what to do with these and give them to the right person. She was very touched when she read them.

Before Germany's presentation, I took the time to meet with **Haiti** and chat a little more with him regarding our Water situation, he gave me his business card and I will contact him to give more information.

We also took a few minutes to meet with the **United State**, for me that was a waste, because she said that their priority is not Water issues and Canada is not on her list, then we spoke briefly with **Malaysia** and we will send her more information about our plea.

2<sup>nd</sup> panel – Germany- 2 women, 3 men. Germany will be under review on May 8<sup>th</sup>. I was not able to stay for the whole presentation.

**Issues:** National Human rights institute: Family re-unification and violence against women just because they are born female. Need to increase food banks.

**Issues:** Women International League For Peace: their message was very clear: "Move the Money from War to Peace"

3<sup>rd</sup> panel – Bangladesh – I was not able to attend this presentation.

Our meeting today:

**Argentina** was the first lady we met, she was very concern of the water issues and asked me many questions, that is a good sign. Our goal of course is to have all of these countries make recommendations to Canada and ask questions. Note: I received an invitation from the Embassy of Argentina in Ottawa the next day. So I will meet them next week.

We then had three people to meet at the same time, since there is 3 of us we split up, so for the 1<sup>st</sup> time we did a one on one meeting, it was really good. I met with **Georgia** first, which will be one of the country in the Troika for Canada. We had a very good conversation, they face the same situation in her country regarding water, she said that in the rural area it is very difficult.

**Mexico**, with this woman I had a great conversation, you see when we meet the delegate we have a lot more than 7 minutes, I began by talking to her about the situation in Mexico and the Chagas affecting the indigenous people over there, I spoke about my experience in Guadalajara and my meeting with the University of Mexico regarding the Water situation and our grandmother Moon. Then I gave her my talk about our own situation in Canada. I do not know why, but some countries are only allowed to make 2 recommendations during the exam but Mexico is allowed 3 and not all countries ask questions. All of the above were present at the presentation from Canada in the morning, and that made things a lot easier because we could also have a little discussion about other First Nations issues.

**Spain**, yep he finally showed up and apologized for his no show the day before. I know that this will not be politically correct, like Sandra would say, but I am not a political person, I am of the Turtle Clan, and I am an observer. All that to say this guy was a real macho more jerk actually and we had a very intense conversation that I will share with you right now. But I have to say that he was way less ignorant when I was done and I hope he learned something. So just to put you in context, while I was speaking with Mexico, Jill was speaking with Georgia and Sandra with Spain. Usually all 3 of us would be with one country and each would take turn to make our presentation. So today we are walking from one table to the next lol.

So, I am arriving at the table where Spain is sitting and Sandra is just finishing up and she says to me “he has questions for you” so I do not know what they were talking about but I was barely sitting down that he asked me: What is the difference between Indians, first Nations, aboriginal and indigenous? In a very sarcastic tone, this guy is young and I can tell he doesn’t know anything about first Nations, but his country is a big advocate for Water. So, I start by telling him that we were not Indians that this name came from when the white people arrived on our territory and they thought they were in India and called us Indians and I was barely finished and he says” us Spaniards discovered you long time ago and it was no mistake” I was in rage but had to be cool! So that is how our conversation started. This “boy” had never heard of the Indian Act and he was arguing the fact that I was telling him that if he made recommendations about Water to Canada it had to say for all Canadians and First Nations because we are not Canadians.... Ouf he did not want to understand that part so I told him to go read about the Indian Act and get more information about the First People of Canada. I did give him my presentation like I did to others but with a firmer tone lol. Maybe it will have an impact and he will be a little smarter after he does his research! I also gladly gave him my business card and I told him to contact me should he have more questions regarding the First People of Canada. You probably guessed by now, he was not at the Canadian delegation presentation that morning.

Now we are on our way to **Denmark** Permanent Mission to meet our last delegate for the day. She was very receptive and she will send all our recommendations to Ottawa.

Tonight we are all meeting for a cheese fondue at les Bains de Pâquis, walking distance to our hotel. Wow this was very good, Gruyere cheese and bread, this was my very first cheese fondue, I loved it. We walked a little bit around and went to sleep earlier tonight, it was a very big day.

**Day 5** – We are really getting good with the bus system, Sandra and I always meet for breakfast, I like to be there at 7, we take the bus at 8. Today will be a short day, we are not meeting anyone today and there are only two countries presenting, Columbia and Cuba. Then we are invited to FI for lunch. Sandra and Jill are both leaving this afternoon for a little holiday and I will be by myself, I do not mind at all.

1<sup>st</sup> panel – Columbia – 2 women, 3 men

Listening to some of the issues in Columbia was very similar to listening to the issues here in Canada. The Columbian delegation was also invited by FI and Ulises was also taking care of them. Before the presentation the ambassador of Columbia spoke



The first presenter was Margarita Bautista:

**Issues:** protect the right to ownership of the land of indigenous people and traditional peasant's communities to avoid them from being stripped of the land suitable for agriculture. And secondly to obtain through consultation mechanisms, that indigenous people participate fully in the definition of policies that affect them.

Other presenters:

**Issues:** childhood, armed conflict and safe school declaration, children's right to health. Colombian state is urged to sign the National Children Protection Policy.

**Issues:** presented by ONIC Pueblos First Nation Elder: he stated that there is 102 First Nations, 64 different language, 50% are on secluded land, 63% are at risk of extinction. He asked for Medical care, Earth Protection and the right to participate in political decisions. As far as territory is concerned, there is no recognition of their territories, 396 mining titles are on indigenous land and they are victim of land appropriation. Between the year 2014 and 2016, 68 Indigenous persons were killed in violation to human rights.

**Issues:** presenter is representing Afro-Columbian Human Rights she is asking for equality.

**Issues:** forced sterilization for women, sexual crimes, in 2016 there was 645 sexual violence survivors that were treated by doctors in Tumaco and Buenaventura only. Life in Afro-Columbian sector is way below poverty and there is a big crisis regarding the Water and sanitation situation.

**Issues:** Columbia Diversa representing LGBT (lesbian, gay, bisexual and transgenders) 460 killing against LGBT group and the killers are not being punished

Questions: Haiti encourage the delegation to look deeper in the Afro-Columbian case. The Permanent Mission of Columbia made a final comment: "We are ready to listen with humility but need to check all the numbers given before"! (really....)

2<sup>nd</sup> panel – Cuba – 1 woman, 1 man – the delegation was not aloud to leave the country, this created a lot of emotions and almost all the countries present called their embassy and their respective countries to let them know of this unacceptable situation.

A statement was read for someone that could not be there and was representing children and education. He talked about the no freedom of speech and having no access to any statistics to human rights or any civil services.

**Issues:** discussed by both panelist: human trafficking, rights to life, Independent NGO are illegal and persecuted, Human right are completely ignored, death penalty, even though the last 3 men were killed was in 2003, their offence was trying to leave the country without using any violence. More than 100 political prisoners spend more than half their life in prison.

Questions: almost every country present expressed their concern, Denmark mentioned regrets that Cuba Permanent Mission in Geneva was also missing. Germany stated that it was time for them to make recommendations regarding human right in Cuba, Tchek Republic stated that they were very concerned about the exit visa and that it goes against all principles and they will follow these cases closely. I think I have all the countries that express their concern: Germany, Tchek Republic, Sweden, Belgium, Danemark, United Kingdom, Finland, United States, Ireland, Slovak, Croatie, Mexico.

Here are the replies from the panelist: You are just finding out now that this is happening all the time, freedom of movement: we can't leave or enter the country even between cities, thousands have been killed trying, it is like the Berlin wall, we also have a wall the Cuban Wall and a Cuban Sea Wall. Our women face more difficult

situation, the government is taking their children, parents have no parental rights on their own children in Cuba. We have no ambulance services and the embassies could vouch for this, our hospital system is worst than awful. In Cuba there is no private property and the rationing cards are still in effect. Hardly no outside connection because 1 hour of internet cost more than ½ the salary. THE GOV'T IS LYING TO ALL OF YOU. Cubans feel trap.. I have to admit that it is a little better than it was!

After this very heartbreaking session we made our ways to FI for lunch. There I met a few people from other countries, all Human Rights defenders, we had good conversation, education about our situation is never over and there we go again.

Well there you have it, this is my week at the UN, I really appreciated learning more about other countries and their struggles and all are in my daily intentions. Of course, my experience meeting the Permanent Mission's delegate was very enriching and I know it will help me in my quest for the Water and other issues concerning my people.

Please feel free to share and if you have any comments or questions please feel free to ask me and if I can answer I will in all humility. Do not forget to consult the attached documents.

Now if you are interested in knowing about the rest of my trip here it is:

After our lunch Sandra left and Jill took the bus with me and we parted at the train station, I went to my hotel by myself like a big girl lol. I rested a little and decided to go for a walk to see the swans again and offer more tobacco to the Water, I had supper by the water and of course taste a pear sorbet, I have to say that there is a lot of pears in Geneva, pears everywhere and on every menu, that is good because I love pears. Went back to the hotel and read my book on Water, this is the book I have to read for my next class once I am back home. For some of you that do not know I am studying to be a Holistic Nutritionist and I skipped a module to come to Geneva but I am starting the next one upon my return, it is Preventive Care and we will talk about Water as a prevention to disease. If this interest you, look up Dr Batmanghelidj, he is incredible. There was a lot of emotions again today so I am going to bed early.

Today my friend Christine is picking me up and we will visit the old city of Geneva. Wow it is so beautiful and I am so lucky to have a great guide I could not have done this without her for sure. She brought me to the best chocolate place in Geneva. For three generations, the Rohr family represents artisan chocolate of high quality in Geneva. These artists feast your senses by unique and original creations, as well as perpetuating traditional recipes such as the icy cobblestones and the views of Geneva. The lady that was working there has been there for 30 years and she gave us lots of samples to taste. I bought a few bars for people to taste back home. We went to Christine's place in France so I can say I went to France lol. It was funny because there was no border where we drove and she said ok we are in France now. She drove me back home around 6 and we had a great afternoon, I was even privileged to receive a very special healing session and I have to say that my knee have improved a lot, I am happy that I got to know Christine a little better and I am looking forward to seeing her again in July when she will come to our Sundance here in Ottawa. When I arrived at my hotel, there was a big package waiting for me at the reception desk. It was from Catherine, in the plane she shared with me that she had a huge turtle collection (over 400 turtles) and I shared with her that I was Turtle clan so she gave me 25 turtles, all well wrapped from everywhere in the world and a whole bunch of little chocolates.

I went for supper in my hotel where they have great Switzerland original music, reminds me of Heidi, I know I didn't tell you that but I love Heidi and I think I saw all of her movies lol.

Got back in my room and started packing my thing as tomorrow I am going home. After a good night sleep and a good breakfast, I took a taxi to the airport. I arrived at 9 because I am supposing to leave at noon and I wanted to make sure I was there early. I get there and all the booth for Air Canada are closed, I asked around and they tell me to come back at 10h30 so I sat outside, they have a nice terrace and enjoyed the weather, because I knew I was arriving in Montreal in not so good weather . I come back around 10 and Jill is there waiting for me as we

are taking the same plane back home as she tells me the bad news... our flight has been cancelled due to mechanical problems. Air Canada gives us a room at the Crown Plaza and we leave the airport with a shuttle taking us to the hotel, Air Canada tells us to be there at 5h30 AM the next day. Well another day in Geneva, Jill wanted to visit the Red Cross Museum all week but it was closed for renovation and was re-opening today, so we hop on a bus and arrive at the Museum. I am not sure it is something I would visit ever again, it is like going to a war museum, not my favorite thing. It was interesting though and very heavy at times. We had supper at the hotel and went to bed early. We decided that 6h30 was early enough to go to the airport and am I glad we did, we get there and our flight was delayed so instead of leaving at 9 it will be at noon, actually the flight ended up leaving at 1h30. So we spent 7 hours at the airport, 9 hr flight and 6 hours difference in time zone that makes 22 hrs ... It was a long flight, no tv or lights were working! I was really happy to see my friends from the longhouse in Kanawake at the airport, they were there to pick me up, I can always count on the Longhouse, they are like family to me, we will be having a debrief after supper.

Thank you for reading me! Please love the Water and do not forget to ask her for forgiveness for all we do to her!

Here is one of the document that was sent to all the Permanent Missions that we met.

<https://www.canada.ca/en/indigenous-services-canada/services/short-term-drinking-water-adv isories-first-nations-south-60 .html#a1>

And the following document called Fact sheets:

## WATER IN CANADA: AN INALIENABLE RIGHT

### FACTSHEET

On average, Canadian rivers flow almost 9% of the planet's renewable freshwater resources, while the country is home to less than 1% of the world's population. Water occupies a large part of the territory, more than in any other country. Great Lakes shared with the United States, represent the largest area of fresh water throughout the world. Lake Winnipeg in the province of Manitoba, is the tenth of the world's fresh water tank. In Canada, it is the federal, provincial, municipal governments as well as Aboriginal governments having a self-government agreement that share water management. Currently, there is no national policy specific to the water protection in Canada. Water is a prerequisite to all life and, in this capacity, recognition of the right to water and sanitation is a "prerequisite for the realization of other human rights." We wish to insist on the urgency for Canada to take concrete actions in order to respect, protect and implement that human right.

#### Background and UPR 2013

Although the Canadian Charter of Rights and Freedoms does not guarantee the human right to water and sanitation explicitly, and the Supreme Court of Canada has not recognized this right, it is possible to consider its implicit guarantee by the following articles: 7 (guarantees the right to life, liberty and security); 15 (guarantees equality rights) and 36(1) (c) (concerning equalization and providing essential public services of reasonable quality to all Canadians).

In 2002, the Committee on Economic, Social and Cultural Rights, recognizes in its General Observation n° 15, that the right to water is implicitly included in articles 11 (the right of everyone to an adequate standard of living) and 12 (the right of everyone to the enjoyment of the highest attainable standard of physical and mental health) of the International Covenant on Economic, Social and Cultural Rights, a covenant to which Canada is a party.

On July 28, 2010, through the resolution 64/292, the General Assembly of the United Nations recognized the fundamental right to water and sanitation "as a human right that is essential for the full enjoyment of life and all human rights." On September 30, 2010, during its 15th session, the Human Rights Council adopted by consensus a resolution that "affirms that the human right to safe drinking water and sanitation is derived from the right to an adequate standard of living and inextricably related to the right to the highest attainable standard of physical and mental health, as well as the right to life and human dignity". The United Nations Declaration on the Rights of Indigenous Peoples, adopted by the United Nations General Assembly in 2007 and officially endorsed by Canada in November 2010, also recognizes the First Nation's rights related to drinking water and sanitation.

During the United Nations Conference on Sustainable Development, in June 2012, the Canadian government recognized the existence of the human right to water and sanitation. During its second evaluation, as part of the Universal Periodic Review (April 26, 2013), Norway, Spain, Germany and Ecuador formulated some recommendations to the Canadian government about the human right to water and sanitation. They recommended particularly to recognize this right in a national legislation; to reduce the inequalities in the access to water faced by indigenous communities; to develop a national plan to guarantee it, in consultation with indigenous peoples; and to allocate sufficient funding to ensure the implementation of that right. Canada accepted those recommendations.

## Recommendations

1. Elaborate and implements, in collaboration with the provinces, a national policy for all Canadians, that fulfills Canada's international obligations in virtue of the right to water and sanitation;
2. Guarantee, in collaboration with the provinces, the provision of drinking water to all citizens, including the First Nations, among others, by funding programs that promote the conservation, the preservation and the restoration of freshwater sources and other water sources;
3. Adopt and promotes, in collaboration with the provinces, strategies of citizen participation, regarding the human right to water, that are inclusive, non-discriminatory and egalitarian;
4. Re-establish national environmental mechanisms of protection and regulation, that affects all the Canadian ponds and stretches of water;
5. Regulate the activities of the extractive industries and implements effectively these regulations;
6. Elaborate, applies and enforces coherent environmental standards in the sanitary, agricultural, fishery and industrial fields;
7. Involve, consult and work together with the First Nations on the environmental issues that concern them, and guarantees the implementation of the chosen solutions;
8. Guarantee, in collaboration with the provinces, that water is and remains a public and free good, belonging to all citizens and implement the means to protect its free provision;
9. Establish and adopts legislation at the federal and provincial levels in order to guarantee to all Canadians full access to clean water and sanitation services; and that these laws guarantee a sustainable management of water resources, in accordance with the Canadian government's commitment to fulfill the objectives of sustainable development.

**Challenges :** Metal Mining Effluent Regulations contains a list of 27 water stretches (lakes, ponds and streams) in which the companies are allowed to dump their mine wastes

**Impacts:** Impact on the quality and the access to water in Canada. Pollution of large territories, construction of dams, devastation of water resources, flooding of arable lands, obstruction to fishing and agriculture, environmental disasters and the lack of rehabilitation of contaminated lands result in the perturbation of ecosystems and economic and social activities and threaten health and public security. Furthermore, the extractive industry often benefits from access to water resources at little or no cost.

**Challenges :** The modifications legislatives to the Fisheries Act, the Navigable Waters Protection Act, and the Canadian Environmental Assessment Act, represent a step back when it comes to the protection of water resources in Canada

**Impacts:** Navigable Waters Protection Plan now protects only 97 lakes and 62 rivers (as well as oceans) on the millions that were previously protected. Therefore, that act does not protect 99% of water stretches. Thus, it is now possible, in virtue of the Navigable Waters Protection Plan, to do work on the lake and rivers not included in the schedule, without the Federal Minister of Transport's authorization.

Regarding the Fisheries Act, the modifications provided by bill C-38 ensure that from November 25, 2013, only the fish useful for fishing (commercial, traditional or recreational) are protected. Furthermore, the act only protects the fish against "serious harm" that they might endure. Moreover, considering that the previous version of the act extended the protection of this one to the "fish habitat", and not only to the fish as such, it is possible to consider that the modification of the act represents a step back when it comes to the protection of the environment.

Since June 29, 2012, the new Canadian Environmental Assessment Act provides for the obligation to conduct environmental assessments only for projects designated through an act, a regulation or a ruling from the Minister of the Environment, thereby reducing the number of projects submitted to an environmental assessment in virtue of the previous Canadian Environmental Assessment Act from 1992. Moreover, the new Act reduces the possibility of the public's participation by restraining the definition of "interested party" to the people directly

affected by the project or having, in the eyes of the authorities, relevant information or expertise. In 2014, The Commissioner of the Environment also concluded that some practices related to the participation of the public and the First Nations presented gaps, particularly in terms of the short timeframes allowed and the funding programs that do not cover all participants' costs.

**Challenges:** First Nations access to drinking water and sanitation is not guaranteed in the facts by federal authorities, endangering the health of the people who live there.

**Impacts:** Despite efforts and investments made by Canada, some First Nations communities still have no access to drinking water and sanitation services. In 2017, 167 warnings on the quality of drinking water had been issued with the First Nations. Dated March 2018, there were 34 reviews of boiling of water in effect in Aboriginal communities. Some have been on water restrictions for 20 years. In Ontario, Wayne Moonias, Chief of Neskantaga, says "water is even unsafe for bathing. Our children and our elders are sick. Extra solutions are no longer sufficient, and our people have to walk through Siberian temperatures in winter to fetch Water."

In the spring of 2017, a process of engagement for First Nations drinking water safety act was launched to determine the way forward for the protection of safe drinking water for residents of the First Nations communities. The Act was repealed by the Assembly of First Nations, before being voted on in Parliament.

First Nations have expressed interest to work directly with the Government to determine together how to follow appropriate procedures in partnership with them, to obtain positive results for the provision of safe drinking water, which requires to establish funds for all of the communities of First Nations during the implementation of a new legislative framework.

## **WATER IN CANADA: AN INALIENABLE RIGHT**

### **UPR 2018 CANADA**

Suggested questions to Canada

1. What actions is the government taking to negotiate trade agreements in order to control the right to protect water, maintain public management of water and protect the human right to water and sanitation?
2. What means the government of Canada has taken in order to maintain the infrastructure of water and sanitation systems installed in the communities of First Nations People?
3. What concrete actions is the government of Canada taking to become a leader in the Global water agenda established in march 2018 by the United Nations?
4. How the legal system guarantees economical, physical and legal accessibility to proper water and sanitation systems for all Canadians and First Nations?
5. When does the government intend to invite the Special Rapporteur on the human rights to safe drinking water and sanitation to assess the Water situation in Canada and the Water situation with the First Nations?

here's my plea:

Canada is responsible for almost 9% of drinking water over the whole earth. The St. Lawrence River and Lake Superior are responsible for the lives of more than 42 million people in Canada and the United States, yet these two Water are not protected. In 2015 there were 2000 whales in the St. Lawrence River St, by 2017 there are barely 500 left. Our whales are being poison. They are poisoned in the same water that provides us with our drinking water, I'd say it's very disturbing. Poisons include plastic, oils spills and contaminated gray water.

On April 5, 2018, there were 906 notices to boil water in Canada, my plea is not only for First Nations, water is a global problem. 906 Water boiling advisories, it's huge for a country that should be a world leader in the field of Water.

The Government made many promises, but that is what they are: promises, don't think that we, First Nations receive these monies to sanitize the water in our communities. This Government is building unsustainable water treatment plans as they are under the standards, these buildings would never be accepted in the city by engineers worthy of this title. I ask that First Nations participate in the decisions making process, that the buildings be built according to the standards and that engineers are trained to maintain them adequately and receive a fair wage, because in the moment there is no one qualified to do this work.

I lived without water for many years, and I know the situation very well, our children and our elders are sick, the situation is such as situations in the third world, yes in Canada. Some communities have no access to water for more than 20 years. This situation is no longer acceptable, water is a human right. Every human being must have access to clean water.

My mission is water but the living conditions of First Nations in Canada is not acceptable, these conditions go against human rights.

#### **MY FACT SHEET**

The Human Rights Council twenty-fourth session, on 28 June 2013

Item 6 of the agenda UPR (report of the Working Group on the universal periodic review \*)

Annex to this report is distributed as it was received

I. Summary of the proceedings of the review process. A. presentation of the State under review

Art. 33. the Canada also referred to a bill designed to ensure First Nations access to water drinking and sanitation, as well as effective treatment of wastewater and the protection sources of water on First Nations lands.

#### **CHALLENGE**

Water is a prerequisite to all life, and as such, the recognition of the of the right to water and sanitation is a "prerequisite for the realization of others." <sup>2</sup> human rights. " We insist on the urgency for the Canadian State to take concrete action in order to respect, protect, and implement this human right.

I could quote hundreds of articles written since the last 10 years by various agencies mostly from Health Canada & Aboriginal Affairs, but it is obvious that the situation water in the communities is far from be improved

I would say we're regressing rather than progressing because every day new communities are added to the long

list of the genocide of the water. Promises, monies spent mainly for studies and more studies.

The biggest challenge is to admit that the problem exists and it is huge and that the solution should be regarded together with the communities, a community at the times. Several Government levels accuse "The burdens of the federal bureaucracy".

**Facts, comments** (Source [www.watertoday.ca](http://www.watertoday.ca))

As of April 2, 2018, 136 communities still do not have access to clean drinking water

### **In Ontario**

"The water is even unsafe for bathing. Our children and our elders are sick. Extra solutions don't are worst our people must walk through Siberian temperatures in winter to go find Water". Wayne Moonias, head of Neskantaga. Nearly 50 Aboriginal communities have lost their access to drinking water since 2016.

### **Saskatchewan & New Brunswick**

93% of First Nations in these provinces could not drink water from the tap for at least one year since 2004

### **British Colombia**

BC is home to 198 First Nations, about 1/3 of all First Nations in Canada. The boiling Water advisory identified by Health Canada and First Nations health authority in British Colombia: 150

Notes:

July 28, 2010, by resolution 64/292, the General Assembly of the United Nations recognized the fundamental right to water and sanitation as a right 'essential to the full enjoyment of life and the exercise of all the <sup>14</sup> human rights '.

Finally, the the UN Declaration on the rights of indigenous peoples<sup>31</sup>, adopted by the General Assembly of United Nations in 2007 and officially endorsed by the Canada in November 2010 <sup>32</sup> also recognizes rights to the First Nations related to drinking water and sanitation.

<sup>2</sup> . Committee on economic, social and cultural rights general comment No. 15, the right to water (arts. 11 and 12 of the international Covenant in the ) economic, social and cultural rights, 2002, E/C.12/2002/11, by. 1.

<sup>14</sup> Resolution 64/292, adopted by the General Assembly, the 1 right to water and sanitation, July 28, 2010, A/RES/64/292,.

<sup>31</sup> The UN declaration on the rights of indigenous peoples, the General Assembly Resolution 61/295, September 13, 2007.

<sup>32</sup> Statement of the Canada support the statement of the United Nations on the rights of indigenous peoples, November 12, 2010, online:

< <https://www.aadnc-aandc.gc.ca/fra/1309374239861/1309374546142> >.





**FICHE D'INFORMATION (FACT SHEET)**

