KAIROS Statement in Support of the Algonquins of Barriere Lake/Mitchikanibikok Inik
Opposition to Federal Government Imposition of Section 74 of the Indian Act

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs.
- Article 4: United Nations Declaration on the Rights of Indigenous Peoples

KAIROS fully supports the Algonquins of Barriere Lake and calls on the Government of Canada to demonstrate its commitment to upholding the human rights standards of the United Nations Declaration on the Rights of Indigenous Peoples by rescinding its decision to impose the Indian Act election system on the community.

For generations the Algonquins of Barriere Lake have exercised their right to self-determination by using their customs and traditions to choose their leaders and governments. This land-based governance system is connected to their culture, language and way of life. It was codified in 1997 and is now known as the Barriere Lake Governance Code.

In a letter to the federal government dated 18 July 2010, elders and leaders representing a broad consensus of the Algonquins of Barriere Lake demanded that the government respect their right to self-determination by recognizing their customary system of governance and rescinding the order to forcibly impose the Indian Act election system, as outlined in Section 74. Barriere Lake is one of only a few First Nation communities in Canada that have never used the Indian Act to form their governments.

Undermining the traditional government of the Algonquins of Barriere Lake by unilaterally imposing Section 74 of the Indian Act violates their inherent indigenous and treaty rights, which are guaranteed in Canada’s Constitution and enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, which the Government of Canada endorsed on 12 November 2010.

The plan to force the Algonquins of Barriere Lake to accept an Indian Act system of governance contradicts the recent Senate Standing Committee on Aboriginal Peoples Report - First Nation Elections: The Choice is Inherently Theirs – which recommends that the Department of Indian Affairs “commit to assisting all First Nations who currently hold elections pursuant to the Indian Act in moving to community-based codes.” As the Senate report explains: “Ever since the arrival of the colonizers and the imposition of their governance systems throughout Canada, the Aboriginal peoples have resisted and struggled to reconstitute their traditional forms of political representation and governance practices, to maintain control of their own affairs, and to have government be accountable to them.”

KAIROS is aware of the many challenges facing this community, and many others across the country. Recently the community initiated a reconciliation process under their customary code. This process is encouraging and shows much promise. The Government’s planned imposition of Section 74 represents a serious threat to its success.

When the Government of Canada endorsed the UN Declaration, it said the Declaration’s principles of equality, partnership, good faith and mutual respect “are consistent with the Government’s approach to working with Aboriginal peoples.” Respecting the Algonquins of Barriere Lake First Nation’s right to self-determination will send a positive message that the Government is serious about implementing the UN Declaration, and using its principles to “continue working in partnership with Aboriginal peoples to create a better Canada.” It also will demonstrate that the Government cares about the Algonquins of Barriere Lake and wants the current reconciliation process to succeed.

KAIROS: Canadian Ecumenical Justice Initiatives unites eleven national churches and church organizations in faithful work for social justice and human rights. For almost four decades these churches have worked in solidarity with Indigenous peoples on both national and international Indigenous rights and justice issues, specifically in the areas of relationship-building, education and advocacy. www.kairoscanada.org